



CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF INVESTIGATIVE HEARING

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TASKFORCE FLAXTON
HEARING NO: 18/0003

20 DAY 10 – FRIDAY 25 MAY 2018
(DURATION: 1 HR 55 MINS)

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LEGEND

30 PO Presiding Officer – ALAN MACSPORRAN QC
CA Counsel Assisting – GLEN RICE QC
INST Instructing – AMANDA BRIDGEMAN
HRO Hearing Room Orderly – KELLY ANDERSON
W Witness – MARK WALTERS
EG Legal Representative – MR E J GOODWIN (i/b Herbert Smith Freehills)
CM CHRISTOPHER MURDOCH, Crown Law (QCS)
PC Legal Representative – MS P CLOHESSY, Crown Law

- PO Mr RICE?
- CA Thank you, Commissioner. I call Mark WALTERS. Mr WALTERS is represented, Commissioner.
- PO Thank you. Mr WALTERS, would you prefer to take an oath or an affirmation?
- 10 W I'll take an oath, Mr Commissioner.
- HRO Would you take the Bible in your right hand and repeat after me.
- W The evidence which I shall give in these proceedings shall be the truth, the whole truth, and nothing but the truth, so help me God.
- PO You're appearing?
- 20 EG Yes, Mr Commissioner. GOODWIN, initial E J, of counsel, instructed by Herbert Smith Freehills, appearing on behalf of Serco Asia Pacific Limited.
- PO Thank you. Mr RICE?
- CA Is your name Mark WALTERS?
- W That's correct, Mr RICE.
- 30 CA Mr WALTERS, are you an officer of Serco and the officer-in-charge of operations of Southern Queensland Correctional Centre?
- W That's correct.
- CA How do you describe your title? Is it director?
- W It's director of the centre, Mr RICE.
- CA Thank you. Have you been given a notice to attend the inquiry?
- 40 W I have.
- CA Can I show you this?
- W Yes, please.
- CA Is that a copy of the notice?
- W That is, Mr RICE.
- 50 CA I tender that.
- PO Exhibit 74.

ADMITTED AND MARKED EXHIBIT 74

CA For how long, Mr WALTERS, have you been the director of Southern

Queensland?

W Mr RICE, I've been the director for six years, having commenced in March 2012.

CA That would be very close, would it, to the commencement of operation of the centre?

W That's correct. The centre opened in January of 2012.

10

CA Were you the initial appointee as director?

W No, I wasn't, Mr RICE. I was the deputy director. I took over in March as an interim and then properly appointed in the October of 2012.

CA Prior to that, I think you had experience at a different centre?

W That's correct. Prior to going to Southern Queensland, Serco operated Borallon Correctional Centre for four years. During that period, I was the deputy director of Borallon Correctional Centre.

20

CA For four years?

W That's correct.

CA You have some experience I think also in a similar position interstate?

W That's correct. I was deputy director at Acacia Prison in Western Australia. My total experience is 22 years in corrections. In this period, 20 consecutive years with Serco.

30

CA You had some experience in the United Kingdom also?

W That's correct.

CA In a correctional environment?

W That's correct. Within the UK, I've worked in three of Serco's prisons: in remand population, juvenile, that's 15 to 18-year-olds, and category A and category B correctional centres or prisons.

40

CA You're also a psychologist by training; am I right?

W By training, by profession, Mr RICE, that's correct.

CA You have occupied psychologist positions within correctional centres?

W That's correct. When I first got into corrections, I held a position as a senior psychologist. That's how I started.

50

CA I know it's some time ago, but it just informs your overall experience?

W Absolutely.

CA What kind of function did you exercise as an in-prison psychologist?

- W The primary role was at-risk management. That was dealing with offenders who were at acute risk of self-harm, suicide. That was the predominant role.
- CA You've had a psychologist role in more than one centre?
- W Yes. At Arthur Gorrie, when I first started, I had a consultant role. That's where I first started, a consultant role for just under a year. Then when I went to the United Kingdom, Doncaster, I had a senior psychologist position there.
- 10 CA How many centres did you work at in any capacity in the UK?
- W Three, Mr RICE.
- CA From what you've said thus far, at least, your corrections experience is as an officer of Serco?
- W That's correct.
- 20 CA You haven't worked in the public sector as such?
- W Only in 1997, I did a locum at Sir David Longman for a two-month period.
- CA You're aware that Serco has made a submission to this inquiry?
- W I am, Mr RICE.
- 30 CA I presume you've read that and you're familiar with it?
- W Yes, Mr RICE.
- CA It refers to Southern Queensland as Queensland's newest, most modern and technologically advanced correctional centre. Does that present any particular advantages to you in the management of that centre?
- W It does.
- 40 CA That it's more modern than some?
- W It does, and I think on two fronts. When it talks about it being the newest and most technologically advanced, one of the big features was to do with sustainability. So, it was design built in the period where there were significant drought conditions in Queensland, so a lot of the technological advances are around water use, electricity use, say the re-use of water through treatment, so water that goes off is treated, back in as A-plus. They're certainly the advantages from a sustainability point of view.
- 50 CA In terms of security, there are elements of the centre that other centres don't have. Would you like me to list some of those?
- CA Feel free to do that.
- W Yes. Some of the mobile phone detection technology, which doesn't exist in other centres. Heartbeat monitors at the gate, which is an added

enhancement in terms of preventing people egressing when they shouldn't be.

In terms of coming into the centre, biometric entry, those sorts of features.

The other thing to say is probably camera coverage. If I can contrast from Borallon, when we moved from Borallon, very little use or installation of CCTV. Southern Queensland has extensive CCTV.

10 CA Just on the subject of cameras, are body-worn cameras in use at Southern Queensland?

W They are, Mr RICE.

CA To what extent, are you able to say?

W Yes. We trialled probably 18 months ago body-worn cameras. We had eight at that time to do a trial. From that, we progressed to full implementation. I have in the centre 35 body-worn cameras, and every officer that has a prisoner-facing role will have a body-worn camera.
20

CA Thus far, you would be the only centre to have that coverage?

W I don't know, Mr RICE.

CA In any event, as you describe, any officer who has a face-to-face role with a prisoner-

W That's correct.
30

CA -can be expected to be wearing a body-worn camera?

W That's correct.

CA Some training accompanies the use of those, presumably?

W Absolutely. The introduction, we are using the same camera as QPS and also QCS. That comes with a training package for the staff in terms of its use and then how we're to dock and store the evidence.
40

CA Do we take it, then, that it is a requirement for staff to wear a body-worn camera?

W Yes, it is.

CA How has that been received by the correctional officers, can you say?

W Yes. In my centre, very well. The staff see it, as I do, as a support to officer safety.
50

CA Have there been any instances of inappropriate or inadequate use of it that might cause you to doubt the staff reception of this as a positive measure?

W No, Mr RICE, no.

CA Talking about the capacity of Southern Queensland, what's its built

capacity?

W Its built capacity is 300 mainstream beds, and then it has an eight-bed safety unit.

CA As recently as when Serco's submission was presented to the inquiry, it was well overstate.

W That's correct.

10

CA We heard the other day from Mr VOSS that perhaps that is only very marginally so right now?

W Well, it's not overcrowded right now.

CA Are you able to tell us what the current occupation is?

W Yes. Our current approved operating capacity is 300 mainstream beds and the eight-bed safety unit.

20

CA And what is the population now?

W Exactly that. I think yesterday we may have had one vacancy. The vacancies will go up and down depending on movement to us, but certainly since 27 April we have been at built capacity.

CA I think at one stage it might have been up a bit over 400?

30

W That's correct. Up until 27 April, we had been overcrowded since the middle of 2012. July 2012 is when we first started to overcrowd. Come into contract January 2012, overcapacity in July 2012. We started off at 117 per cent of built capacity. We were at that for two years. Then we went to 127 per cent of built capacity, and then at the beginning of 2017 we were at 135 per cent of built capacity, so 412 prisoners at our height.

CA That is quite a significant and, if I may say, rather sudden reduction.

W Yes.

40

CA How was that achieved?

W Our overstate have been transferred to Borallon. Borallon has been going through a period of two-year refurbishment of old cells. My understanding is certainly 80 cells came online towards the end of April, the beginning of April, and our prisoners were transferred to there.

CA At whose decision, do you know?

50

W That's QCS. I don't have any control in that.

CA Is there any reason that you know of why Southern Queensland was chosen for a reduction of that kind, given the state of other prisons also being overstate?

W I believe, Mr RICE, that there may be some decisions being made about population pressures and what the future role and function of Southern

Queensland might be.

CA Accepting that Southern Queensland is not now overcrowded, it was at one time, and, indeed, until quite recently.

W Yes.

10 CA On that topic, as a general theme, the submission refers to the fact that the overstate condition had been managed successfully. Would you concur with that?

W I would.

CA How was that situation managed so as to enable it to be said that it was managed successfully?

20 W I think the caveat is that over that extensive period of five and a half years of overcrowding, there were periods that you could argue that it wasn't. If I can probably talk to that, I'll talk to the philosophy first about how we managed it which, I think, gave some assurance as to good management.

We took the decision early on to manage our overstate in residential accommodation, not in secure accommodation. The units are small, 26-cell units in secure. As we increased our population, that would have required probably 30, and then 50 per cent and then even 75 per cent occupancy within those units in secure, where you have a prisoner on the floor on a mattress with his head either near the toilet or by the door.

30 W We took the decision, and I took the decision, to utilise residential accommodation. From the outset, prisoners were accommodated in the communal area of the residential unit. If you take a residential unit that has six rooms, the prisoner has access all night through - there's common ablutions, has access to the ablutions, the kitchen, and they're secured behind the outer door and they have free movement within that communal area.

40 W We took the decision to put the overstate in the communal area. My rationale for that was that they weren't confined with another prisoner in a tight area, they didn't have their head by a toilet. When they were unlocked of a morning, they weren't into an overcrowded association area, or a cage. They were unlocked into an open grass area.

My belief was that to accommodate overcrowded in that way, we would keep the temperature of the gaol down. I think we achieved that.

50 W Nonetheless, that brings other challenges, not only to the overcrowding, but the churn. Not only did we have, say, 127 per cent of built capacity, on a population of 380, 404, we would regularly receive 60 to 70 new receptions a month and that required a lot of movement around the centre in terms of bringing the unknown prisoner into secure and then moving him to residential accommodation.

I think we have over the years managed it very well. I think if you take into consideration also the centre, the centre is a purpose-built women's centre, so it has more of an open campus style. Some of the challenges that we face daily is access to rooftops. That's an ever-present challenge.

The secure lines aren't as structured as they would be in a male high-security centre, so ever present is major disturbance, the risk of that, and it escalating.

The fact that we have managed to keep those events to a real minimum over the last five and a half years I think is a testament that it has been successful. Yes, we have had, in the five and a half years, a rooftop; we have had a major disturbance involving prisoners. They're, in my opinion, low level and very infrequent.

10

So if that's a measure of how successful, I think we have achieved that.

CA You refer to the configuration of secure and residential.

W Yes.

CA Could you be specific about the proportion? How many secure beds or cells are there as compared with residential?

20

W Yes, and that's part of the challenge as well. As I've said already, it was a purpose-built female prison, in which we hold adult male high-security prisoners.

The configuration is two-thirds residential, one-third secure accommodation. That is not what you would normally find in a high-security adult male centre, but, again, I make the point that we're able to have managed that population very well, given that the design was not intended for that population.

30

CA Can I ask you, is residential accommodation a style of accommodation that has to be earned in the progress of a prisoner's journey through the system?

W If I take - the answer is yes. If I take our experience at Borallon, the prisoner would earn the privilege of going to residential. That might be a 16-week process, as it was when we were there. You got an idea of the prisoner, who he was. He earned that greater autonomy and he moved to residential.

40

Again, the population pressure, the churn - we weren't able to operate residential in that way.

CA The ratio would indicate that, wouldn't it? You have one-third secure and two-thirds residential.

W Yes.

CA It can't simply be a matter of progress through the system?

50

W That's correct.

CA Is there, though, nonetheless, some notion of earning privileges even within the centre? People start out at secure and earn the privilege of going to residential?

W Yes, there is, Mr RICE. In terms of, again, that churn, we started to make

decisions that if a prisoner came into the centre who was classified as low, that person would go straight into residential because he was a low-secure prisoner. If he came as a high, which the majority are, they would start off in secure accommodation, and we would then look to move them and progress them into residential. Sometimes that was fast in terms of that progress.

- 10 CA You would be well familiar with prisoners' attitudes as a general proposition.
- W Yes.
- CA Is occupation of residential accommodation an incentive to a prisoner to maintain good order in a centre?
- W It is, absolutely, yes.
- 20 CA Given the ratio of residential to secure, two-thirds to one-third, does that affect the allocation of prisoners to Southern Queensland by whoever does the allocation?
- W No, it doesn't.
- CA Presumably prisoners would be allocated on the basis of whether they are suitable for a centre which has two-thirds residential accommodation, if, indeed, residential is something that has to be earned?
- 30 W That's not my experience, Mr RICE. I receive the same prisoners as, say, Woodford would receive. I receive prisoners coming out of a maximum-secure unit, so reintegrating off an MSO. I will take those prisoners.
- There has, in my experience, been no differentiation between the prisoners I receive and who might go to Woodford.
- CA Might the prisoners then be expected, new arrivals, to be housed in the secure component of the centre?
- 40 W That's correct. That's our practice, yes.
- CA And if that was so, someone else has to move out into the residential?
- W That's correct, yes.
- CA Is there some selection process of suitability for that?
- 50 W There is, in the sense of prisoners' compliant behaviour, prisoners' desire to go across into residential. Again, I put a caveat on that, in that sometimes prisoners weren't keen to go across to residential because it was the mattress on the floor. Some prisoners coming in, where a cell was vacated for a new arrival, some would have preferred to stay in the single cell, in secure, than go across to residential.
- CA Is there any particular profile, then, of the Southern Queensland prisoner?
- W No. Adult male high security, that's the cohort and that's what I receive.

- CA Could it be that they had been incarcerated for a wide range of offences or is there any specialisation, so to speak?
- W Absolutely, no. It's a wide range of prisoners. I don't know this month, but certainly we average around - when we were at 404, we averaged around about 80 prisoners who were in for the offence of murder. Some 20 to 25 per cent of our prisoners are serving 10 years to life.
- 10 As I said before, there is no differentiation between what I receive and, say, Woodford. I say Woodford, in the sense that the system, through remand, Arthur Gorrie, to allocation, BCC, and then the two within the south-east corner allocation centres, at Woodford to the north and us out in the west, Wolston will receive protection, and that's why I keep referencing Woodford in that sense.
- CA I am sorry, I'm not sure I understood that. Does your allocation come from Woodford?
- 20 W No, from BCC, so Brisbane Correctional Centre will allocate, in terms of a male mainstream high-security prisoner, either to Woodford or to the Southern Queensland Correctional Centre.
- CA Since you have mentioned Woodford being a much larger centre than Southern Queensland, could I ask you this: does the size of a centre have any correlation to stability and good order?
- W You could infer that. The counter to that is that my staffing profile is commensurate with my allocated population, so it's not that I have less prisoners with more staff. So you would argue it would be commensurate.
- 30 I said before also, in terms of size, about the infrastructure. That can be seen as double-edged. I gave you some examples of some of the challenges we face.
- 40 What we have also found, though, over the years is that open style is also conducive to, in my opinion, better behaviour. The environment isn't as oppressive as, say, a male centre with its enclosed walkways and those other - Southern Queensland is quite light and airy and open, and I think it does have an impact on how prisoners might behave.
- CA And rural in setting, is it?
- W Absolutely, yes. That's right, yes.
- CA So accepting that it's, by definition, an unpleasant place, relatively speaking, how would you comment about it?
- W It's a nice location. Visitors will always comment when they come on how calm and relaxed the centre feels and looks. So I don't know if it's about the size. I think it's about the physical layout.
- 50 CA You're assisted in that respect, by the sound of it?
- W In the sense that we look to those - oh, sorry, did you say we're assisted in that?

- CA Assisted in that.
- W Oh, absolutely, yes.
- CA One phrase that's coined in the Serco submission is words to the effect that a busy prison is a safe prison.
- 10 W Yes.
- CA Are you familiar with that?
- W Yes, yes.
- CA Is that a description that you regard as apt to Southern Queensland?
- W Absolutely.
- 20 CA In what sense, then, is Southern Queensland a busy prison?
- W Yes. We adopt a model that is similar to all our centres, particularly in the UK where Serco have come from, and we talk about the responsible prisoner model where a prisoner is encouraged to take ownership and direction of his sentence plan. But in order to do that, you've got to provide a range of activities for him to do that.
- 30 One of the things I always say is that, absolutely, the courts have sentenced a prisoner to our custody and our care. The deprivation of liberty is the punishment, but it's what we do in that space, and the cornerstone should be rehabilitation. In order to do that, you've got to have a range of opportunity, whether that be programmatic activity, education, and proper education, proper skills-based, whether that be vocational or academic, and employment. Employment that might lead to employment post release. All of those elements are in place at Southern Queensland.
- 40 Prisoners are required to engage in anywhere between seven and ten sessions, a session being a morning, within a Monday to Friday week. They have an individual timetable. When they come in at induction, they'll look at what's on offer. They'll select what sort of pathway they want to go on. We then encourage that to occur.
- So the centre is, by design, busy, and we certainly strive to keep it that way.
- CA What kinds of work options are there?
- 50 W There are industries in the first instance. That's broken into two main ones. There's woodwork activity and there's metalwork. Aligned to those are Certificate Is and Certificate IIs in, say, civil engineering or furniture making. There's hospitality in terms of kitchen, so, again, prisoners can work towards a Certificate III in hospitality. So there's a range of those sorts of opportunities over and above, say, hygiene, employment within units.
- CA In addition to the work options, are there educational programs on offer?

Can you give some idea of the range of those?

W Yes. That's twofold. We offer a range of literacy and numeracy. A prisoner coming in that might have a particular deficit is assessed. We use an interactive tool through ACER, which determines a pretty sophisticated determination of the particular deficit, and those prisoners then will enrol in a literacy and numeracy program.

10

Over and above that, as I said before, through RTO, there are a range of from certificate I all the way up to certificate IV qualifications, nationally recognised through ASQA, qualifications that a prisoner can gain. If you're not with us that long, you can gain a range of skill-sets that contribute to a certification. Then there's a range of arts, more leisure, leatherwork-type hobbies.

CA The most recent Chief Inspector's report of September 2016 offers the figures of about 71 per cent in employment and about 29 per cent not.

20

W Yes.

CA Would that still be the current distribution?

W It should be fairly consistent, in the sense that we'll have a range of - it may change from time to time in terms of what the certification is on offer, but in terms of people being engaged, yes.

CA That's a higher proportion than some, but, nonetheless, 29 per cent or so not engaged in that way?

30

W Yes, yes.

CA What would account for that figure?

W Some of that would be, as I said to you before, perhaps the churn, so prisoners that are coming in, having to do induction, having to do their mandatory workplace health and safety assessments, before we can then put prisoners into employment.

40

At any one time, we probably have around about 30 - on our current population, 30 to 40 prisoners that would be unemployed. Of course, some of those might be in the detention unit and unable to be employed. Some of that might be the safety unit. Again, eight prisoners down there, to account for it. By and large, it will fluctuate.

CA Is the centre able, on its built capacity and current population, to provide meaningful activity by way of work or education to those who are willing and able to undertake it?

50

W Yes, we are. Yes.

CA To what extent would you assess that's an advantage in maintaining the good order within the prison?

W Absolutely essential. If our built capacity and our staffing model is engineered and designed to meet that capacity of prisoner, then we can fully occupy.

I'll say that when we did overcrowd, we did increase staffing. A lot of that increase was prisoner-facing custodial staff. There were some additional but limited in terms of education, let's say teachers or that type, and some of that's around the inability to engage staff on a longer-term basis when we're not sure how long that overcrowd situation might go for.

Now that we are at our built bed capacity, we have the correct staff numbers by profession to deliver on our obligations, if you like.

10

CA One of the positive features that the inspector noted in September 2016 was that staff demonstrated a proactive and caring and genuine approach to prisoner management. Serco's submission makes the same kind of positive statements about the culture it seeks to deliver.

W Yes.

20

CA Would you say that the inspector's comment that I've mentioned from September 2016 still applies at Southern Queensland?

W I would, yes.

CA How, then, do you establish and maintain that kind of a positive culture?

W I think it permeates right from the top of Serco. We have a set of values - care, trust, pride - and those values permeate right through the culture of the business, whether it be in a prison or any other type of contract that Serco might operate.

30

For us, at the local level, in managing people and managing vulnerable people, it's vital that our ethos is one of support and care. That's through our training, whether it be the code of conduct, whether it be our values. As I say, we only have four values. One of them is about care and what that means. All staff within the centre are fully aware of our values, of our ethos. That's constantly reinforced in anything that we do.

CA Would the prisoners be aware of those values?

40

W They would be by virtue of the values around the centre, posted around the centre.

CA I wonder if that's deliberately so?

W I wouldn't have said it's conscious. It's there, but what I will add is that prisoners know what our values are, prisoners know what our ethos is, because we should be, and are, constantly demonstrating those. Our pro-social modelling, the way we interact with prisoners - prisoners should be seeing the actual application of those values, so they would understand them.

50

I certainly meet with a prisoner representative group fortnightly, and whilst we may not talk in those terms of our values of care and trust and pride, the language that we use and how we meet obligations, I would have no doubt a prisoner would be aware, would be able to surmise, what our ethos is.

- CA Does it have any impact on the level of violence within the centre?
- W I don't know. In a sense - okay, sorry, Mr RICE.
- CA You would have a handle on assault rates, wouldn't you?
- W Yes. If I speak about - if the connection of our values and how we behave, and does it have an impact on assault rates, I think that if the culture of the centre is what I said to you before, most people come in and comment about the relaxed and calm nature of the prison, if that's the environment that we're creating and that we're working in, by virtue you would expect, therefore, that the temperature is low, the rate of impulsivity of prisoners is low; that would impact on, then, levels of violence.
- 10
- That said, we've had to actively also manage violent incidents from, say, around about 2015, when we peaked. Just having that staff culture, that ethos alone does have an impact, but not to the point where we don't have any, say, violent behaviour.
- 20 CA Have you looked at any comparative figures to compare, say, your prisoner-on-prisoner assault rate or prisoner-on-staff assault rate with other centres. Capricornia is a bit bigger than yours, but perhaps reasonable comparable?
- W I don't necessarily have the ability to do that. Certainly, QCS from time to time will publish a report, a comparative report into violence across centres. The most recent quarter for last year, a comparative analysis through reporting services was shared with general managers.
- 30 CA We understand that Serco provides its services to QCS under contract, and there are key performance indicators built into that.
- W That's correct.
- CA Are they the measure of a successful prison?
- W They're certainly part of it. There are three key documents. One of them is the contract, and the contract is largely the legal and commercial elements of the operation.
- 40
- Then, underneath that, is a set of contract standards. There's 105 contract standards for Southern Queensland. We are audited and measured on those 105 contract standards by contract management unit.
- And then we have 11 in total, but they get broken down into A and B, so in total there are 16 key performance indicators. You say, in terms of your question, is that a measure of success? Yes and no. You asked about a comparative analysis before.
- 50
- Under my KPI 5B, "Assault (Minor)", I have a certain target. I don't meet that target year on year. But quarter 3 and quarter 4 last year, by QCS's comparator, I had the second-lowest rate of assaults of the 10 high-secure male gaols. So by that measure, we're performing very, very well. By KPI, I'm not.
- So, yes, the KPI is a way of measuring success, but I have to put caveats

when - you know, if people want to look just at the KPI and go, well, that one's red; you must be failing.

CA Apart from the quarterly and other formal reporting requirements under the contract that no doubt you participate in-

W Yes.

CA -do you have, on a day-to-day basis, cause to interact with QCS?

10

W Yes, not necessarily on a day-to-day. Certainly, and you would be aware, Mr RICE, that contract management unit are five days out of every ten in our centre. I certainly will interact with them when they're in the centre.

In terms of QCS, the wider QCS, that can be daily interaction, whether that be email, responding to email, or getting updates from QCS. Even though privately operated, I'm part of the dual manager group in terms of the email distribution, so there is constant backward and forward communication with QCS, yes.

20

CA Are you in a position to learn from the accumulated experience of other general managers and vice versa?

W Absolutely, yes.

CA By what mechanism, can you explain?

W Mainly it will be sharing - a question may be asked to the group via email about a particular situation in one of the centres, and a general manager will ask for advice in terms of how other centres might be operating or might be managing a certain aspect, and feedback will be provided.

30

The other mechanism, the main mechanism, is through the Tuesday Movi meeting, which is online, Skype, if you like, where we all appear and meet with the Deputy Commissioner every Tuesday morning.

CA What about Chief Inspector's reports - obviously you will take a close interest in your own.

40

W Yes.

CA Are you privy to incident reports and healthy prison reports in relation to other centres?

W No, I'm not.

CA Have you or Serco sought to be?

W No, I don't - no, I don't believe so, no.

50

CA Would there be any advantage in seeing how other prisons operate according to the healthy prison values and what's good and not good by way of comparison and learning?

W Yes, absolutely. In the past, those Chief Inspector reports following full announced inspections were a public document. Anybody, for that

matter, could read them, including families of prisoners. They were a public document. I'm not sure when it changed, but some time ago they stopped being public. By not being public, they're not shared with other centres, either.

In answer to your question, absolutely, there shouldn't be any fear in maybe what is contained in a Chief Inspector's report. We should be acknowledging - if there's an external lens over the operation and there are areas for improvement or even good practice, we shouldn't fear that. We should embrace that.

10

CA Would you or Serco consider making any representation to QCS along those lines?

W We could.

CA You've not done?

20

W I certainly haven't, Mr RICE. I don't believe my corporate office would have.

CA You and officers at Southern Queensland are obliged, are you, to comply with, say, practice directions that may be issued?

W That's correct.

CA But there is scope for I think what is called local level instructions; is that the correct term?

30

W That's correct, yes.

CA What kinds of topics might they deal with?

W We don't have many. All of the contingency plans are localised, and that's simply because of the nature of the layout of the centre. So they've got to be operationalised, to a degree. But the elements still have to be consistent and aligned with the actual COPD.

40

We will have local ones for the detention unit and, again, the COPD on detention units is very broad. Maintaining the principles of that, our local instruction talks about how we will manage the day-to-day operation of that particular unit.

Similarly we have a local one for our incentive and earned privilege program, our Pups in Prison program, so anything that requires a little bit more detail or is unique to our centre. Another one is the advanced care unit, palliative care, they're localised. But, again, outside of the contingency plans, there's probably only about 10.

50

CA Is there any policy at Southern Queensland concerning the rotation of staff through units?

W We do have a policy. It's not necessarily enacted at the moment. That came out of - I said to you earlier there was a period, certainly in 2015, where violence was at our highest level, and we actively, over these last couple of years, did a lot of work in terms of reducing that.

One of the elements of that from the staff group was we had a policy of rotating staff, 25 per cent of staff, every quarter. There's good reason for that, in the sense that you're able to ensure staff are skilled in all areas, so that gives you some operational flexibility. It gives staff the opportunity to, say, move away from prisoner forward-facing areas to perhaps a security role.

10

But when we sat down with the staff group and looked at what could we do with the increased level of violence in 2015, one of the themes was staff going into a new prisoner forward-facing area that perhaps wasn't as equipped, or wasn't as adept to that role, and finding them not necessarily being able to equip themselves in terms of prisoner management. So we took a decision to not rotate staff through roles; only on a case by case, so where a member of staff said, "I'd like to move around" for a particular reason, or we had an operational reason, so it is now more individualised than it was, so we had a direct policy of 25 per cent rotation every quarter.

20

CA In terms of staff rotation, is there any component of the reasoning behind that to do with risks of formation of inappropriate relationships?

W

It wasn't in terms of - the initial decision to rotate, as I said before, was about operational flexibility but also retention, in the sense that if you're moving through different roles, you're being stimulated, you maybe having some respite, so there are those sorts of reasons. It wasn't about staff staying in an area longer and maybe forming a relationship.

30

There is good reason to suggest that staff being in an area for a longer period of time actually contributes to a safer environment, in the sense that - remembering we haven't been able to do this for some time, this is the system, QCS. Our model should be about case management, and it's certainly part of what QPSR is talking about in terms of parole-ready; working with an offender in terms of meeting whatever deficit is, whatever need it is, and assisting that person on that journey to release.

40

If you're running a proper, comprehensive case management program, you actually have a cohort of prisoner as an officer. You know that prisoner, for lack of a better word, intimately, in the sense of their journey, what they've done during that period of incarceration in terms of the change, and you're able to assist, and I will use that word "journey" again.

The opposite of that is where you're not able to do proper case management. You're rotating through too regularly, you don't understand who the person, the prisoner, is, where they've come from, what they might have presented like a year ago to where they are now, and not give due consideration to that.

50

I know personally from working with a lot of prisoners, one of the things that they do see as important is that staff recognise the change and recognise the journey. That potentially isn't possible when you're doing significant short-term rotation.

CA

Would that be a convenient time for a break, Commissioner?

PO

Certainly, Mr RICE. We'll come back at 10 to 12.

SHORT ADJOURNMENT

PO Yes, Mr RICE.

CA Thank you.

You mentioned before, Mr WALTERS, the desirability of an officer knowing his particular prisoners cohort for case management purposes.

10 W Yes.

CA Is there any optimum ratio?

W I don't know about an optimum ratio, Mr RICE.

CA What is an application at Southern Queensland, then?

W In secure environment, it would be 1 to 18 prisoners. One member of staff to 18, in the secure accommodation.

20

CA Does that vary in the residential area?

W It does. It's a greater number of prisoners to staff in residential. As we spoke earlier, the expectation that a prisoner in residential would have earned that opportunity is better behaved, we understand who that person is, and residential, by its nature, is self-care, so we're expecting prisoners also to be able to manage some of the functions themselves. So the numbers are different, yes.

30 CA Just to be clear about it, in the secure area, am I correct in understanding that the ratio is 1 correctional services officer to 18 prisoners?

W That's right. In terms of the units, if I can do it that way, a secure accommodation of two units of 26 is 3 staff, 3 to 52. So it works out to about 1 to 18.

CA Do you know what the figures are for the residential area?

W During our double-up, it was 1 to 33.

40

CA That would be a lower figure now?

W It is. I'm just trying to think of the ratio. It's probably around about 1 to probably 41. I need to do the math in my head, simply because we have only recently, as I said, 27 April, reduced the population out of residential primarily, and the staff haven't necessarily come away from there just yet. We're working to that.

50 CA You mentioned earlier that you're aware from comparison that the assault rate for prisoner-on-prisoner occurring within Southern Queensland is low by comparison with others?

W That's correct.

CA I think that was what you said; am I right?

- W That's right, for the third quarter and fourth quarter of 2017. I haven't seen quarter one for 2018.
- CA What about the data concerning prisoner assault on staff, do you know the rate of occurrence of that and how it might compare?
- W I don't know. I think the data that was presented through reporting services includes prisoner-on-prisoner assaults and prisoner-on-staff assaults. I don't know how we compare in relation to assaults on staff. Intuitively, because all general managers will get copied in to incident briefs that go out, the type of assault that my staff experience hasn't necessarily been to the same severity as I've seen in other centres.
- 10 CA Just on the accuracy of that kind of data, what obligations are there on correctional staff in Southern Queensland to make a report of incidents of violence?
- W There's a compulsion, if you like. It's obligatory. Any incident that occurs in the centre, staff are required-
- 20 CA How is that made known and reinforced to staff?
- W Through training. For custodial staff, through the ITC, our initial training course. Non-custodial, through induction training.
- Any incident, by incident definition, by QCS incident definition, has to be reported on IOMS. Staff are trained in that and that gets reinforced.
- CA Are you satisfied that that's occurring as it should?
- 30 W I am, in my centre, yes.
- CA Are you aware of any incidents that may not have been reported?
- W I'm not aware of any, Mr RICE.
- CA One of the tasks with any centre is to restrict the inflow of contraband, correct, particularly drugs?
- 40 W Yes.
- CA In terms of drug testing of inmates, is there some formula by which that's done, that is to say, according to population, a certain number will be tested, can you explain?
- W Yes, there are two elements to it, Mr RICE. Firstly, there's target testing, and there's no percentage on that. That's just based on intelligence or suspicion.
- 50 CA In terms of random, it's 1 per cent. Each week, QCS advise me of - it was when we were at 404, four prisoners in the week. It is now three that I am required to test.
- CA Is that contained in an instruction somewhere?
- W A COPD, I believe, in terms of the random drug testing, yes. It's

1 per cent of the population.

CA That formula would apply, would it, to all centres?

W That's correct.

CA Being a COPD?

W That's my understanding, Mr RICE, yes.

10

CA That proportion of testing is being maintained by you at Southern Queensland?

W In my centre. As I said, QCS tell us the names. It's random. They tell us the names, and I'm obliged to test those prisoners.

CA They even give you the names?

W That's correct, yes.

20

CA They do the selection and tell you?

W That's correct.

CA Presumably you have to report back concerning those names?

W That's correct.

30

CA What about targeted testing, does that tend to be a variable?

W It does vary. As I said, it's based on intelligence data gathering, and that will be perhaps through intel, notes from staff. It will be through intelligence data through the Arunta phone system, and it's by suspicion. Again, it's a range of ways that intelligence will come, and those prisoners will be allocated to be target tested.

CA That, then, would be, from what you say, intelligence driven as to the frequency of that?

40

W That's correct.

CA As opposed to the application of any formula or desirable frequency?

W That's correct, yes.

CA Is there some policy in application at Southern Queensland concerning the searching of staff?

50

W There is.

CA Can you explain what it is?

W Again, it's compliance with custodial operations practice directives. How that transpires in the centre might be different to other centres. All staff and visitors that enter the centre go through a process, and that's separate to an unannounced staff search, for example.

- CA You mentioned the COPD.
- W Yes.
- CA Is that a reference to the minimum quarterly search of staff?
- W That's correct, yes.
- 10 CA And, beyond that, is there targeted searching?
- W Of staff?
- CA Staff.
- W Only in accordance to the COPD. If I could say this: all staff coming in every day go through the same process as we would operate for an unannounced staff search. The only difference is during the staff search, staff are subject to the IONSCAN search, which is the drug detection.
- 20 CA Any targeted search, is that, as with the inmates, intelligence driven?
- W Of staff?
- CA Mmm.
- W It would be, but we haven't had an example where that has occurred.
- CA Use of IOMS is in general application at Southern Queensland; correct?
- 30 W That's correct.
- CA It being QCS's standard information platform?
- W That's correct, Mr RICE.
- CA I think the submission perhaps acknowledges, and you might confirm, that you and the management at Southern Queensland do not undertake any sort of random audits of staff use of IOMS?
- 40 W No, I don't have access to audit IOMS.
- CA You don't have the means to do that?
- W No, I don't have, no, not at all.
- CA Is there any proactive way in which an officer's use of IOMS could be audited?
- 50 W It's fair to say we - and I haven't tested that in the sense of going to QCS and saying, "I would like to have a random search of certain staff." As I say, I haven't initiated it. I don't have that access. Would it be valuable? Yes, it would. At the moment, my behaviour in terms of that is reactive. I react to suspicion.
- CA And perhaps intelligence also?

- W Absolutely, intelligence, yes.
- CA Or complaint?
- W Absolutely, correct, yes.
- CA There have been instances at Southern Queensland, haven't there, of inappropriate use of IOMS?
- 10 W There has, Mr RICE, yes.
- CA The situation is as you've described, that it's reactive to complaint or intelligence, or provision of some information to trigger inquiry; is that so?
- W That's correct, Mr RICE, yes.
- CA Is there any means by which staff are reminded or reinforced about the limits of access and disclosure of information stored on IOMS?
- 20 W Yes, they are, and that starts from initial training. The actual IOMS user training is completed by QCS, by their staff. It's a two-day program.
- Every year, we update that through an e-learning platform, again QCS's requirement. So staff every year are reminded about using and their obligations.
- 30 More than that, every time a member of staff accesses IOMS, the user agreement is front and centre and you've got to click on it to accept that you're going to use it for its intended purpose. So there are initial training, annual refresher training, user agreement, which is there every time you log on.
- In addition to that, Serco does its own training in terms of privacy and IT security, which isn't necessarily specific to IOMS but it is about data - you know, practices around data breaches and confidentiality and privacy.
- 40 In addition to that, I certainly brief new staff on IOMS access and their obligations. There are reminders to staff through notices to staff from my office about IOMS user access, so there's a constant focus on reminding staff about their obligations.
- CA I'm told you may have some suggestions for improvement of the integrity system of IOMS?
- W I think everybody probably has a view about how we can improve it.
- 50 Personally, firstly as a private provider - because we have, and I've just articulated, the constant reminder and obligation, but, as you alluded to, I have had breaches. So, despite that constant awareness and education, we still have breaches. And as you articulated, it's reactive.
- I think allowing, say, centres to be able to audit their own staff in their own use, to maybe establish if a pattern or something is happening early on, that we can intervene rather than after the event when significant,

perhaps, damage has occurred.

10 The other thing with IOMS, and I know that IOMS is going through a reconfiguration, is that it could be narrowed, in the sense that my staff can, if they want, look at prisoners in any other centre. They can look at a range of details, whether that be in Brisbane Women's Correctional Centre or up in Far North Queensland. My personal belief is that they shouldn't be able to do that, so a system that can maybe lock it down to centre-specific. As the user agreement talks about, it has to be in the nature and scope of your work, your authorisations. Well, I should only be able to look at people that are incarcerated in my centre.

You could go further and actually say, well, if I'm working in the safe unit, where there are eight prisoners and I'm responsible for those eight, they're the only prisoners I need to access. I don't need to know about the prisoner over in secure 1, and all the details that go around him. I guess what I'm saying is some form of being able to progressively lock it down.

20 QCS already have access levels. If you're in sentence management, you have a greater access level than you do as a custodial, but there is still far too much ability to access information that you don't necessarily need to access.

CA We were discussing the training and reinforcement concerning use of IOMS.

W Yes.

30 CA That raises a bigger question of training.

W Yes.

CA Serco offers its own pre-service training; correct?

W That's correct.

CA Rather than using the academy?

W That's correct.

40 CA Has Serco's training been benchmarked against other training regimes in other jurisdictions?

50 W I can probably answer that a couple of ways. Firstly, the pre-service or the initial training course is endorsed by QCS, so there's two elements. There's the Certificate III in Correctional Practice, which is the components that we develop. We will benchmark or be informed through our sister centres in terms of what they might be doing, where they provide custodial operations. But the elements, the core elements, so the custodial practice competency assessment, the CPCA, is a QCS requirement that we deliver.

I've got eight trainer and assessors, which are supervisors and officers. They are trained by QCS. They deliver those core competencies. Any changes to those are reflected in our program. If there are changes to control and restraint, situational use of force, what is now badged as

"officer safety", my staff will go to the academy and they are updated in those change in practices and then will incorporate them in our training.

So, if you like, yes, we're being updated by QCS, but we certainly will look - Serco - and I don't know if it was in the submission - has a centre of excellence for a number of our businesses. There is a centre of excellence for justice and immigration based in London, and they'll take best practice from the different operations where we operate in those businesses around the world and share that with us.

10

The only caveat on that is that those practices, on occasion, might be restricted in terms of jurisdictional differences. So what perhaps occurs in a UK prison, I may not be able to adopt here in Queensland.

CA Beyond the pre-service training, is it the case that correctional officers need also to do their refresher training of the compulsory kind?

W That's correct.

20 CA Are they the same set of compulsory requirements as apply to QCS officers?

W That's correct, Mr RICE, exactly the same.

CA Beyond that, the core competency refresher training?

W Yes.

30 CA Are there other forms of training that Serco offers, either by making it available or making it compulsory?

W Absolutely. There are a number of training requirements, what we term as essentials. That will cover off on things like workplace health and safety. It'll cover off on ethics. It'll cover off on, again, code of conduct. These are required to be refreshed every year. They're e-learning platforms. Things like professional boundaries, though, we'll do face-to-face. So there is a requirement - I think off the top of my head, there might be about 12 essential modules that all staff, including the director, are required to undertake. That's tracked by our corporate office, and my training manager will get a periodic-

40

CA Alert?

W -league table to say we're coming to the end of wherever the process is, and these people by name haven't yet completed their training.

CA What is the module, then, that's offered with respect to professional boundaries?

50 W The professional boundaries will talk about - it includes a number of other aligned standard operating procedures. There's a standard operating procedure on personal relationships. There's one, as I said to you already, on the code of conduct. There's one on misconduct. It will align to those, but it will speak to what is appropriate and what is not appropriate: obligations, reporting obligations, but it also talks to the nature of, in our context, conditioning by prisoners, things to be alert to, having that

vigilance, having that presence when interacting, yes.

CA Is that one of those aspects of in-service training that you mentioned, that needs to be undertaken every so often, 12 months?

W The professional boundaries every 12 months, that's correct.

CA That's mandatory?

10 W That's correct.

CA That's online, is it?

W Well, it's online, but we do it face to face with staff in respect to that one.

CA Is that a feature of Southern Queensland?

W I believe so.

20 CA At any rate, that's what you do?

W Yes, yes.

CA Is there some reason that the training on professional boundaries is done at Southern Queensland face to face?

W I can only speak for me personally in terms of 20 years of experience, and having come across situations where staff have developed relationships with prisoners, I think it is an ever-present issue.

30

I think that staff constantly need to be reminded. I said to you before, Mr RICE, about - I understand the concept of staff rotation and preventing the opportunity of getting too close. By the same token, staff need to be properly reminded of those risks of that constant interaction.

So, yes, we certainly do it annually in person. I go down and I brief the initial training course on this issue, along with IOMS, along with contraband, because over the 22 years that I've worked in the business, I have seen staff make errors of judgment and there are some significant consequences with that.

40

My personal view is that if I can protect staff from that - remembering, when this does happen, it doesn't start out as any form of malicious intent, it's quite innocent and naive, but it has significant risk and consequences. So if I can support staff in that not occurring, I'll do my best to do that.

CA In the scheme of life, staff can develop susceptibilities over time according to things that may be happening?

50 W Yes.

CA Is there any mechanism by which you can monitor that or staff are monitored for that kind of susceptibility?

W The answer is, no, in a structured sense, but in an informal sense - and, again, it's reactive in the sense that - and to protect privacy, I won't go into

10 the group, but we had occasion at SQCC where a couple of young staff, because of their work, were spending, and required to spend, a considerable amount of time with prisoners. There was a sense from other staff that it didn't appear healthy. Now we engaged in counselling and awareness with those staff, but what we did to protect them was where a member of staff is required to have lengthy interaction, we monitor, through that group's manager, how much time is being spent with any one individual prisoner. That's not a trust issue with the staff. It is about understanding that that is a particular risk area. It's not structured throughout the entire gaol. It's certainly a feature of that particular work area.

CA Who has the delegation at Southern Queensland to issue a safety order?

W The delegation - a supervisor can raise and approve a safety order, whether that be a temporary safety order. The delegation rests with myself and the deputy director.

20 CA Just to be clear, you mentioned the authority of a supervisor?

W The supervisor will raise and can approve a temporary safety order.

CA Just remind us of the duration of a temporary safety order?

W That's three days.

CA Are they a rare occurrence, do you know?

30 W The temporary safety orders?

CA Yes.

W They're rare in the sense that we don't raise them that often at SQCC. Our practice in the past has been that a supervisor will raise a safety order, but the approval will be through the deputy director or myself. It may sit in the system having not been approved for a couple of days.

40 CA What about safety orders themselves, not the temporary kind, you have the delegation?

W That's correct, Mr RICE.

CA And who else?

W And the deputy general manager, or deputy director, in our case.

CA At Southern Queensland, are safety orders used to achieve segregation from the main accommodation?

50 W That's correct.

CA Would a person the subject of a safety order, as a consequence, go to the detention unit?

W Not necessarily. In the main, yes, but if I can say this: I mentioned before that we have a safety unit, so they are prisoners that have been transferred

in to us from other centres that are at acute risk of self-harm, suicide. They are in the safety unit being managed because of the at-risk behaviour, but they will have a safety order applied to them. So they could be in the safety unit or in the detention unit.

CA From what you say, they are two separate units?

W That's correct.

10 CA What is the safety unit capacity?

W The safety unit capacity is eight, eight beds.

CA Is there any difference in the style of accommodation between a safety unit and a detention unit?

20 W Yes, there is. The safety unit, as I said, is purpose-built for managing prisoners who are at acute risk, that is, they are self-harming or attempting suicide, to the point that the centre that they're allocated to can't manage the risk. So our unit, by its nature, ligature free, we have a program in place with allocated registered mental health nurses, psychologists, and the role is to stabilise the prisoner.

CA Does the safety unit and the purpose of it convey that the prisoner is under observation?

W Constant, that's correct.

30 CA Did I understand you correctly that such prisoners may be transferred from other centres to Southern Queensland?

W It's a statewide resource, and so the majority, if not all, of the prisoners - from time to time, we may have one of our own that is engaging-

CA Sorry, you may have?

40 W From time to time we may have one of our own prisoners that is engaging in that type of behaviour, but I will follow the same process, it's a COPD requirement and make application for my prisoner to go into that safety unit. But, in the main, all the prisoners are transferred in from other centres.

CA Is that because you have a particular safety unit that may not exist at other centres?

W That's correct. There's only two safety units in South East Queensland. One is at Woodford and one is with us.

50 CA What is the capacity at Woodford, do you know?

W I don't, Mr RICE. I don't know.

CA That's okay. At your centre, just remind me, it's eight?

W It's eight beds.

- CA Just harking back to the Chief Inspector's report back in September 2016, it noted that for the month of August 2016 there were 17 safety orders issued.
- W Yes.
- CA Correction: 17 initial safety orders and 2 consecutive ones?
- 10 W That's correct.
- CA Could I ask for your view as to whether that seems high, on a monthly basis, for your centre?
- W It could be considered high, but if you break it down, that particular 17 I think, from recollection, we had 5 in the safety unit, 5 prisoners in the safety unit from other centres, so therefore under a safety order. I had 3 prisoners in the detention unit on 15-minute observations that had been transferred through by normal allocation.
- 20 As I said to you earlier, I will take any prisoner from BCC. In that week, I had 3 that had been transferred on 15-minute observations, and because they are on 15-minute observations, not requiring the safety unit, I could only manage them in the DU. So what's that? I think that's about 8. I had 4 who requested isolation, segregation, because of compatibility issues and were waiting for transfer, and I think I had 4 who were on safety orders for the good order and discipline of the centre.
- 30 So if you break it down, it's not high. Those 17 are not on safety orders because of, say, inappropriate behaviour and we're trying to manage a risk, if that makes sense.
- CA Yes. There is very broad discretion you have to issue a safety order, would you agree?
- W It has to meet three conditions.
- CA Correct me if I'm wrong, but the Act prescribes in the decision of the Chief Executive or the delegate, if it is for the good order and security of the centre.
- 40 W There's that, but it's further broken down to where a psychologist or doctor prescribes for the prevention - or the safety of that prisoner from harming himself and where a prisoner is requesting protection, is my understanding.
- CA Speaking a little more recently, say, in the current financial year, a certain number of safety orders have been issued and consecutive safety orders issued at Southern Queensland?
- 50 W Yes.
- CA Would you hazard a guess as to what proportion would be on medical advice and of the self-harming category, as opposed to the non-compliant and good order-type category? Do you know what I mean?

- W Yes, Mr RICE, thank you. I don't know the numbers. But intuitively I would have thought, because of the - I mean, the safety unit at the moment is full, with eight, and that has been the case for most of the last 12 months. There will be a number, and there are a number, of prisoners down there on consecutive safety orders.
- 10 We have a number of prisoners, so the detention unit has a capacity of 12 cells - roughly half, if not certainly at the height of our overcrowded, maybe 75 per cent of those were waiting for transfer out because of compatibility issues, so they would have been segregated waiting for a transfer out, so that would have been on the basis they had fears for their own safety.
- If I was to hazard a guess, and I might be proven wrong, I might have said maybe 50 per cent were for the health.
- CA Just comment on this, if you can.
- W Yes.
- 20 CA I have some data that suggests that in the year to date, there was something like 130 safety orders issued out of Southern Queensland?
- W Right, yes.
- CA Does that sound right?
- W It could be, Mr RICE.
- 30 CA We're talking in excess of 10 a month.
- W It could be, Mr RICE, yes.
- CA You would issue probably the majority of them?
- W That's correct. I would approve them, yes.
- CA With what regularity are they used for management directed towards compliance-
- 40 W Yes.
- CA -as opposed to health-related reasons?
- W Again, I don't know the percentage, but absolutely we use them for the management of prisoners who are non-compliant, who are threatening, abusive, or behaving in a violent manner. They will be issued with a safety order and placed in the detention unit.
- 50 CA Do you have some approach to the threshold of behaviour that you would be prepared to sign off on on a safety order?
- W I would.
- CA Are you able to articulate that?

- W Certainly where a prisoner has been threatening, or offensive, or violent, I would sign off in the first instance until we perhaps did some form of intervention.
- 10 When we meet to talk about violence prevention, I don't separate a physical violent act from offensive behaviour or threatening behaviour. Experience has been that that behaviour down there can and will escalate to physical acts. So, if you like, it is about making sure that we address it at the earliest opportunity, and if that means putting a safety order around a prisoner who is making a direct threat to either another prisoner or a member of staff, in terms of doing them harm, then I'll sign off a safety order.
- CA Could you comment on this: is there a degree of strictness of approach which is itself a management tool? Strictness in approach to your issue of safety orders for offensive behaviour and to achieve compliance?
- W If you mean are staff aware that that's how we manage-
- 20 CA Well, staff and prisoners.
- W Yes.
- CA Hypothetically, if it were known amongst the prisoner cohort that you take a very low-tolerance approach to the issue of safety orders, that might influence their behaviour. I'm wondering to what extent that kind of thinking applies to you.
- 30 W I'm not sure, Mr RICE, if I understood the question correctly. Do you mean are the prisoners aware of my approach to levels of violence and if those behaviours are evident, they will result in a restriction or a safety order?
- CA No.
- W Sorry.
- CA I'm really asking initially about what your approach is and what your threshold is to the issue of a safety order, and then, secondly, whether awareness of that might spread and have its own ramifications?
- 40 W In the first instance, the safety order is, in my view, appropriate to take away the risk, whether that be an immediate risk or whether it be an emergent risk, so that we can intervene. The approach I then take, and the centre does, is we should then be moving the prisoner, where we can, into an intensive management plan, so reintegrating the prisoner back into a unit, out of the detention unit, with some form of intensive supervision or restriction.
- 50 I believe that prisoners are aware that's my approach and they understand the system that we operate.
- CA Comment, if you can, but I have some other information that there has been something like 88 consecutive safety orders made at Southern Queensland so far this financial year.

- W I don't know the numbers, but, again, I'd have to drill down. We have, again, a number of prisoners who will come into the safety unit that will stay there for a considerable amount of time. At one point when we first opened the safety unit, the average length of stay was 35 days. A consecutive safety order - or a safety order lasts 28. We have had a number of prisoners that will stay with us a number of months.
- 10 CA Could I ask you to comment on this, if you can: to what extent would the figures concerning safety orders, consecutive safety orders, issued at Southern Queensland be affected by the fact that you have a safety unit and receive prisoners from other centres?
- 20 W That would, by virtue of the numbers, skew it by 50 per cent. If you assume I've got 12 cells in the DU, if they're full - and as I said to you earlier, and I'd have to go back and test the information, but intuitively, I think in the last 12 months, it's very rare that we've had a cell in the safety unit that has not been occupied. So you could argue that it might skew the figures, if you take that out, by about 50 per cent. And then you'd have to look at the number of prisoners that sought a transfer out because, for whatever reason, they felt not safe there anymore, and the length of time it might take to have that prisoner transferred.
- 30 I am certainly aware of prisoners who have been put on safety orders because they want to be transferred away, and it may take three or four months to find a prison where they might go, and then transport. A number of prisoners will transport up to North Queensland, and periodically there have been issues with Polair in terms of effecting that transfer. So there are any number of reasons why that figure, if it's considered high, might be high.
- CA Can I ask you about an aspect of the conduct of breach proceedings.
- W Yes.
- CA Do you hold a delegation to refer conduct to CSIU under sections 113 and 114?
- W Yes, I do, Mr RICE, yes.
- 40 CA Does anybody else - your deputy, for example?
- W I think so. I can't be sure. I'd need to go back and check it, but yes.
- CA You would be familiar, then, with the regime that applies, that quite a large number of conduct incidents, if I can call them that, are referred to CSIU?
- W That's correct.
- 50 CA And then CSIU considers the conduct for whether it reveals criminal activity?
- W That's correct.
- CA And whether any criminal investigation might ensue?

- W That's correct.
- CA And, if not, refers the matter back to the centre; is that right?
- W That's correct.
- CA Correct me if I'm wrong, but at Southern Queensland and elsewhere there's a high volume of those referrals?
- 10 W I believe so, Mr RICE, yes.
- CA Why is that so? Why so many?
- W Being referred to CSIU?
- CA Yes.
- W Because there's an actual stipulated - if the prisoner engages in certain
20 conduct issues and they're major breached, by obligation we have to report them to the CSIU.
- CA Is each conduct incident considered for whether it meets the criteria requiring it to be sent to CSIU?
- W That's correct.
- CA And that's the criteria?
- W Yes. There's no discretion, if it - and, again, I can't off the top of my head
30 go through the list, but there are certain, by definition types, if a prisoner has engaged in this, we are obliged to refer it to CSIU. Certainly over the last year, there have been some Deputy Commissioner instructions about lessening that and not referring certain ones to CSIU, and I think there may be one example, but there's no discretion, as a director or general manager, to say, "I'm going to refer this one to the police. I'm not going to refer this one." We're obliged.
- CA You would nonetheless need to assess it as involving conduct which could
40 either be treated as a breach or as some kind of criminal conduct? It has to at least meet that test; correct?
- W That's correct, and the test is the incident definition. If the incident was, say, assault prisoner-on-prisoner and the incident description makes it clear through the evidence that there was an assault, there is no more evaluation of that. It meets the definition and it's referred.
- CA Is there a typical turnaround time in consideration of a referral by CSIU and return to the centre?
- 50 W That varies, Mr RICE.
- CA Do you know if they have a target turnaround time?
- W I don't know if they have a target, Mr RICE.
- CA What's your observation about turnaround time?

- W My observation is, again, that it's variable, but sometimes it can be lengthy.
- CA Do you find, then, even when matters are referred back from CSIU to the centre, a significant proportion of those do not, in the end, result even in breaches, much less criminal charges?
- 10 W That's correct.
- CA How does that system, then, impact, in your view, on the utility of a breach as a form of behaviour management?
- W The impact is - it's the immediacy. If a prisoner has engaged in a form of misconduct, the awareness and the application and the punishment, if you will, the principles of proportionality and those sorts of things, but timeliness is one of them, in the sense that timeliness in the sense of natural justice but also in terms of it resulting in a change of behaviour - so the distance that you put between an act and any consequence, or an act and then there being no further consequence because of the time, reinforces in the prisoner that, then, this is okay because nothing happens.
- 20 CA Could you comment on how the regime of referrals to CSIU, referral back and then some further decision-making as to what's to happen impacts on the usefulness of breach as a form of behaviour management?
- W Breach in terms of minor breach and the breaches that we can hear that are not referred out I think has a definite place.
- 30 W I believe there could be some further development, and I understand QCS, maybe two years ago, 18 months ago, looked at the whole process in terms of some of the issues that you've just raised in terms of how they might be overcome, so that it did come back to the principles of natural justice, timeliness and having an impact based on how it was applied.
- 40 W My personal view is that I wouldn't discount it completely and say we need a different system. What I would say is that whatever system it is needs to have that utility of being able to be applied, the consequences administered and a change of behaviour, and it has to occur in that sort of time frame.
- CA The consequence by way of proceedings or no proceedings needs to be as close as possible to the incident itself?
- W That's right, Mr RICE, yes.
- CA Do I understand you correctly that the referrals that make their way to CSIU are for major breaches?
- 50 W That's correct.
- CA Minor breaches don't qualify?
- W No, they don't go to CSIU.
- CA That's the evidence, thanks, Mr WALTERS.

- PO Mr WALTERS, just a couple of things. You mentioned that your overcapacity or overcrowding problem was solved in April of this year by the recommissioning of Borallon?
- W That's correct.
- PO Is that recommissioning finished or are they in the process of expanding its recommissioning?
- 10 W My knowledge is that they are continuing, and there will be extra capacity coming online in the not-too-distant future. But what that capacity is and the time line I don't know.
- PO Do you know what the capacity is at the moment at Borallon?
- W No, I don't, Commissioner. We get it every day from the capacity unit, but I don't know what it is at the moment. I apologise.
- 20 PO You mentioned that the safety unit is used, in part at least, for people who are self-harming and at suicidal risk?
- W That's correct.
- PO And that they are put under constant observation and you have access to psychiatric nurses and mental health professionals?
- W That's correct.
- 30 PO Are the mental health professionals employed by Serco or are they Queensland Health brought in?
- W Commissioner, in this instance, and you would be aware that mental health in all centres, including the private providers, is delivered by Prison Mental Health Service, Q Health. Within our safety unit, those two registered mental health nurses are Serco employees and are dedicated to the safety unit.
- PO They are on site?
- 40 W That's correct, and the reason for the two is that we operate a seven-day regime. I'll have a psychologist Monday to Friday. There's custodial staff that manage the unit. In terms of the specialist support providing intervention, I have a senior psychologist who oversees the unit, a full-time psychologist Monday to Friday, and the two registered mental health nurses operate a seven-day roster. The intent of that was that if a centre had a crisis and needed to send a prisoner to us on a Saturday, I at least had a professional that could manage the induction.
- 50 PO You said earlier that you don't have a choice as to which prisoners are assigned to your facility. So presumably their mental health status has been assessed, as far as it can be, when they were first brought in to the remand centre, perhaps, or wherever they are first housed. When they first arrive at your facility, do you conduct any further assessment yourselves?

W There's a couple of points to that, Commissioner. One is that we are aware - we are informed, 24 hours before, who is allocated to come to us, and we will do our own due diligence. So we'll look at intelligence to understand some of the background of the prisoner, before the prisoner arrives, and that's about risk mitigation so we're not cold when they arrive and we don't know some of the background.

10 Therefore, we're aware of which prisoners are active clients of Prison Mental Health and we'll find out when they were last seen. Prison Mental Health come out to us on a regular basis, so we'll inquire when the prisoner was last seen.

When the prisoner arrives, there are two assessments. There is a medical assessment, and if there are issues raised around mental health, we will make a request through our liaison with Prison Mental Health that they see the new person, and we do our own assessment through our own psychologist at reception in terms of any issues.

20 Remember also that by the time a prisoner arrives to us, they have probably spent a minimum of maybe 8 to 10 weeks in custody. We will still, nonetheless, do our own assessments when we induct them, yes.

PO You were asked some questions by Mr RICE about the culture at SQCC and you gave some evidence about that. I'm interested in what you do by way of recruiting. Do you set out to get the right sorts of people to do this difficult work and do you recruit for a centre as opposed to Serco more generally?

30 W We do. When I say "we do", we recruit to Southern Queensland Correctional Centre. The training is, as Mr RICE spoke about, localised in-house by us, and so is the recruitment, therefore, remembering that Acacia is in Western Australia and Auckland South is in New Zealand. So our recruitment is localised.

40 That process is roughly, from beginning to commencement, about three months. We start with the normal process of advertising. We conduct an assessment centre on site using our own supervisors and staff, management. We whittle down from about - I think on the last process, there might have been in excess of 400. We whittled that down through shortlisting to about 60, and we invited them to an assessment centre, which is a day-long assessment centre where we put them through group tasks. We're looking for things like their ability to manage conflict, teamwork. Then we go through an interview process.

50 There is a structured, rigorous selection process. There is no minimum criteria or requirement for somebody wanting to be a custodial officer, but we certainly are looking for life experience, maturity, how they've dealt with, coped with, certain situations in the past. If you get the right person with the right attitude and the right ethos, the technical skills in terms of the Certificate III I believe we can impart.

PO So the person's personality or profile is pretty important as to whether they're going to be suitable?

W That's correct. That said, we don't do personality testing on new applicants. We don't do that. And of course we do the usual, in the sense

of QPS security clearances. We do our own through the Australian Federal Police. That's a Serco requirement. So we do all those normal processes as well.

PO Are they initially engaged for a probationary period?

W They are. And the other thing, not by design, is that from all the courses over the last number of years, the staff have come off as casuals, so they're on a casual pool.

10

When I say "not by design", that's in response to our overcrowded. Whilst we've been overcrowded five and a half years, I don't know from one month to the next if that's going to continue. So I have recruited staff to meet that increased prisoner population demand, but they then go on casual contracts, because QCS could turn around to me, as they have recently, and say, "I want to take 80 prisoners", and I now have more staff than I can actually budget for.

20

That casual staff group - we're able, then, to ensure they get a range of opportunities throughout the centre, because they will fill vacant lines or they will fill lines that are based on overcrowded, but they're then mentored with our eight TAE instructors, who then work with them throughout the year for the Certificate III.

PO Finally, the issue of the availability of work and activities more generally, hobbies, and so forth, those types of activities, educational activities.

W Yes, yes.

30

PO Do you have any difficulty recruiting instructors in those fields to work in a prison system?

W No, we don't. Unlike QCS, the public sector, where they will align with a TAFE provider, we direct-appoint all of our own. I'm just thinking. In the majority of cases, some of the staff we have there were there not long after we opened. There has been a couple of turnover, but I'm thinking of a couple in particular who have been there since we opened. We don't have that great a turnover in that group, and, also, when we have, it hasn't been difficult to recruit, Commissioner.

40

PO Thank you. Mr GOODWIN?

EG No, thank you, Mr Commissioner.

PO Mr MURDOCH?

CM Just a couple of matters, thank you, Commissioner.

50

You gave some evidence in respect of the IOMS system and the access to the IOMS system, and, as I understood it, you queried the need for officers in one centre to access via IOMS the information in respect of prisoners in another centre?

W That's correct.

CM Do you accept, though, that there are occasions where, for legitimate

operational reasons, it is useful for staff in one centre to be able to access via IOMS information in respect of prisoners in another?

W I do, sir, but again that would be looking at who those individuals were and the need for that. I said to the Commissioner just now that we will do our due diligence when they're allocated from BCC to us, but that due diligence is done by intelligence office.

10

Sentence management, of course, in terms of who is coming to us, transfer processes - they would be required to do some of that work. But I still think the system could be where you're able to say these people need those access permissions; these others do not. So I agree with your proposition, absolutely, but I still think my point that we could better lock it down also has merit.

CM Just in terms of access to IOMS from one aspect of the centre to another, do you accept that there would also be occasions when, notwithstanding that an officer is located in one part of the centre, he or she would have operational reasons to access information on IOMS in respect of prisoners in another part of the centre?

20

W Absolutely. What I would say, again, to that is that if we move prisoners around the system - I'm not a technical expert, but I believe there might be a way of doing this. For example, if a prisoner moves out of secure and goes to residential, there should be a way that we can now say, "That is the case officer or the personal officer for that prisoner. That member of staff now has access to that particular group of prisoners."

30

I guess what I'm saying is that we should be able to lock the system down such that I only have access to those that I directly need to manage, over and above the comments you made about transfer or movement of prisoners, if that makes sense.

CM Yes, and of course staff themselves can move from one part of a centre to another in the course of a day?

W No. The way we operate is that we have a dedicated group of staff who will work in secure accommodation and a dedicated group that will work in residential. So, yes, absolutely, there will be occasions where there may be a vacant line today, and, as I said to Mr Commissioner, a casual member of staff may fill that, and that person may therefore have a requirement to access that. But that should be the exception to the rule and we should be able to work out how we can manage that.

40

CM No further questions, thank you.

PO I suppose, Mr WALTERS, your point is that there needs to be some thought given to why individual officers might need access over and above their own area, and that can be addressed on a case-by-case basis?

50

W Yes, Mr Commissioner, yes.

PO Otherwise, you have a significant corruption risk, don't you, by having open slather, as it were, for no good reason?

W And you do. As Mr RICE has already articulated, we do our best, and

still I've had examples of that.

PO Thank you. Anything arising, Mr RICE?

CA No, thank you, Commissioner.

PO Thanks very much, Mr WALTERS, for coming. You are excused.

W Thank you, Mr Commissioner.

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PO Is that a convenient time, Mr RICE?

CA Yes. Can we take lunch and resume at 2, Commissioner?

PO Yes.

LUNCHEON ADJOURNMENT

END OF SESSION

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