

‘Making Our Prisons Work’: An inquiry into the efficiency and effectiveness of prisoner education, training and employment strategies.

Response to Interim and Final Reports

March 2011

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Introduction

On 24 June and 25 November 2010, the Community and Justice Standing Committee of the Western Australia Parliament tabled its interim and final reports respectively into the efficiency and effectiveness of prisoner education, training and employment strategies in Western Australia.

The Western Australian Government welcomes this report and acknowledges its comprehensiveness, the quality of its discussion and the broad range of consultation in preparing the report.

This response addresses each recommendation from both the Interim and Final Reports published by the Committee. Each recommendation has been carefully considered in the context of the Department's mission, objectives, philosophy and legal obligations, as well as the complex and challenging environment in which it operates.

The delivery of correctional services in Western Australia is aimed at making a positive difference to the lives of offenders while they are under the management of the Department.

The Department's service activities are directed at reducing re-offending, contributing to community safety and fulfilling its obligation through operational compliance and enhanced capability.

The Department's efforts are centred on providing a safe, secure and decent correctional service and are underpinned by a philosophy that:

- the custodial or non-custodial sanction imposed is the punishment and should not be administered in a way that adds to the punishment;
- individuals are sentenced to custody as punishment – not for punishment. The punishment associated with incarceration is the loss of liberty arising from being in custody;
- as many effective alternatives to custody as possible should be provided;
- decision grounded research and evaluation are the basis of effective planning, design and delivery;
- recognising that a diverse range of services need to be in place to meet the individual needs of our clients;
- the differences between juveniles and adults give the differing maturation and development needs of individual needs to be at the forefront of our policies and practices;
- actively engaging communities in consultation and collaboration is our most effective strategy to reduce re-offending;
- forming effective partnerships with other individuals and organisations is a key to success in achieving our purpose;
- our staff and the strength of human relationships are the cornerstone of our endeavours; and

- opportunities for offenders to make amends to victims and the community will be provided and supported.

The Department of Corrective Services is obliged by law to provide a corrective services system that contributes towards a safer community through the reduction of re-offending by:

- making informed decisions about offenders;
- diverting young offenders away from formal judicial proceedings if the circumstances of the case, the background of the alleged offender and the protection of the community make it appropriate to do so;
- ensuring offenders comply with the order of sentencing and releasing authorities;
- ensuring custody of offenders is secure;
- ensuring offenders legal rights are observed;
- ensuring the fair treatment of young persons who have, or are alleged to have, committed offences;
- provisions are made for offenders care and management when in custody or in the community and for their release if and when appropriate;
- rehabilitating offenders and assisting with their reintegration into the community;
- assisting offenders to make restoration and reparation; and
- to provide for the administration of juvenile justice.

The Department faces many challenges in the management of offenders in Western Australia's 13 public prisons, one private prison, and six work camps throughout the State. One challenge is the sheer distances involved and the remote location of the Department's facilities as well as the communities which offenders belong to.

Continuing to provide structure within a prisoner's day including, importantly, suitable levels of employment that are relevant to the local employment needs in both the metropolitan area as well as in the remote regional areas poses challenges and risks unique to Western Australia.

The logistical issues for the development of prison industries is polarised for WA being such a large state creating additional issues when considering introducing model's successful in other jurisdictions.

Offenders come to the Department with multiple issues including poor health, mental health, history of family dysfunction, abuse and lack basic work discipline such as reliability in attending work regularly and performing tasks consistently with limited supervision. Within the relatively short time the Department has contact with offenders all of these issues have a part to play in managing their sentence, based on assessed risks and needs. These needs cannot be addressed by employment, education or treatment alone; it is the

appropriate combination of interventions tailored to an offender's assessed risks and needs that will provide the best chance of reducing their risk of reoffending.

These issues among others introduce additional elements to consider when looking at the Reports' recommendations, so whilst they are not necessarily barriers they can present additional challenges in relation to implementation, especially whilst maintaining the Department's primary focus of managing risk and protecting the safety of the community.

Government Response to Interim Report Recommendations

The two recommendations below relate to the Prisoner Employment Program, and are responded to collectively.

Recommendation (Page 86 of the Report)

Recognising the success of the Prisoner Employment Program, the Committee recommends that the Department of Corrective Services broadens the eligibility criteria for participation in the Prisoner Employment Program and that the placements in the program be increased.

Recommendation (Page 86 of the Report)

While recognising security needs, the Committee recommends that the Department of Corrective Services delivers a faster turn around time for approvals for entry into the Prisoner Employment Program so that significant employment opportunities are not lost.

The Government notes the recommendation to broaden the eligibility criteria for the Prisoner Employment Program (PEP) and supports in principle the recommendation to deliver faster turn around times for approvals.

The Department of Corrective Services recognises that the success of the PEP is dependant on a thorough selection process that takes into consideration the safety of the community and the expectations of employers. Managing the risk will always be the primary consideration when assessing eligibility for programs such as PEP.

Although initially people needed to become accustomed to the system, the process is now imbedded within the Department and is working efficiently while maintaining the Department's role in managing risk to the community. The Department shall continue to build on the success of the PEP and will continually review the system as part of its commitment to continuous improvement.

The purpose of PEP is to enable *minimum security* prisoners to have the opportunity to access meaningful and sustainable paid employment, work experience and vocational training and education in the community prior to their release. The safety of the community is the paramount consideration in determining eligibility. An offender cannot be allowed into the program if he/she poses an unacceptable risk to the community.

The Department has a comprehensive policy governing the operation of PEP (Policy Directive 68). This policy addresses the criteria for eligibility. As part of the Department's commitment to continuous improvement, it is reviewing the policy and consulting stakeholders regarding proposed changes. It is

anticipated that the review will be completed in May 2011 and will provide more clearly defined eligibility criteria that will assist prisoners and prison management in relation to applications for PEP.

The Department has looked at ways to streamline the approval system and has achieved cross departmental cooperation in the process. Consequently, there has been a marked increase in the number of applications and approvals for PEP since October 2009. From 1 October to 31 December 2010, the total number of prisoners considered for participation in PEP was 114; of these, 68 or 60 per cent were approved. In the comparable period during 2009, only 56 applications were considered. Of these 56 applications, 18 or 32 per cent were approved. Thus, in the December 2010 quarter there was an increase of more than 100 per cent in the number of applications considered, compared to the December 2009 quarter.

Despite the substantial increase in the number of applications considered and approved, the turnaround time for PEP applications remains relatively the same i.e. approximately three months. The fact that the timeframe has not increased with the additional workload is considered to be a significant outcome.

Recommendation (Page 91 of the Report)

While acknowledging the operational constraints that the Millstream work camp faces, the Committee questions whether it is inculcating much needed skills, work ethic, or self reliance in its present form. The Committee recommends that the operations of Millstream be reviewed with reference to work ethic, the self sustainability of the site and the long term outcomes for prisoners.

The Government supports the recommendation.

The Department acknowledges the Committee's findings and will carry out a review as part of its commitment to continuous improvement.

The Department is progressing a number of reforms concerning offender employment. In particular the Department is currently examining the strength of all offender employment activities against key criteria including work readiness, reparation, integration and security. The objective of this review is to realign offender's employment activities to maximise benefits for the community and for the offender.

However, the Department does not fully agree with the Committee's assessment of the Millstream Work Camp. Work camps have contributed to prisoners becoming more employable and better prepared upon release. The Department has recently introduced a Work Camp Policy (Policy Directive 60) to enhance the operation of the program, to raise its profile and provide strict guidelines for prisoner placement and activities, aimed at improving its outcomes.

Millstream was established in 2000 and is sponsored by the Department of Environment and Conservation. It is the first work camp established specifically for Aboriginal prisoners. The Department worked closely with the traditional owners of the land to create this opportunity for Aboriginal prisoners to work in the National Park. For many of the prisoners placed at the work camp, the National Park is their traditional land.

Since its inception, the work camp has received many awards and recognition from a variety of organisations and the community for its service to Aboriginal people. This recognition is attributed to Millstream's ability to provide primarily local Aboriginal prisoners with employment-ready skills relevant to the region, improve their self esteem, develop strong work ethics and add value to community reparation.

The Department's Memorandum of Understanding with the Department of Environment and Conservation ensures that prisoners develop skills relevant to the region which can assist in obtaining permanent employment on release. An independent assessment conducted in 2008 by *Social Systems and Evaluation*¹ highlighted the value of the Millstream Work Camp to Aboriginal prisoners in respect to its cultural significance, skills development opportunities and appropriateness for Aboriginal offenders.

Following an inspection of Millstream Work Camp in 2008, the Inspector of Custodial Services wrote *"I mentioned that there were many improvements. The stand-out was Millstream Work Camp. It was functioning very well, a model of reintegration and re-entry."* An earlier report (2003) from the Inspector states *"The Millstream Work Camp represents an excellent example of the Department working in partnership with another agency to achieve outcomes that both develop community assets and improve the rehabilitation prospects for prisoners. Prisoners at Millstream enjoy being there; they have a clear and purposeful lifestyle and they are treated with respect. They appreciate the variety of work they do, and they have proximity to country that means something to them. Their sense of achievement was clearly on display to Inspection staff. The operation of the camp reflects the professionalism of the prison officers working there. It is a model re-entry project."*

The Millstream work camp continues to meet and even exceed the objectives of the program, in particular in relation to its capacity to provide a more culturally appropriate custodial option for Aboriginal prisoners from the Pilbara region. This includes the opportunity to keep Aboriginal prisoners closer to family and country and to work on traditional land and involve the local Aboriginal community, in particular the elders, in the rehabilitation of offenders. It provides reparation which is meaningful to the prisoners through their involvement in land management strategies and the preservation of their environment.

¹ Outcome Evaluation of the operation of work camps, for the Department of Corrective Services, *Social Systems and Evaluation*, 2008.

Recommendation (Page 97 of the Report)

The Committee recommends that the proposed provisions in the Corrective Services Bill, allowing DCS to pursue commercially competitive business opportunities to provide meaningful work for prisoners, be included in the proposed legislation. This will regularise existing operations and support the extension of prison industries on a sound financial footing in the future.

The Government supports the recommendation.

The Department of Corrective Services is statutorily barred from carrying out trading activities. The Draft Corrective Services Bill 2011 seeks to remove this barrier by reforming prison industries in line with Finding 16 of the Interim Report.

The Bill will contain provisions to enable the Department to:

- (i) carry on a business, or businesses, of manufacturing or producing goods and services or farming;
- (ii) train prisoners in the trades and professions associated with any of those businesses; and
- (iii) sell goods and services produced in the course of any of those businesses.

The Draft Corrective Services Bill also compels the Department to comply with competitive neutrality requirements in the conduct of prison industries. Prison industries' product pricing will be comparable to that of the private firms in the Australian market. Thus, prison industries will not offend commercial sensitivity.

The Government will aim to introduce the Bill to the House in spring 2011.

Recommendation (Page 98 of the Report)

Given the lack of information on costs along with resource utilisation in Prison Industries, the Committee supports the current review being undertaken by DCS of its internal reporting structures in an attempt to identify and quantify the value of the work undertaken by Prison Industries.

In doing so it strongly recommends that, to improve the quality of outcomes achieved, a high priority be placed on the development of a management information system. This will provide a full and transparent accounting of all prison industries to support increased productivity, the allocation of scarce resources, and the systemic reform advocated in later recommendations in this report.

The Government supports the recommendation.

The Department of Corrective Services currently uses information systems such as Total Offender Management Solutions (TOMS) and Prison Industries Catalogue System (PICS) as management tools for Prison Industries.

During 2010, the Department has made significant improvements to the reporting capacity of prison industries. Better alignments between existing and separate internal information systems have enabled the production of monthly reports that profile offender employment levels, the value of prisoner labour, finances as well as market garden production levels. Whilst the concept of a dedicated management information system is supported the Department anticipates that this will require significant funding. In the meantime, the Department has adopted a continuous improvement process to the newly established monthly reporting framework.

Recommendation (Page 104 of the Report)

The Committee recommends that consideration be given to the adoption of more flexible work practices, including the introduction of shifts and/or operating at the weekends thereby maximising the use of prison facilities. The Committee considers that productivity increases will offset the increased costs incurred.

The Government supports the recommendation.

The Committee's recommendation is consistent with the following recommendations of the Department of Corrective Services' Review of Offender Employment, completed in 2010.

- Recommendation 12 – The Department should consider enabling prisons to operate workshops over a longer period of time during the week to allow more prisoners to access vocational training, increase employment levels within the prison, and contribute to increased safety and security within the prison environment; and
- Recommendation 15 – A forward plan should be developed for prison industries to provide the basis on which to address the issue of inadequate facilities and lack of opportunities for full employment. The plan should include strategies for more efficient use of current facilities.

The Department is in the process of implementing the recommendations of the Review. It should be noted that the Department already operates some industries which require flexible work practices such as the abattoir, dairy and farms.

Extending workshop hours is being considered including opening at weekends. However, there are some challenges to consider, which will limit the extent to which flexible work practices can be introduced such as the availability of suitable offenders to work, resources and costs and industrial issues, as well as the risk that choices will be limited for offenders in participating in other programs providing a more balanced structure to their day and address a range of assessed needs.

Recommendation (Page 106 of the Report)

The Committee recommends that the Department of Corrective Services ensures that work areas including workshops, essential services and outside community projects reflect contemporary industrial practice both in technology and work practices, delivering a stronger focus on acquiring post release employment skills rather than just finding jobs to keep prisoners occupied.

The Government supports the recommendation in principle.

The Department has developed a strong network with community based industry stakeholders. Further, it has established an Adult Offender Employment Board in 2010 to develop a strategic direction for offender employment and to ensure that prison industries align with labour market demands and the State Training Profile. Both will guide prisoner education, training and employment to achieve the level of contemporary skills required by the West Australian labour market. The Department will continue to build on this work.

In line with the National Strategy for Vocational Education and Training for Adult Prisoners and Offenders in Australia, funding has been provided for the Department to train additional staff in the vocational qualification required to provide nationally accredited training to prisoners; this will increase access to trade training for prisoners.

The benefits of industry based skills notwithstanding, the current practice by the Department to provide prisoners with a structured day should not be under-rated. A structured day consists of attendance at work, vocational training, education, programs, social and official visits, and recreational activity. The structured day is a key component to the normalisation of prison environments, which aim to replicate the typical routines of everyday life as part of the preparation process for reintegration into the community on release.

Many prisoners present with a range of issues such as health, lack basic work discipline such as reliability in attending work regularly and performing tasks consistently with limited supervision. Providing prisoners with work (menial or otherwise) gives structure to their day and instils in them a sense of work discipline and ethic. While there is no guarantee that people with industry specific skills will get a job, people with good work habits and adaptability will stay in a job and receive on the job training.

Recommendation (Page 108 of the Report)

The Department of Corrective Services (DCS) needs to do more to recognise the centrality of IT skills in the modern delivery of education and in the workplace and provide more capacity to acquire some basic skills for prisoners. The Committee recommends that DCS equipment needs in this regards could be met by diverting superseded government computers, to DCS.

The Government supports the recommendation in principle.

Information Technology is a complex and ever changing industry and as such it is acknowledged that offenders need to be able to develop skills in the use of computers to enhance their employability on release. The Department has to balance that need with the possible security risks associated with offenders having access to computers and up-to-date technology within a prison setting.

Most prisons in the State are already registered to teach certificated IT courses. At present, the Department of Corrective Services is reviewing the planned introduction of an intranet network for deployment at the new West Kimberley Regional Prison. All eligible prisoners in West Kimberley will be issued with an IT account for use on the network. The prisoners will be able to use their account to log on to terminals in public areas such as the library, education centre and workshops. This extended access will also allow the prisoners to continue their studies outside education centre operating hours. The intranet model developed at West Kimberley will be reviewed for suitability at other prisons.

The use of superseded computers already occurs and can continue to occur in the future. Additional funding will be considered for any expansion of this usage.

Recommendation (Page 109 of the Report)

The Committee recommends that serious consideration be given to the development of art, music, and digital media as areas of prison enterprise that can enhance post release opportunities.

The Government supports the recommendation.

The Department of Corrective Services already has a long standing, well recognised and growing visual arts program. The program is supported by a network of galleries and not for profit organisations which exhibit prisoner art. Exhibitions are scheduled across the State throughout the year, so as to allow prisoners to exhibit their work regardless of the locations of their prisons.

The Department has supported prisoners to be involved in music through various arts projects and is working to increase its efforts in this area through grants and other sources of funding.

The Department is currently assessing state-wide employment demands with a view to better aligning prison industries with current post release employment opportunities. The Department has to consider the realistic employment opportunities available for such areas and funding is allocated on the basis that art, music and digital media are part of the whole package available to offenders, but not necessarily under the banner of employment.

The five recommendations below relate to prison industries and are responded to collectively.

Recommendation (Page 133 of the Report)

The Committee recommends that there be a significant expansion of prison industries to address both the chronic underemployment of prisoners and the shortfall in opportunities for prisoners to develop skills that would give them a real chance of finding employment post release and a pathway to a non-offending life.

Recommendation (Page 133 of the Report)

Given the identified need for a more professional, focused strategic and operational approach to prison industries the Committee strongly recommends the establishment of either:

- a statutory trading enterprise similar to that operating in Singapore, which would report to the Minister for Corrective Services; or
- a semi autonomous commercial entity similar to the model in NSW. The operations of this entity would be balanced by a Western Australian equivalent of the NSW Corrective Industries Consultative Council.

Recommendation (Page 134 of the Report)

The Committee recommends that which ever of the prison industries models, proposed in the previous recommendation, is adopted:

- that the commercial boundaries of the new entity be defined in its charter or in legislation;
- that effective re-entry and post release support strategies are identified as core business;
- that the new entity retains profits to support the extension of its operations, replace or acquire plant and machinery and support rehabilitation and community education strategies;
- that regional prison facilities are represented at relevant decision making forums where those decisions affect them;
- that the new entity be given or loaned seed capital to establish its operational base; and
- that industry leaders be represented in an authoritative capacity in the governance of the enterprise. This would be achieved through representation on a governing body.

Recommendation (Page 134 of the Report)

The Committee recommends that the new entity becomes a party to a Service Level Agreement with the Department of Corrective Services. This will establish objectives and set targets and standards. This will define the parameters of the service ensuring that the nature and quality of services delivered by the proposed entity are transparent, accountable and meet the public's expectations.

Recommendation (Page 134 of the Report)

The Committee recommends a far more intensive engagement with private sector employers to encourage the acceptance of released prisoners into the workforce and that private industry leaders be recruited to assist this strategy.

The Government supports the recommendations in principle.

The recommendation to expand prison industries is consistent with the findings of the Review of Offender Employment conducted by the Department of Corrective Services. The Department has implemented an improved governance structure (Adult Offender Employment Board) recommended by the Review with the view of expanding prison industries. Significant funding would be required in capital investment and infrastructure to fully meet the Committee's recommendations.

The Department has recently completed the Prison Industries Policy which provides a strategic vision to guide the development of prison industries in the State.

The policy objectives are designed to ensure that all prisoners are given the best possible opportunity to model and practice behaviour and attitudes that reflect normal community standards. To achieve this, the adoption of realistic, business-like work environments that mirror the outside world of work are required. The policy addresses the following:

- Development opportunities for prisoners to acquire vocational and work skills to enhance their opportunity to gain and retain employment upon their release;
- Continuous and meaningful activity for prisoners as a basis of securing more effective management of prisons;
- Opportunities for prisoners to undertake productive work that will assist in reducing the cost of prisons to the taxpayer;
- Development of work opportunities for prisoners including the acquisition of contracts for the production of products with the private and non-government sectors;
- Acquisition and maintenance of equipment for industries;
- Recruitment and retention of vocational skills officers with the skills to manage industries areas and supervise and train prisoners; and
- Building the capacity of management to actively manage the facilities and maximise their contribution to the Western Australian community.

The Government notes the success of prison industries in other jurisdictions such as New South Wales. However, it is also mindful of the costs and risks involved in remodelling the State's prison industries. The creation of a new entity brings with it additional bureaucracy and overheads. Having a separate entity would also create potential administrative problems, i.e. conflict between maintaining the good order of prisons and achieving commercial objectives, and between prison industries and other offender services such as education,

outside employment and training, offender programs and health services. Therefore we do not support the establishment of a new entity at this point.

The Department has recognised the potential of the New South Wales model and has included enabling provisions in the Draft Corrective Services Bill as noted in our response (refer to page 9) to the recommendation on page 97 of the Interim Report. Current parallels to the New South Wales model include the work readiness philosophy, a post-release employment focus and, strengthening centralised control and improved reporting capabilities and practices. With the passing of the Bill the Department will be better positioned to move more towards the New South Wales model such as the formal branding and promotion of offender employment within a more commercial context.

The Singapore Prisons model is a fully commercial corporation (known as SCORE) that reports to a Board of Directors. SCORE was established in 1976 under its own statutory Act and focuses essentially on providing commercial laundry services, a commercial bakery and large open factory workshops that are leased to private enterprise. Government institutions (hospitals etc) are mandated to use these services rather than private enterprise - this provides a competitive advantage to SCORE that is not available to the Department in WA. The Department is precluded from operating in a similar manner unless legislative change is effected. Legislative requirements such as those in the *State Trading Concerns Act 1916* and the need to comply with competitive neutrality requirements will influence the evolution of the WA Prison Industries model.

Prison security and various offender services including prison industries are key elements of offender management, and their administration needs to be coordinated. Prison industries should therefore be seen as an integral part of the offender management package.

Prison industries contribute to the Department's sustainability by generating financial benefits through the production of goods and services. These benefits in turn reduce the cost of imprisonment, and make it all the more important for prison industries to be managed by the Department.

Nevertheless, the Government is committed to introducing commercial discipline to prison industries. Approval has already been given to the Department to take on contracts from external organisations to create more employment opportunities for prisoners.

The Department is actively seeking partnership with local business to:

- provide opportunities to compete with imports;
- provide access to export opportunities and prevent manufacturing from going offshore;
- provide labour;
- help it become a small player in dominant or growing industries, where there is already a high degree of competition; and
- help with start up opportunities.

In addition, prisoners are engaged in a real production environment (for example they already produce various levels of clothing, food and textiles for use within the prisons). Prisoners must also apply to work in industries, much like the process of winning a job.

The recent establishment of the Adult Offender Employment Board will further develop the training of prisoners and expand the provision of goods and services. This will be achieved by:

- Establishing the strategic direction for offender employment in line with the Department's policies and through better coordination and joint decision making;
- Establishing an approval process for all new industries and projects;
- Determining the appropriate balance between commercial and reparation activities and self sustainability requirements;
- Developing improved reporting and auditing frameworks for industries;
- Raising the profile of offender employment activities thereby increasing the confidence of the community and judiciary in corrective services;
- Market research for future employment and commercial opportunities; and
- Identifying opportunities for corporate social responsibility initiatives.

Government Response to Final Report Recommendations

Recommendation 1 (page 12 of the Report)

The Minister for Corrective Services directs the Department of Corrective Services to undertake a 'Gap Analysis' to identify steps needing to be taken in moving from the current state of its data management system to what is required to meet the Department's operational and strategic goals. This analysis is to be completed in a timely manner so any needs identified can be budgeted for in the 2011/2012 budget cycle.

The Government supports the recommendation, subject to funding.

The Department of Corrective Services has identified the following critical upgrades in its Information Management and Technology Strategic Plan 2010-2015

- (a) Life extension upgrade of the Total Offender Management Solution (TOMS) including the integration of the Assessment Case Management into TOMS;
- (b) Implement Youth Justice Business Information System (Y-BIS) to replace the Interim Field System;
- (c) Electronic Health Online (ECHO) upgrade or replacement; and
- (d) Case Management System and Juvenile Custodial System database integration into TOMS.

The highest priority is the upgrade of TOMS which will ensure its long term viability and enable integration with the Community Corrections Business Information System (C-BIS), with a view to supporting the implementation of Integrated Offender Management in the Department.

Further analysis has been proposed to develop Y-BIS as a module in TOMS to enhance systems integration.

In addition to the information systems identified in the Committee's Report, the Department uses its records management system, TRIM, to manage documentary information on adult prisoners and adults under supervision in the community. Since 2003, documentation relating to offenders in custody has been scanned and made accessible to relevant staff through TRIM. It is planned to expand this in 2011 to include documents relating to offenders in the community. Minor integration work between TOMS and TRIM and C-BIS is planned for 2011 which will assist with the retention of records and assist with some aspects of data integrity.

The integration of systems will facilitate the automatic sharing of information with other departments and within the business areas of the Department. This

will also make the user experience simpler, improve efficiency of business operations and reduce support costs.

Recommendation 2 (page 14 of the Report)

That specific KPIs be introduced into the Commissioner's performance agreement ensuring the effective operation of the offender management system. As this has been identified as requiring a whole of department approach, leadership and cultural change, the KPIs should reflect those aspects and reviewed annually.

The Government notes this recommendation.

The Commissioner is accountable for upholding the integrity of custodial and non custodial sentences and by positively influencing offender behaviour to reduce reoffending and contribute to community safety. The Commissioner's Performance Plan is prepared in accordance with Approved Procedure 8 Timing and Assessment of CEO Performance Agreements and it documents the agreed number of priority performance objectives for the Department. These are reviewed in line with the performance agreement period defined as up to 15 months. The key priority performance objectives contribute to the effective operation of the offender management system and for this annual period are focused on regional youth services, offender service delivery hubs, enhanced indigenous participation in regions and technology use in offender management.

In addition, the strategic planning process covers these priority objectives which are addressed by specific Performance Indicators, in particular for offender management, in Community and Youth Justice, Adult Custodial and Offender Management and Professional Development.

The recommendation will be taken into consideration for the Commissioner's next Performance Agreement.

Recommendation 3 (Page 19 of the Report)

The Committee supports the mandatory assessment of prisoners upon entry and recommends that the Minister for Corrective Services immediately mandate literacy and numeracy programs for all prisoners, regardless of length of sentence, location, and classification, who demonstrate low literacy levels.

The Government does not support the recommendation.

The Department of Corrective Services conducts literacy and numeracy assessments for prisoners as part of the assessment process upon entry to the prison system. Following initial assessment, student progress is monitored through unit completions at different certificate levels.

Education staff work to maintain an adult education ethos within the centres that mirror community educational institutions and encourage 'at risk' students listed on the 'Targeting At-Risk Offenders' database to attend literacy and numeracy programs.

The Government does not support the mandatory enrolment of students in literacy and numeracy programs, for the following reasons:

- unwilling students do not learn well and their negative influence can have a detrimental effect upon students who have made a willing decision to attend education;
- unwilling students can hamper the effective use of limited resources; and
- unwilling students could impact on security and require more uniformed staff at the Centre. This situation would run counter to efforts to create a positive learning environment.

The Department will continue to provide high quality literacy and numeracy programs for willing participants.

Recommendation 4 (page 19 of the Report)

In order to encourage participation in education and training programs, the Committee recommends that participation in these programs attract the same level of gratuity as for prison employment.

The Government notes the recommendation.

The Department considers investment in education and training is as relevant as investment in employment related skills. Therefore, the Department is currently exploring higher gratuity payments for educationally 'at risk' prisoners upon completion of a unit of study, thereby making education and training as financially rewarding as employment options in the prison community.

The practicality of implementing this proposal for all prisoners would need to be considered, including resourcing, and there may be other incentives rather than financial. Consideration would also need to be given to the structured day model and the need to provide a balance of employment, training, education and recreation for offenders, based on their assessed risks and needs as part of their overall case management.

Recommendation 5 (page 22 of the Report)

That the formula for determining the levels and timing of funding for education and training programs should be calculated on the basis of securing universal access.

The Government notes the recommendation.

The Department has contributed significant additional funds to the provision of education, training and employment services over recent years. The 2010-11 budget for these services increased by more than seven per cent to \$8.97 million. This reflects a pattern of consistent growth from 2007-08 when the budget was \$6 million.

While the aspirational goal of universal access to education and training programs is acknowledged, the Department does not have the capacity for such access. Each prisoner presents with their own individual circumstances, some of which prevent access to educational and training programs.

Recommendation 6 (page 28 of the Report)

The Department of Corrective Services expedites the development of a state wide area network for the education centre's computer system with personal computers reconfigured for prisoners with a suite of educational and information programs; and

The ratio of dumb terminals to prisoners be significantly improved.

The Government supports the recommendation in principle, subject to funding.

Recommendation 7 (page 31 of the Report)

Recognising the proven effectiveness that an integrated approach to the provision of vocational education and training can have on recidivism rates, the Committee recommends that prison education facilities are increased in line with the increasing prison muster together with an increase in education staff.

The Committee strongly recommends to the Treasurer that particular recognition be given to the resourcing needs of the Education and Vocational Training Unit in the Department of Corrective Services.

The Government supports the recommendation in principle.

The successful implementation of an integrated offender management regime requires the coordinated efforts of a range of services that includes education and training, health, treatment and re entry support whilst ensuring safety and security.

The Department has recognised the importance of Education and Training through significant funding increases in recent years. In 2007-08, the funding level was approximately \$6 million compared to approximately \$9 million in 2010-11.

In addition:

- The Department has sought capital funding in the 2011-12 budget submission to increase the number of classrooms in prisons across the State to meet the growing needs of prisoners.

- All new work camps are being constructed with educational areas for prisoners engaged in vocational training.
- All new minimum security sections constructed outside the perimeter of secure prison facilities are being allocated education staff to organise education and training activities.
- In line with international best practice, the EVTU and DCS will work to attract and retain qualified teaching staff by offering teachers and instructor's conditions and rates of pay commensurate with those being awarded to qualified staff in the community.

Recommendation 8 (page 31 of the Report)

The Committee recommends that consideration should be given to changing the prison regime to support prisoners working a conventional 8 hour working day, in education, vocational training or work programmes. This would foster a work ethic and encourage prisoners to obtain qualifications and marketable skills. It would also facilitate the better use of existing facilities.

The Government supports the recommendation.

The Committee's recommendation is consistent with the following recommendation of the Department of Corrective Services' Review of Offender Employment, completed in 2010.

- Recommendation 12 – The Department should consider enabling prisons to operate workshops over a longer period of time during the week to allow more prisoners to access vocational training, increase employment levels within the prison, and contribute to increased safety and security within the prison environment.

The Department of Corrective Services is in the process of implementing the recommendations of the Review. It has started to examine more flexible work practices and to address resourcing and industrial issues associated with implementation. The opening of workshops on weekends is also being considered.

It should also be acknowledged that the 8-hour structured day for prisoners includes employment, recreation, programs and education. Referring only to employment when discussing the model can be a misrepresentation of the whole package available to offenders, to assist them in addressing the factors that contribute to their offending and gaining skills and experience that will help them secure employment on release.

Recommendation 9 (page 48 of the Report)

Recognising the strong links between homelessness and offending, the Committee recommends that an offer of supported transition accommodation for former prisoners be mandated for a six month period post release.

The Government supports the recommendation in principle.

The Transitional Accommodation and Support Service (TASS) program which commenced in 2004 provides the following:

- Six months post release supported transitional accommodation for former prisoners; and
- Fixed term tenancy provided by the Department of Housing for a period of six months.

TASS attracted 496 applications state wide in 2009-10 and offers 72 housing allocations (36 houses @ 6 months) per year state-wide (excluding the Pilbara and Kimberley regions due to lack of houses available through the Department of Housing).

Based on current rates, the mid-range cost estimate of providing accommodation for all prisoners for six months post-release would be \$13.5 million per annum. Consideration would also need to be given to the following issues:

- Housing availability
 - Public rental housing availability is restricted in a number of regions, especially Pilbara, East and West Kimberley
 - Public housing waiting list is up to 7 years in some areas.
- Client eligibility
 - meeting the eligibility criteria for public rental accommodation
 - specific client groups, for example
 - Single male
 - Single female
 - Male or female with partners and families
 - Male and female with high needs (mental health/high social difficulties/intellectual disabilities, etc)
 - Indigenous needs
 - Sex offenders

Transitional accommodation is a support program offered to former prisoners; it is not possible to mandate a support program as suggested by the Committee. The Department continues to be in regular discussions with the Department of

Housing in relation to the general shortage of housing provision for our existing programs.

Recommendation 10 (page 52 of the report)

That the Department of Corrective Services review all prison training programs to ensure they reflect contemporary industrial practice both in technology and work practices, and articulate with the demands of the contemporary labour market. It is strongly recommended that the measures taken be reported in the agency's Annual Report.

The Government supports the recommendation.

The Department of Corrective Services has established the Adult Offenders Employment Board to assist in the review and reorganisation of prison industries and prisoner employment. The Department uses a range of state and national labour market reports and its network of industry, employer, job service providers and other stakeholders to provide advice on the appropriate training for the employment of prisoners.

In regards to prison industry training, the Training Packages that are used by the Department (and all other Registered Training Organisations), have significant input by respective industries and therefore reflect the required resources, knowledge and skills.

The strategic review of offenders industries will recognise efficiencies which may in turn enable more reinvestment in equipment and working conditions. One such opportunity could include improving external partnerships and, importantly, adopting a greater systems approach across the prisons' estate.

The Department is in the process of examining more flexible work practices and to address resourcing and industrial issues associated with implementation. The opening of workshops on weekends is also being considered.

Recommendation 11 (page 55 of the Report)

The Committee recommends that the Minister for Corrective Services identify the formal measures that the Department of Corrective Services is taking in relation to restorative justice and community service initiatives. In addition, it is recommended that these initiatives become embedded in the operations of the Department and are reflected in the key performance indicators of the Commissioner.

The Government notes the recommendation.

The Department has a number of community service initiatives. As with the rest of the Department's operations, the balance between the safety of the community and the needs of the offender has to be considered when assessing eligibility for such initiatives. Current services and programs include:

Juvenile Justice Teams

Juvenile Justice Teams (JJs) divert young people who have committed minor offences and do not have an established pattern of offending away from the formal court system. They provide the opportunity for victims and the parents of young people who are at risk of reoffending to be involved in determining the young person's penalties. The JJs operate on restorative justice principles and focus on the young person making amends to the victim. The JJs are run in partnership with the WA Police and with input from the WA Education Department.

Court Conferencing

Court conferencing is an additional diversionary service provided by the JJs to the court only. It allows certain young people convicted of a serious offence or with an established offending history who would otherwise be ineligible, to attend a JJ.

Regional Community Conferencing

Provisions under the *Young Offenders Act 1994* assist in managing young people in remote locations who may be beginning to offend. Under the scheme, approved elders, wardens and other significant community members are able to hold family group conferences based on JJ principles. The approach allows more flexible locations and timings for conferences and formalises the role of victims and families in developing an agreed approach to reparation.

Community Work

Community work allows both adult and young people who have offended to repay the community for their crimes. The estimated value of unpaid work undertaken by offenders on community work is over \$2 million per year. In

addition offenders are provided with the opportunity to develop vocational skills to assist with their reintegration into society.

Victim-Offender Mediation Unit

The Victim-Offender Mediation Unit provides mediation service between victims and offenders and is available to adults and young people who have offended and the respective victims of their offences. Three types of mediation are offered: protective conditions process, victim-offender dialogue and reparative mediation.

Work Camps and Section 95 Working Parties

Work Camps and Section 95 activities provide low-risk prisoners with opportunities to make reparation to the community develop needed skills and work ethics and provide considerable benefit to regional communities.

The work camp facility allows eligible prisoners to live and work outside the prison environment in the community at a base camp and undertake reparation activities. In 2010, work camps contributed 80,000 hours of reparation to the Western Australian community, valued at over \$1.2 million.

Prisoners working on Section 95 work parties undertake similar activities but from prison rather than a base camp, also providing valuable reparation to local communities. Through the Department's Custodial Infrastructure Program, purpose built facilities to assist in delivering improved services to offenders, in particular Aboriginal offenders is well advanced. This initiative is supported through the establishment of Prison Aboriginal Services Committees that identify and address the many and varied needs of Aboriginal people in custody and importantly, during their transition back into the community.

These initiatives are embedded in the Department's operations and as such are closely monitored as part of the Department's governance process.

The four recommendations below relate to the management of female offenders, and are responded to collectively.

Recommendation 12 (page 59 of the Report)

The Committee strongly recommends that the position of Director Women's Services be reinstated to provide a women specific approach and provide a female perspective to planning and human resources.

In the absence of the reinstatement of the position of a Director of Women's Services, the Commissioner be charged with formulating and implementing an approach focussed on the specific needs of women.

Recommendation 13 (page 59 of the Report)

The Committee recommends that:

- the Minister for Corrective Services identifies and improves the formal measures the Department of Corrective Services is currently taking to respond to the specific needs of women; and
- the responses to the specific needs of women be embedded in the operations of the department and reflected in the key performance indicators of the Commissioner.

Recommendation 14 (page 63 of the Report)

The Committee recommends that the Office of the Inspector of Custodial Services undertake a thematic audit into the implementation of the Department of Corrective Services' philosophy for the management of women prisoners, and whether the very distinctive needs of women as a group and, more particularly, Aboriginal female prisoners, are being adequately met.

Recommendation 15 (page 63 of the Report)

The Committee recommends the establishment of a female work camp in regional Western Australia to improve the range of services for women in regional prisons.

The Government does not support recommendation 12, supports in principle recommendation 15 and notes recommendations 13 and 14.

The Department is committed to providing a female perspective to the management of female offenders. The design of the Boronia Pre-release Centre predates the Director of Women's Prisons position and has continued to work very effectively, being regarded as the best prison for women in the world by leading researchers in the field, as well as winning many awards.

The Department has worked many years to establish corporate knowledge in relation to the management of female offenders which has informed the work that has been done and is being done in the management of female offenders.

In the Department's continuing commitment to addressing the specific needs of female offenders, the Adult Custodial executive team is driving and monitoring the work being done in the management of female offenders in custody. Superintendents at both Bandyup Women's Prison and Boronia Women's Pre-Release Centre have been assigned responsibility for developing and monitoring standards for women prisoners across the State. Both of these positions are Level 9 (as was the former Director Women's Services) and provide a dual dedicated focus on the management of women prisoners.

A Management of Women in Custody policy has been specifically developed to articulate the standards for managing women offenders, forming partnerships to assist women and case management, as well as to provide a framework to report on outcomes for women. The trimester Prisons Performance Reporting

framework includes a dedicated section that assesses a prison's progress against the Women's Way Forward intervention model.

A number of measures will result in improved conditions for women in prison, including enabling more Aboriginal women to be accommodated in or closer to country. They include the new West Kimberley Regional Prison (with 30 beds for women) in March 2012; a new 30-bed women's unit at Greenough Regional Prison and the new Eastern Goldfields Regional Prison which will contain a 50-bed women's section. Conditions for women prisoners at Broome Prison were also upgraded in 2009.

The Office of the Inspector of Custodial Services (OICS) schedule of inspections provides an ongoing independent review of female facilities. The OICS report of the inspection at Boronia in November 2009, considered among other things Boronia's role in achieving the Department's broader strategic objectives in the management of women. Bandyup is scheduled for a review in March 2011.

The Department considers these regular audits as necessary and helpful in identifying possible areas of further improvement and in recognising initiatives that are improving the management of all offenders, including female offenders.

Over the last decade, the Department has invested greatly in enhancing knowledge about female prisoners in order to better serve women who come into contact with the criminal justice system. This includes the research project *Characteristics and Needs Survey of Women in Prison*, which was bi-annually conducted over a period of ten years (2000 – 2010). All research reports are available on the Department's website:

<http://www.correctiveservices.wa.gov.au/about-us/statisticspublications/students-researchers/review-research-reports.aspx>).

The results of this longitudinal study provided a large amount of very valuable information about the background and particular needs of female prisoners. This information has been augmented by two further sets of research, one that specifically focuses on the needs of Aboriginal women on community based orders: *Factors contributing towards completion of community-based orders by Aboriginal women in WA*, 2008, and a broader study on the same topic: *Factors impacting on women serving orders in the community in WA*, 2009. The results of these research projects have informed the Department's development of policy and practice in dealing with female offenders.

The needs of women offenders are acknowledged in *Women's Way Forward 2009-2012*, the Department's Strategic Plan for women offenders in prison. The strategic plan was developed to address the increasing number of women entering prison and to improve the circumstances in which they serve their sentences in Western Australia. It documents the adoption of a women centred approach across the corrections systems and guides the improvement of service delivery to bring about changes in women's lives.

As a final component of this commitment, the Department is currently developing a Female Offender Framework and a strategic Female Offender Policy. The project is to trial and evaluate a female offender program framework that will support tailored and integrated service delivery to females.

Key objectives of the Female Offender Framework Project are to:

- develop the female offender policy to guide the development and delivery of female correctional services that take into account the distinct needs, characteristics, life experiences, family circumstances and ethnicity (in particular Aboriginality) of female offenders in WA. The policy will incorporate a unifying policy statement, a set of guiding principles and will be accompanied by a broad action plan; and
- develop and trial a coordinated and accountable approach that will enhance service effectiveness and coordination for female offenders in line with the female offender policy.

Currently a survey is being completed on services available to women offenders. The results will inform the development of the program framework for female services.

In relation to work camps, the Department's position has always been that every prisoner suitable and eligible for work camp participation should have equal opportunity to participate in work camps, as part of their rehabilitation and progression through the classification system. The long term aim therefore is for every prison in the State that holds minimum security prisoners to have access to a work camp.

The Committee's Report (page 62) refers to Queensland's work camps for women without fences where offenders undertake community work such as working in the gardens of frail aged. This was the model used in Western Australia for women from Nyandi Prison in the late 1990's; however, the camp was based on a male and metro centric model and did not adequately address the unique issues of women prisoners. It is also important to note that Queensland does not have a pre-release centre such as Boronia, and it may use the work camp as a cheaper alternative to such a centre.

Given the success of the Boronia model and in line with the intent of the Women's Intervention Model, the Department will review the need for a specific work camp for women to complement Boronia's strategic direction. The primary elements for success will be the right community, the physical aspects and location of the work camp to ensure the safety of the women.

Recommendation 16 (page 80 of the Report)

The Committee recommends that the Minister for Police, the Attorney General and the Minister for Transport implement the recommendations made in the 'Wyatt Report' titled *Indigenous Licensing and Fine Default: A Clean Slate*, in particular with a view to address access and participation issues for Indigenous Western Australians in the licensing system. The Government response to this report include a time frame for implementing the recommendations of the Wyatt report.

The Government notes the recommendation.

The Department of Transport has established the Remote Areas Drivers' Licensing Steering Committee, comprising Chief Executive Officers of key government agencies which is reviewing the recommendations of the Wyatt Report with a view to implementing where feasible.

The Sheriff/Community Development Officers (Sheriff/CDO) provide assistance in diverting offenders, particularly Aboriginal offenders, from custody for non-payment of fines. The Sheriff/CDO are statutory appointed officers who provide a range of other functions including contributing to the development of culturally appropriate programs, provision of case management, and liaison with Community and Youth Justice Regional Managers, Police, Aboriginal Communities, Local Government and other key stakeholders.

There are seven Sheriff/Community Development Officer positions across the State (Kununurra, Broome, South Hedland, Roebourne, Geraldton, Carnarvon and Kalgoorlie)

Legislative change would be required in relation to a number of the Report Recommendations and these would need to be driven by the identified agencies. The Department could work to support these initiatives through roles such as the Sheriff/Community Development Officer and other Departmental positions located in regional areas.

The five recommendations below relate to the management of Aboriginal offenders, and are responded to collectively.

Recommendation 17 (page 87 of the Report)

The Committee recommends that the Department of Corrective Services positively considers ways to take into account any Aboriginal preference for 'group' as opposed to 'individual' within the framework of management strategies.

Recommendation 18 (page 89 of the Report)

The Committee recommends that the Department of Corrective Services (DCS) extends its engagement of Aboriginal elders and community leaders in the provision of cultural and spiritual support for Aboriginal prisoners through a formalised visiting program. It also recommends that DCS remunerates them for

their time as is the practice in some overseas jurisdictions and the Northern Territory.

Recommendation 19 (page 93 of the Report)

That the Department of Corrective Services aggressively extends the development of cultural competence in its personnel, throughout its operations to facilitate the implementation of culturally relevant initiatives.

Recommendation 20 (page 94 of the Report)

That the Department of Corrective Services work with the Inspector of Custodial Services to identify and remove the barriers to the full participation of Aboriginal offenders in the delivery of its services, as well as in its treatment of Aboriginal offenders at all levels of its operations. The Department must apply substantive equality.

Recommendation 21 (page 97 of the Report)

The Committee strongly recommends that the Department of Corrective Services designs and implements a strategy for the new West Kimberley facility located at Derby that includes four major objectives as follows:

- Aboriginal offender programming be strengthened;
- local partnerships and relationships are considerably enhanced;
- the role for local Aboriginal communities in corrections be developed; and
- non government agencies that are expected to provide services are properly resourced to do so.

The Government notes the recommendations.

The Department is committed to addressing the needs of Aboriginal people across the State who are directly or indirectly involved in the justice system. A range of culturally specific projects and services are available to support Aboriginal offenders and their families. A number of significant reforms are also underway.

The Department is currently reinvigorating the Aboriginal Justice portfolio to benefit Aboriginal offenders within the corrections system. The Aboriginal Justice portfolio is now a part of the Adult Custodial Division, and the role of the Assistant Commissioner Aboriginal Justice has been extended to include Aboriginal Justice; Offender Employment, Case Management, Planning, Performance and Custodial Reform.

The Aboriginal Justice portfolio is responsible for working with internal and external stakeholders to influence Aboriginal justice issues and reduce the number of Aboriginal people coming into contact with the justice system.

The objectives of the directorate are to:

- advise on innovative and culturally-appropriate corrective services programs and services;

- influence external stakeholders to implement 'whole of government' solutions to Aboriginal offending; and
- integrate Aboriginal criminal justice issues as a priority in all core business endeavours.

The directorate will advise, consult, advocate to and on behalf of other directorates in the Department to achieve this goal. As part of its role, the Aboriginal Justice Directorate has been undertaking research on establishing a Statewide Aboriginal Elders visiting program, and has been liaising with the Northern Territory on this.

As part of its work in establishing a Statewide Aboriginal Elders visiting program, the Department has submitted the following initiatives towards the visiting Elders Scheme at the West Kimberley Regional Prison:

- larger communities such as Mowanjum, Loma and Warum nominate elders via council meetings and payments could be made by the department direct to the community and dispersed as required;
- approach Mowanjum community to supply a vacant house for the Elders who are visiting from out of country. This house could then be maintained by offenders as part of a training and education program when it is not in use;
- give Elders access to offenders upon completion of the structured day and until the nightly lock-down;
- use video link ups with Elders to fill gaps between visits;
- brief Elders regarding expectations towards their visit; and
- provide feedback to the Elders' community council regarding all visits.

The Department has established a Senior Aboriginal Reference Group, a team of senior Aboriginal staff from throughout the Department which oversees and guides the development of policy, legislation and programs from an Aboriginal perspective.

The Department has introduced Prison Aboriginal Services Committees (PASC) which are responsible for advising the prison on the appropriate management of Aboriginal prisoners. The PASCs aim to:

- develop and implement local Aboriginal service initiatives;
- identify and develop appropriate programs and services to address the needs of local Aboriginal people;
- identify appropriate local service providers and establish partnerships and contracts for the delivery of services and programs; and
- promote links with Aboriginal communities in the area.

The PASCs comprise prison and community based corrections managers and representatives, local Aboriginal service providers, and community representatives. They are required to report on their activities and achievements in the Prison Reporting System.

The expansion of locally provided interventions and programs raises some ongoing issues for jurisdictions in terms of engaging these services effectively while still remaining within existing government business rules concerning

contracting and procurement of services. Many small, non-profit organisations do not have the expertise to be submitting full tenders for services, and thus are ruled out of contention as service providers even where they may have a service or intervention that is well suited to Aboriginal prisoners.

The establishment of a procurement strategy, based on the Government's 'Funding and Purchasing Community Services' strategy, is one measure to address this. The procurement strategy allows the Department to use restricted tender processes and other procurement tools to ensure that Aboriginal organisations are not disadvantaged by the tender process, and are able to successfully demonstrate their capacity to deliver services without the need to undergo a full tender process.

In the development process for future prisons the Department is addressing the specific needs of Aboriginal offenders to ensure facilities are culturally secure and effective. The West Kimberly Regional Prison (WKRP) has been designed from an Aboriginal perspective acknowledging the importance of landscape, line-of-sight and outdoor access. In recognition of issues such as Health and Wellness, the Medical centre will incorporate traditional medicine, a specific cultural area dedicated to healing and wellbeing and a community integration precinct.

The prison was designed in consultation with the Kimberley Cultural Advisory Group which provided guidance on Aboriginal culture and community issues and the Derby Community Reference Group which provided the main point of contact with the local community and advised on opportunities and concerns for residents.

WKRP has been designed to achieve meaningful and lasting change and develop new ways of working with Aboriginal people that will include:

- respecting and reinforcing Aboriginal culture;
- empowering Aboriginal people to develop and effect their own solutions to create sustainable change;
- collaborating with Aboriginal people to provide culturally appropriate services and programs;
- establishing and maintaining strong links between Aboriginal prisoners and their home communities; and
- supporting Aboriginal prisoners to maintain strong links with their families.

The WKRP has clearly defined a congruent set of values and principles, and demonstrated behaviours, attitudes, policies, procedures and practices that will enable staff to work effectively with Aboriginal individuals and communities.

The Workforce Plan for the WKRP includes a number of strategies that are being implemented to achieve Aboriginal cultural competence: They include:

- the Department will source and engage a local Aboriginal training provider in the Kimberley region to design, develop and deliver localised Aboriginal Cultural Awareness training to all employees of the WKRP;

- a policy on compulsory Aboriginal Cultural Awareness training. A cultural competency assessment tool is being developed to be part of the process of engagement of staff to work in the WKRP; and
- Aboriginal cultural knowledge will be embedded in the requirements and responsibilities of Job Description Forms for all positions in WKRP to ensure staff support the cultural diversity of the offenders and contribute towards achievement of the vision and mission of the prison.

One of the main objectives of the new facility is to actively involve the Aboriginal community in providing services resulting in greater ownership of the solutions to criminal behaviours and enforcing sustainability principles.

Casuarina Prison has established a specially designed unit to accommodate Aboriginal offenders which takes into account their cultural needs.

The Eastern Goldfields facility is also being developed in close consultation with the Aboriginal representatives in the local area. The objectives of the Goldfields Custodial Plan include:

- Improved facilities and services for the high percentage of Aboriginal offenders;
- multi-faceted custodial facilities that ensure the numbers of Aboriginal prisoners are properly managed, in terms of practical reparation, rehabilitation and successful re-entry;
- reducing the incidence of offending and the rates of recidivism; and
- the changing role of the facility to become a vehicle for positive individual behavioural change, which can underpin social and economic growth and well-being for the Goldfields community as a whole.

The Department recognises that the cultural competence of its staff is extremely important to the development and delivery of policies, programs and services to Aboriginal individuals and communities.

The Department's Aboriginal Workforce Plan aims to assist in the development of a diverse, knowledgeable and skilled workforce that is culturally competent. Achievements include the development and publication (online and in hard copy) of a guide for managers and supervisors entitled *Attracting, Recruiting and Retaining Aboriginal Employees*. This manual contains information to assist management to respect and value Aboriginal ways of working and to actively engage with Aboriginal colleagues, clients and communities.

The Department's Equity and Diversity Improvement Plan is based on the Equity and Diversity Plan for the Public Sector Workforce 2006-2009 and was developed through extensive consultation across the Department. It addresses the future equity and diversity needs of the Department with the aim of developing a workforce that is representative of the Department's client community. The major objectives are to:

- increase Aboriginal employment, in particular:
 - increase the number of Aboriginal employees within the Department to better represent the Department's client community;

- provide flexible recruitment strategies to encourage Aboriginals to apply for positions;
- develop strategies to retain Aboriginal employees and encourage promotion and career development; and
- an increase in the representation of women in senior management positions across all business areas, in order to address the historical imbalance of women in senior management.

The Department will continue to provide and further develop employment practices that adhere to both State and Commonwealth legislation.

The Corrective Services Academy currently schedules Cultural Awareness Training four times per year through its general training calendar. Further courses are scheduled where waitlists occur for training. Foundation training programs for Prison Officers, Community Corrections Officers, Youth Justice Officers and Youth Custodial Officers include Cultural Awareness training. In addition, the Academy facilitates training throughout the state upon request.

The Academy also offers training courses that specifically address the needs of Aboriginal people such as Aboriginal and Torres Islander Mental Health First Aid and the Aboriginal Leadership Program.

Academy sponsored training in 2010 included:

- Introduction to Aboriginal Australia - Edmund Rice Institute for Social Justice;
- An Introduction to Diversity Mentoring - Australian Indigenous Leadership Centre;
- Reaction and Interaction: the politics of suffering and the ensuing debate (seminar delivered by Peter Sutton author of *The Politics of Suffering: Indigenous Australia and the end of the Liberal Consensus*);
- Substantive Equality - EOC SE Unit;
- Indigenous scholarship - Foundations of Leadership; and
- Indigenous scholarship - Pathways to Leadership.

The Academy also promoted the following opportunities to staff in 2010:

- Lets Talk Culture seminar
- Aboriginal Wellness Program
- Our Mob, Our Minds, Our Spirit - Aboriginal Mental Health Conference 2010
- AIM scholarship for Indigenous and Torres Strait Islanders

The Department is developing an accredited cross cultural training course to assist in the training of vocational education instructors, teaching and support staff, and prisoner/students. The course will serve a dual purpose: it will form part of the induction and 'refresher' course training for prison education staff and will also be modified to meet the learning needs of new prisoner students.

The three recommendations below relate to Justice Reinvestment and are responded to collectively.

Recommendation 22 (page 109 of the Report)

The Committee recommends that as part of the implementation of the justice reinvestment strategies a mapping exercise be undertaken to identify those communities currently delivering the highest percentage of population to the prison system.

Recommendation 23 (page 112 of the Report)

The Committee recommends that the government initiates a properly funded, evidence based, collaborative Justice Reinvestment strategy in one metropolitan and one regional 'high stakes' community identified by the recommended mapping exercise, as a pilot, to be evaluated against adequate performance measures. This pilot would measure the effectiveness of the role of each of the individual participating agencies as well specific outcomes relating to the interagency collaboration on the ground.

Recommendation 24 (page 113 of the Report)

The Committee recommends that government at the highest level charge a lead agency to establish the proposed pilot Justice Reinvestment strategy to:

- Have an over arching responsibility for each of the agencies collaborating in the strategy insofar as their deliverables to the strategy are concerned and
- Have control and be accountable for the pooled Justice Reinvestment budget.

The Government notes the recommendations.

Justice reinvestment cannot be achieved by the Department of Corrective Services alone; would require a Government wide approach. The Government acknowledges the benefits that can be gained from identifying hot spots and providing local funding to those areas to tackle the social disadvantages that contribute to offending behaviour, however, past attempts to address social disadvantage have had mixed outcomes and it is not clear how the justice re-investment approach will lead to better outcomes. If such an approach is to work, it is one that would require generational change. Utilising capital funding from the Department's future capital planning for existing requirements prior to these needs being met will simply magnify the gap between design and operational capacity within prisons.

The Government acknowledges the desirability of collaboration among government agencies. As the Committee's Report (page 109) indicates, this approach can be problematic due to a number of factors, such as the hierarchical accountability framework within government and the various agencies having different priorities.

Australian and international research indicates that any justice reinvestment strategy requires a well co-ordinated and closely monitored inter-agency approach. If the Western Australian government were to pilot a Justice Reinvestment Strategy, the Department's research has identified that the following areas are key elements for success:

- Housing: Stable housing and access to support in the community have been identified as important factors for newly released offenders.
- Mental Health: Efforts to divert offenders with mental illness away from the criminal justice system can have a positive impact. There are some effective US police diversion models which could be explored.
- Alcohol and other drug use: There are a range of studies exploring the relationship between drug and alcohol use and crime. Programs could be developed to cater for offenders with more entrenched drug use and a more serious level of offending.
- Parenting support, social supports: There has been a significant amount of international research into the area of social supports such as early childhood interventions and mentoring - and the role these may play in preventing contact with the justice system.

Justice reinvestment is founded on the premise that there is appropriate infrastructure for the current requirements (i.e. sufficient design capacity) prior to consideration of reinvestment of future funds to alternatives to imprisonment. The Department is a considerable way from this point.

The Department has recently explored the literature on geographic criminal justice audits and the availability of such information for Western Australia. The following was identified.

- Broad indices of social disadvantage, based on census data, are periodically produced by the Australian Bureau of Statistics. This data can be aggregated at the level of statistical local areas.
- Various organisations collect and publish data on individual factors such as Aboriginal disadvantage and drug and alcohol abuse, though these reports generally do not publish statistics at the level of regions within a state.
- Further indications of regional disadvantage could be obtained from the operating statistics of participating service agencies.
- Mapping of the communities delivering high numbers of prisoners would ideally be achieved using the Department's prisoner entry/exit data. However, the Department does not currently have sufficient and/or reliable data on the location of prisoners before/after imprisonment. Also, all information to build a social-economic profile, such as educational level, employment history, income, etc. is currently collected on a voluntary self-report basis and is therefore incomplete.
- As an adjunct to this data, indications of the originating communities could be obtained from crime statistics kept by the WA Police and from court appearance data maintained by the Department of the Attorney General.

While some of the required information is currently available, the development of a complete and reliable data set for the analysis that forms the basis of justice reinvestment would require a significant investment in further data development.