



CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF INVESTIGATIVE HEARING

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TASKFORCE FLAXTON
HEARING NO: 18/0003

20 DAY 11 – MONDAY 28 MAY 2018
(DURATION: 1 HR 42 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 – ISABELLA PATTON
W Witness – BERNIE KRUHSE
PC Legal Representative – MS P CLOHESSY, Crown Law

- PO Good morning. Mr RICE.
- CA Thank you, Mr Commissioner. I call Bernie KRUHSE.
- PO Good morning, Mr KRUHSE. Would you prefer to take an oath or an affirmation?
- 10 W An oath, please.
- HRO Please 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.
- PC Good morning, Mr Commissioner. I appear for Mr KRUHSE.
- PO Thank you.
- 20 CA Is your name Bernie KRUHSE?
- W Correct.
- CA Mr KRUHSE, are you the General Manager of Brisbane Correctional Centre?
- W Yes, I am.
- 30 CA For how long have you been General Manager?
- W Since mid-2011.
- CA How long, in all, have you been employed by QCS?
- W On and off. I commenced with the corrective services industry in 1992, spent a period of time in juvenile justice looking after young offenders, and when juvenile justice was separated and went to corrective services as a jurisdiction, when that separated once again and went to family services and the corrections industry, corrective services asked me to stay with them, and that was approximately 1989-1990.
- 40 CA Is Brisbane the only centre in which you have occupied the general manager position?
- W No. I've done a number of them.
- CA Have you? Where else?
- 50 W I've been the general manager at Palen Creek Correctional Centre, low security, responsible for the four work camps at Charleville, Dirranbandi, Mitchell and St George. I was the general manager at Sir David Longman, which is now Brisbane Correctional Centre after its refurbishment. I was general manager at Maryborough Correctional Centre, and I have acted in relieving roles around the state as far north as Lotus Glen.

- CA Have you ever added up the number of years you have acted in general manager roles?
- W No.
- CA It sounds like it might be a dozen or more?
- W It is a considerable amount.
- 10 CA Have you been given a notice to attend the inquiry?
- W Yes, I have.
- CA Can I show you this. Is that a copy of your attendance notice?
- W Yes.
- CA I tender that.
- 20 PO Exhibit 78.
- ADMITTED AND MARKED EXHIBIT 78
- CA Brisbane Correctional Centre is what was Sir David Longman; am I right?
- W That's correct.
- 30 CA You were telling us you had been general manager at Sir David Longman. Can you just give us a time frame of when that was?
- W To the best of my recollection, it was from around 2001 to around halfway through 2003, from memory.
- CA There was some refurbishment of it perhaps 10 years or so ago; is that right?
- W Correct, yes, almost exactly 10 years.
- 40 CA Did it at that point become Brisbane Correctional Centre subsequent to its refurbishment?
- W Yes, that's correct.
- CA Can you give us some idea of the infrastructure there - capacity, accommodation units and so forth?
- 50 W Yes. The infrastructure from SDL - I guess that's the best way to describe how it has changed. It was an old spine-type arrangement, with a spine with what were then ribs or units coming off it. The centre, from memory, was only built for around 340, and all of the ancillary infrastructure, including health services, et cetera, was built for that occupation, or that occupancy rate.
- What used to be the old industry area where they made timber furniture, et cetera, is now the reception store. We are the premier reception centre

in the south-east. What was the old B block has been demolished and replaced with what is now north accommodation. It's the most recent archetype of prison accommodation. It has removed all of the old blind spots, et cetera. It now consists of three V blocks - V blocks in terms of half an X block, 50 cells in each block, so 300 cells and three V blocks. I'm not sure if I am being clear. So 300 cells, three V blocks, six 50-bed units is now the modern accommodation.

10

The older accommodation in south - it used to be K block and C block. They have kept the old infrastructure, but those very small units - they have joined them together with an officer station in the middle. They have also air-conditioned them. They weren't air-conditioned previously, which caused some unrest amongst prisoners during the summer months, and it has also been modernised, to a degree, as well.

CA What is its built capacity now?

20

W 542 cells. That's accommodation. It also has an 18-cell MSU, maximum-security unit, with two detention units, and we also have a detention unit - I don't count that as accommodation, because it's not where prisoners are placed unless there is a specific reason.

CA What is its capacity, though?

W 560 all up.

CA Sorry, the detention unit?

30

W That is a six-cell - six-accommodation unit.

CA And the maximum-security unit, how many did you say?

W Eighteen.

CA Do you have a safety unit?

W Yes.

40

CA Is it in addition to the detention and maximum security units?

W Yes, it is. When you say "safety unit" -

CA The term has been used by other witnesses to refer to a place where prisoners under observation of self-harming might be housed, that kind of thing.

W We call it a high-dependency area, but "safety unit" is a good description.

50

CA You have that facility also?

W We have that facility, and we are having to, if you like, cannibalise other areas for that purpose because of the growing population.

CA You touched on its function earlier when you referred to it as a reception centre. Perhaps you might enlarge on that, the primary function of the centre?

- W We are the premier reception centre for the south-east corner. The other gaols, correctional centres, surrounding us - Southern Queensland, Borallon, Woodford, et cetera - are placement centres. So prisoners go through us, whether they come to us from Arthur Gorrie as a newly sentenced prisoner from remand. We also, because of the high remand numbers - I think our latest figure is 175 remand prisoners as well, so some are sentenced from within our centre. And they come to us. It's the highest risk time in a prisoner's sentence, that very early stage. When they're on remand, they kind of hope that they might be given some sort of leniency. When that is not a reality-
- 10
- CA Is that what you're referring to as the highest-risk stage, the remand prisoners?
- W No, it's the highest-risk stage once they are sentenced.
- CA Just post sentence?
- 20 W Correct, yes, or being returned to prison from a breach of parole. It's an extremely disruptive period for a prisoner. They can lose accommodation, et cetera. They come in, and about 10 per cent of our prisoners go on at-risk observations, all in all. And keep in mind - and I will use a holistic figure - that in a 12-month period, including video-conferencing, through our reception store, we had in excess of 20,000 moves. It's the busiest gaol in terms of movement of any other centre in the state.
- CA Its current state - you may not carry around this figure in your head. Can I suggest it is around 766 or so?
- 30
- W Pretty good.
- CA Is that right?
- W About 760, yes.
- CA You mentioned 10 per cent of those can find their way into observation?
- 40 W Not 10 per cent of the population; 10 per cent of the receptions, so people that are coming in in that high-risk phase. They have either been just sentenced, when they realise they are not going to be given any sort of fine option order or some sort of community release, and also prisoners being returned from the community on a breach of parole, I think I would be safe to say it's the highest risk time for a prisoner in terms of suicidal ideation, thinking about hopelessness, helplessness and thinking about ending their lives.
- CA Given that you are receiving so many prisoners, that would be a constant feature of operations within your centre?
- 50
- W Absolutely. It's one of the main areas that we concentrate on.
- CA You mentioned that 10 per cent of the post-sentence prisoners might find their way into observation. Does that mean segregation?

- W There are varying levels of observation. It can be as low as 120 minutes. That's the sort of frequency at which they must be observed. It can go down to 60, and then 15 minutes, and then there can be constant observation. Some prisoners who are in that very acute phase of self-harm, where they are actively trying to hurt themselves, can quite often be on constant obs. So there is a degree of different observations. I'm not sure if that answers your question.
- 10 CA It does. The additional thing is how are prisoners under observation accommodated?
- W They are accommodated in accordance with the risk that they present, in terms of if a prisoner is actively in that acute phase of actively trying to hurt themselves or kill themselves, that has to be a fairly austere clinical environment. If they were to get hold of razor blades or anything that is in the normal accommodation area, they can weaponise that, turn it against themselves and do some damage. So in the very high sort of observation levels, they are in a fairly austere environment. It's the only way we can guarantee - it's generally a very short period.
- 20 Our goal is to keep these people alive while they are going through that horrible phase of suicidal ideation, where life isn't worth living any more, et cetera. Our goal is to get them through that. We have a very good record of getting people through that phase. You would imagine they think that their life is pretty much over. So, yes, that is a very important part, and sometimes the environment, if you're looking at it externally without the context and understanding, can look rather austere.
- 30 CA The problem that you're speaking about raises an initial issue of assessment?
- W Yes.
- CA How is that managed?
- W The assessment of at risk?
- 40 CA Yes, the assessment of newly received prisoners, newly sentenced, who, you recognise, present a high-risk category. How do you assess and manage that situation?
- W We won't recognise them in that category until they have been assessed, and it's what we call an IRNA, which is an immediate risk needs assessment. That assesses the immediate risk and need of the prisoner.
- CA Does every prisoner get one of those?
- 50 W Yes, yes, every prisoner. There are a number of occupational groups within the centre that see every single prisoner, and that is offender management, who do the at-risk assessments, health services, and my reception store. They see every single prisoner. So all of those 20,000 moves we talked about, those occupational groups deal with.
- The IRNA has an assessment for at risk, not just self-reported. Prisoners can reveal that they're thinking about self-harming, and normally that is a prisoner who is asking for help. Others can try to conceal that intention,

because they're very good at that, the impression management. We have tremendously experienced, well-trained professionals; they are psychologists, and they will ask a number of questions and make a series of scenarios to the prisoner and see whether they're trying to hide the ideation for self-harm.

There is also, in that, four questions which relate to cognitive impairment. If a prisoner were to give a positive response in one of those, they'll go on then and do - and forgive me, I don't know the full terminology, but it's a HASI, which is a cognitive impairment functioning assessment, where they could end up with a cognitive impairment flag. That assessment is done at the front end of the prisoner's reception.

10

CA Do I understand you correctly that the HASI assessment is for selected prisoners?

W Correct, yes. If they answer one of the four questions in the IRNA, they then go on and have a more thorough assessment. It's like a trigger to say this person could have a cognitive impairment. They don't always come out as a cognitive impairment, but it's an inquiry into whether they do need specific care and programs, et cetera.

20

CA What are the qualifications of staff who might do this assessment?

W They are psychologists. We have a number of provisionally registered psychologists, and they are under the supervision of fully registered; and then we have senior psychologists, who, on my understanding, have a masters in psychology.

30

CA Do they come into the assessment phase at a point where a prisoner might have answered a question which would trigger that involvement?

W They're more often than not - in fact, they are - they are the ones asking the question in the first instance. A prisoner at that very early stage could, through impression management, avoid or create an impression of someone who is well to someone who is not trained to pick up on that. Psychologists are very well trained.

40

CA Do your team of psychologists interact with every newly received prisoner?

W Correct.

CA To make this kind of assessment?

W Yes.

CA And that assessment would be made irrespective of what might be revealed in the prisoner's sentencing information?

50

W Yes, correct.

CA I suppose in the case of some prisoners, cognitive impairment or worse is flagged by reference to the information that is received?

W It can be indicative by virtue of their offending behaviour. There may be

some indication that they were suffering some sort of impairment. I guess some of the difficulty is the behaviours at the point of offending and coming into conflict with the law can quite often be substance abuse driven. They can be in the grips of a psychotic episode because of polysubstance abuse and that type of thing. I guess you would understand that is another complexity to the reception assessment process.

10 If I just might add, when we look at our risk register, one of our risks that we have actually added to our governance and accountability, or governance assurance framework, is the reception risk assessment. It's considered so important, and not infallible, by any means, but so important that we have dedicated a particular resource to that area to actually start triaging prisoners from the watch-house before they even get to us, to look at where we need to spend our time. It's not a cure-all, it's not the panacea, but it's a very good process and seems to have served us well thus far.

20 CA Is the assessment process you have described geared to detect cognitive impairment which might not, in the course of progress through the criminal justice system, have been recognised?

W Yes, it is. One of those four questions embedded into the IRNA - if they answer one of those four questions in the affirmative, they are subject then to the HASI, which, I think, as I understand it - I am not an expert in this area - is an instrument specifically designed to filter out people in general, not just prisoners, but people with a cognitive impairment.

30 CA Correct me if I'm wrong, the upshot of that is that all newly sentenced prisoners go to Brisbane Correctional Centre; correct?

W In the south-east corner, yes.

CA In the south-east corner.

W Correct, yes.

CA Therefore, all newly received prisoners would be subject to this assessment process?

40 W That's correct.

CA Is there an average time frame at which a prisoner is held at Brisbane?

W There is. To say that all prisoners are held for that time would be a facile approach. It's quite complex.

CA Yes. It's just to get a relative-

50 W Nine days.

CA Nine days.

W Nine days is the average stay for the prisoners that move through. We have a cohort of prisoners who we keep for essential workers and we have an industry, a laundry industry, we have landscaping and also other prisoner services. They stay with us in a longer situation, but the

general population turn over very, very quickly.

CA There is some commentary in the last Chief Inspector's report that might provide a talking point for the function of the centre. Can I show you a copy of it.

W Yes.

CA Have you had a look at it recently?

10

W I haven't read it recently, Mr RICE, no.

CA That's okay. We are only going to refer to some portions of it. Have a look at page 4. The last paragraph is a commentary by the inspectors about issues at the centre. If you just want to read it to yourself.

W Yes.

20

CA Do you see that it says that in the inspectors' view, the most significant issues impacting on the centre are, firstly, overcrowding and, secondly, the high churn rate experienced. The inspectors go on to say that those things impact on every aspect of centre functioning and present substantial challenges, et cetera. Do you agree with that?

W Yes.

CA Can we start with the overcrowding?

W Yes.

30

CA You mentioned that built capacity was about 560 or thereabouts, I think, and that current capacity is 760-plus.

W That's the current state, yes.

CA How is that situation managed?

40

W From the beginning, with the numbers, as they rose, Brisbane Correctional Centre - and I hope I'm not going into too much detail. I trust that you will stop me if I am. We run a philosophical and a service delivery model called "service is security". Our centre is premised on service. You may have seen it in the Chief Inspector's report.

CA Yes.

W That philosophy is quite complex, but, in a nutshell, we provide an excellent service, the best we possibly can, to the prisoners, and, in return, the prisoners will do all that we ask of them, lawfully ask of them. But it must happen in that order. We must provide an excellent service.

50

In line with that, and looking at the overcrowding and the pressure that it puts on the system, it puts a tremendous pressure on services, all of those things - visits, phone calls, mail, food, clothing, the amenities, somewhere to sit, your cell, access to yard and activity, et cetera.

CA Who you sleep with?

- 10 W Exactly. So it all comes under additional pressure. From the beginning, we looked at what we would need. Of course, what we need, in the first instance, in accordance with safety and security, is more staff, and we looked at what value they add in terms of services. And it wasn't just about custodial staff. The lady who opens the mail is a massive part of our dynamic security. If mail is managed correctly and it gets through to the prisoners, the prisoners aren't likely to become disgruntled with that service and, as a result, don't get up in the face of staff and start becoming aggressive.
- CA Is it necessary to recognise pressure points like that that impact on prisoners?
- W Absolutely.
- CA With time and experience, would you develop a feel for that?
- 20 W Yes, absolutely, and they are the flash points. We noticed - so we went about devising a - in the early stages, and I'm quite open to saying that we got it wrong in terms of the double-up staffing. The double-up staffing model initially at BCC - could I use that acronym, if that's okay, instead of Brisbane?
- CA Yes.
- 30 W At BCC, we had a three-stage model, and it roughly had 100 prisoners between stages. As you would imagine, you had to get 100 extra prisoners before you got extra resources, and then you only needed to lose one and you would lose all the resource. So we have a more sophisticated model now, which is a 13-stage. As the prisoner numbers go up, the resources go up with it in terms of psych services, administrative services, custodial staff, admin staff, people who run the bulk store, because all of those things, under a dynamic security model, which is "service is security", all have to come with us on that journey.
- 40 That took a bit of a lived experience, because we hadn't done it before, and some of the assumptions that we made around the first modelling didn't work and that is why we ended up with a 13-stage model. The beginning of dealing with overcrowding is getting the staffing resource right.
- CA By reference to its function and the number of movements and so on, does that impact on the number of staff you really need to effectively run the centre?
- W Yes, yes.
- 50 CA Is it more resource intensive in terms of staff than other centres, say, Woodford, which is a bigger centre?
- W All the centres are very different in terms of their role and function, all very different in terms of their pressure points. I have a distinct advantage, in that I move a lot of prisoners through; whereas if we use Woodford for an example, they keep prisoners for a very long time.

Now, there are disadvantages and advantages. For want of a better term, I don't get to teach prisoners very much in that very short period of time, so I concentrate highly on security and safety of the prisoner.

10 If you don't mind - we had an assessment from Cambridge University, through Professor Alison LIEBLING, and she found that the service in our gaol was very good in terms of safety and security of prisoners, and prisoners felt safe, and that's as a result of our focus on that, because it is very hard to develop a relationship with a prisoner in nine days. It is more about keeping them safe.

CA But how do you do that and project that feeling to prisoners that you say that they feel?

20 W Through the "service is security" model. They understand that we provide them an excellent service. It's so complex. I do inspections every week, every cell, and we say good morning to every prisoner, myself and my management team. I take the food services manager with me to ensure that the kitchens are properly fitted out with enough toasters, microwaves and food for the prisoners.

The model is, if you would like to - I guess an example of what we hope to achieve. There is violence in prisons. We filter the community for the most violent, dysfunctional people and put them all in one area. There is going to be violence in the prisons. But I don't want to own any of that as a result of poor service. I don't want my activity to contribute to that.

30 So what we are saying is that we will get everything right in terms of all the services to prisoners and, that way, we remove our role in that, as far as possible, because prisoners are a captive client base, if you like, and the only way they can express that they are unsatisfied with the service is that they become unpleasant in their behaviour. So that's our goal.

CA You aim for a service delivery that reduces disaffection?

W Absolutely.

CA By the prisoners?

40 W We recognise that when you create a situation where you have large groups of people and, as we have just described, the types of people competing for limited resources, a natural hierarchy emerges where violent and also capable people will rise to the top. Now, if you allow that to occur - I try to run a prison where if any one of us or our children go to gaol, they will be safe. I don't want heavies running my gaol. I don't want them putting pressure on anybody. So I provide an excellent service-

50 CA Is that the key-

W It is the key.

CA -to conflict reduction?

W Absolutely. Wherever you have people competing for resources, competing for services - I think we see it in other jurisdictions where

limited resources are offered to, I guess, a large number of people - there is competition. And I don't like to - I'm certainly not Hobbesian by nature, but there is an element where prisoners will start to be violent if they have to compete for limited resources. So that's our goal, is to - we have increased the level of service. If I can give you an example, we went from one microwave to three, from one toaster to three - these are massive, big industrial toasters - and from two phones to three phones in the yards. That has only helped us to a point where the ratio of prisoner to service matches. We are now beyond that point.

10

CA Who identifies these needs? It's one thing to talk about service, but the needs of the prisoners have to be identified so that they can be delivered.

W Some of them are writ large. Some of them are clear and obvious. I think it's just common humanity. If you have a bunch of people trying to ring their families and you put them in there and they have to compete, I mean, I think it's clear. If you make people compete for a finite resource, a hierarchy emerges.

20

CA It could be not only use of the toasters or the phones but sharing of the gym or an oval, that kind of thing. Does it extend to that?

W All manner of services that are of high value to the prisoner. The highest value are family. So visits, phones and mail are probably the highest value. It's very similar to the Maslow hierarchy of needs. They then go to food, and that becomes a flash point if you don't deal with that properly. Then it goes to somewhere to sit to eat your lunch and the other issues that come out of it. The highest priorities, I guess, are safety, they want to feel safe; then they want contact with their families; and then it's food. And that's just the way - and we don't look at it in that fashion. It's a holistic thing. You can't say we will concentrate on food and give the others a lesser priority. We give all of those elements 100 per cent. They're not put in a hierarchy. They are all important at the highest level.

30

CA The centre's motto, you've mentioned, was "service is security".

W Correct.

40

CA Would the prisoner cohort be aware of that?

W Yes, sir.

CA And of the philosophical approach that you have been describing?

W They are.

CA How would they become aware it, just through the delivery of services or by some other means?

50

W Now it's an ethos. It has become a mantra amongst my staff and it is palpable in the prison. Even on inspections, I hear my staff talking to prisoners who are challenging how they are being managed, and they say, "We have a model of service is security. I am going to do all I can for you, but you must comply with the directions on the safety and security in order for me to do that." It's very encouraging to hear that. If you were to visit the gaol, you will see the ethos of the centre on a plaque in the

front of the centre as you enter, and it's also - everything is premised on it. We have a - I think you are familiar with the GAF, the GAF process, in terms of governance assurance framework?

CA Not in detail.

10 W It's a model where the agency has set us a number of things. There are five things. I could recall them if you need me to. But we have added another two, which is the reception assessment, which is highly important, and the other one is the 13-stage model.

That "service is security" model - I have had it in place in every gaol that I have run, as far back as Palen Creek, and as best my memory serves me, that, together with our performance framework - so I don't just have the ethos, it doesn't just fly on its own; I have a performance framework based on key result areas, key performance areas, alignment with management portfolios, and then we develop metrics, and we like to call them smart metrics as opposed to dumb ones.

20 CA Is that your performance management framework?

W That's correct. That's how we ensure that "service is security" works. We don't just rely on the ethos; we actually test it and we have metrics that test the individual areas of service delivery.

CA Just on that, the performance framework document is quite a lengthy document; correct?

30 W Correct.

CA The version I have runs to over 100 pages, not necessarily close type, but there is a lot of information in it, isn't there?

W Yes.

CA Is it peculiar to Brisbane Correctional Centre to have that kind of a document?

40 W I was first introduced to that document when I was running Maryborough by a very good industries manager, and it looks nothing like it did back then. It is peculiar to centres that I've run. I have introduced it. I think one other general manager may be using it at this stage.

CA That is your initiative?

W It is, yes.

CA At BCC?

50 W Yes.

CA How does it operate in practice?

W In practice, it takes the highest levels of planning from whole of government and the agency's operational and strategic plan. It has line of sight with that planning. It turns the plans into five areas of key result

10 areas: effective prisoner management, community stakeholder engagement, learning and development, leadership, stakeholder engagement, et cetera. So those key results areas then filter down into performance indicators, and then they filter down - of course, you would imagine not all of the performance indicators align naturally with managers, so it goes into an area where we then align the performance indicators to portfolio managers, and they then develop metrics at the coalface. So they have key result areas at the functional level. As I said, they have come up with a - well, we came up with it quite a while ago, but a way of developing smart metrics.

To give you a quick outline of that, we don't have metrics in our system, as far as possible, that are driven by mechanical compliance. We prefer the intelligent application of knowledge. So when we get staff being compliant, it's not a mechanical compliance type of process. They are doing something meaningful, with quality attached to it, and it's auditable, measurable and we do that on a regular basis. That model certainly holds the centre to a higher level of accountability than the agency holds us to.

20 CA Do I understand you that different areas of operation within the centre have their own key performance indicators?

W Correct.

CA Across how many what you might call portfolios?

30 W Each of the managers of the different areas: the manager, offender development, which has psych services, counselling, education and assessment; the manager of south accommodation, which predominantly has the high-dependency units, the behavioural units and protection, in large part; the manager, north, who manages the six 50-bed units that we mentioned earlier; the manager, centre services has the front of the centre in terms of visits and also the interface with the community and any visitors; and I then have a manager of finance; a manager of HR. So every manager has their own portfolio in that model.

CA To recap on the structure below you, you have a deputy manager?

40 W A deputy general manager, yes, correct.

CA And then perhaps six area managers?

W Functional managers, yes.

CA Each of those has a set of performance indicators?

W Correct.

50 CA And some measurement mechanism; is that so?

W Yes, they have metrics.

CA Can you explain the concept of metrics and how that feeds into the key performance indicators?

W Yes. We have prioritised - for instance, I will use centre services. The

question is asked: when do you want to know that something is missing in your armoury? We issue weapons. We have pistols with ammunition. When do you want to know that that has not been put back or has been mismanaged? We have said the threshold of that is extremely high.

CA It is always, isn't it?

10 W Correct. We do a shift-by-shift in terms of making sure that's right. It gives us the best likelihood of detecting a problem and also the best likelihood of identifying who has been part of that issue. So that's the type of thing. Other things might be given a weekly priority. Other things might be given fortnightly or monthly, depending on their level of risk.

CA So is the content of a management portfolio broken down to certain criteria; is that how it works?

20 W Yes. To give you an example, we have just discussed weapons, one of our highest-risk activities. For instance, we have storming doors in the centre, which are doors by which we gain access to a unit, should there be an issue and we can't use the normal egress or entry. We check that those are working once a week, on weekends. So the threshold for that - because we have a number of other ways of getting in there if that doesn't work, we have thought, yes, weekly is a high enough frequency to check that they're working.

CA Perhaps you might just give us your view on the success of the use of that performance framework?

30 W It would be my view. As I said, the best my memory can serve me, I have not received anything other than a level 1 from the Chief Inspector in every gaol that I have run, and that has been in every gaol and I think it is in no small part the reason for the success.

CA Is that what the inspector refers to as general manager's portfolio?

W Correct.

CA The existence and application of this performance framework?

40 W Yes. The comments, from memory, that were made - and it would be the best of my memory, sorry - were comments around, "Yes, you are running an extremely good gaol. There are extremely good outcomes. But how do you make sure that continues to happen? Is it personality driven? What if a manager leaves?" I could leave tomorrow, and my gaol won't even know. I have left all of my knowledge, experience-

CA You might be being too modest, Mr KRUHSE. No? Anyway, that is what the model is directed towards, achieving a situation where a manager can leave and there is a framework for a replacement?

50 W Correct. It is to embed all of our knowledge and everybody contributes to it, and if anyone leaves, the gaol will operate as if they're not there.

CA Is this performance management framework used for the purpose of reporting upwards or is it-

- W Yes.
- CA It is?
- W Yes.
- CA In what way?
- 10 W The GAF framework - as I said, we have held the centre - I say "we", if that's okay. I'm not someone who puts myself above my people. We hold the centre to a higher standard than GAF does. When GAF says, "Can you report on your activity around unclothed searching or removal of clothing searching", et cetera, we have better metrics than the GAF requires because we think it is a higher level of risk.
- 20 All of the other systems that I have been engaged with are retrospective performance management. It has already happened. And if you've done the wrong thing, you have already been exposed to the risk. You imagine if you did a GAF audit that is six monthly. You could have been exposed to the risk for six months before you find out. We're not happy with that threshold. We are saying that we want to be in front of that, and we have set thresholds where we don't get caught out, as best as possible. Nothing is fallible. It's not a panacea. That model takes a lot of hard work from very dedicated people.
- CA Some of your criteria - in fact, all of them are rated by frequency. What is meant by "frequency"?
- 30 W Frequency is the schedule at which the metrics are-
- CA Assessed?
- W Well, it's about mining the data and saying what has happened. There are many sources of that, registers, documents, electronic reporting, et cetera, where we can go in and mine the data to see what our level of compliance is.
- 40 One of the greatest features that I think is in this model is the interdependency it creates across all the portfolios. I have created shared performance indicators and metrics. I don't want one area of the gaol performing at a higher level at the expense of another. If I can give you an example, if prisoners are going to programs, the portfolio manager for programs could be distinctly or significantly disadvantaged if the manager of accommodation doesn't get the prisoners to the program. So they have a joined-up, shared performance indicator. It is working extremely well. So there is an interdependency where they understand that you can't perform without bringing the whole gaol with you.
- 50 CA This particular framework has been developed for BCC; am I right?
- W It started in Maryborough. I then have taken it to every gaol, and it has evolved. I think it's in about its fourth iteration.
- CA But is it a framework that is devised peculiar to the needs of BCC? You mentioned that all centres are different. Would the same document be applicable, say, to Maryborough in its current form?

- W Yes. The document talks about performance indicators and key result areas. The actual design of the metrics and how you measure performance is where you make it peculiar to your goal, at that level.
- CA Would you say, then, that this kind of performance framework could be readily applied to other of the high-security centres?
- 10 W It could be applied to almost any industry. I've spoken with other occupations that have adopted it as well.
- CA I see. Not just in corrections?
- W Not just in corrections. It's a performance - you will hear a lot about the continual improvement plan. It's easy to give it that label, but that's a very difficult piece of activity. Continuous improvement is very different to performance maintenance. If you set a standard of performance, then you continually measure yourself and make sure you maintain performance. Continual improvement is a very different process to performance maintenance. That's about research. It's about going out and looking at other industries and seeing what you can adopt and how you can move forward.
- 20 CA I don't wish to embarrass you, Mr KRUHSE, but why is such a framework not more widely used in other centres?
- W I can't answer that, sorry, Mr RICE.
- CA The previous Commissioner and perhaps Deputy Commissioner would be aware of its use?
- 30 W Yes.
- PO Mr KRUHSE, can I just ask on that last point, have you ever personally actively promoted the use of that framework in other centres or across the board?
- W I have used it in every centre that I have managed, Commissioner. I did offer it as a possible model back when - I can't remember the actual - there was a specific group of staff appointed to develop - I think it resulted in the GAF, but in the early stages it was under - is it okay if I talk about a previous Deputy Commissioner?
- 40 CA Yes.
- W Marlene MORRISON started to look at metrics and performance, and I offered it as a possible model, and that was as far as I know.
- PO Thank you.
- 50 CA One of the other features the Chief Inspector referred to in the last report was that the morale, teamwork and attitude of staff across the centre was positive and encouraging. You need to have not only prisoners not disaffected but you need to have staff not disaffected; do you agree?
- W I do agree.

CA How do you achieve that?

W I guess by example. As I mentioned earlier, I'm on the floor every week. I do every single cell and I talk to every prisoner.

CA Why do you do that?

10 W As an example to staff that service is security. I get to talk to - and it's also as another layer. We're not infallible. Some of our systems around reporting rely on human data entry, and some of those can - the amount of times I come back with a full page of requests from prisoners from inspections, not that identify a failing but where they feel they can approach the general manager, and the most common thing, I think it aligns with the most common elements of the complaints management system, is visits, property and usually sentence management, where they would like to go.

20 I take those things back. I investigate them. As you would appreciate, a general manager gets an answer immediately in the centre. So I talk to sentence management, my store supervisor, and also anything to do with their visits and their legal status, and I get an answer back to the prisoner that day.

CA So you take a notebook and field requests from prisoners?

W Yes, I do, and I have either my support officer or I have done it myself - I ring the unit where the prisoner raised the issue, and they give the prisoner an answer right there and then about his visits, et cetera, et cetera.

30 CA Do you get back to every prisoner from whom you field a request?

W Absolutely.

CA Promptly?

W The only thing you have in a corrective services system is your reputation. If you become what prisoners call a mirror man, which is, "I'll look into it for you" and you don't come back and respond, you will very quickly earn a reputation where you are unreliable, and I would imagine that your staff may very well emulate that.

40 CA A little while ago, you gave a very simple example where you might, in the course of your visits, say good morning to a prisoner?

W I say good morning to every prisoner.

CA What is the utility behind doing so?

50 W I want to assess whether the prisoner is disgruntled in some way. I also want to assess the level of confidence that a prisoner will say good morning to a general manager. If the heavies are running the unit, there is a real reluctance to do that, whereas if every prisoner says good morning and says, "Good morning, boss", "Good morning, chief" - I don't mind what prisoners call me. They can call me "Bernie" or they can call

me "Mr KRUHSE", I don't mind, as long as they're respectful. I am trying to assess whether the prisoners are individuals in that unit or whether they're acting as a group, as a collective, under some sort of duress. When prisoners see that and they approach and they say, "Look, I have heard that you are a reasonable person. I have heard that you look after prisoners", that's such an accolade. And, as I said, it's not me; it's my people.

10 CA How long would you spend on a tour around the prison to speak to prisoners each week? Is it a once-a-week thing?

W It's once a week, every cell. We do north accommodation on Thursday and south on Friday. North has become a longer process because of the numbers. It is a 300-cell block that is now running at approximately 500. Because we are running a modified unit routine where not all the prisoners are out at once or you could have as many as 90 to 100 prisoners out, as I mentioned earlier, competing for all of those very limited resources, or at least limited resources compared to the demand of 100 prisoners, I do a morning inspection and then I have to go back in the afternoon to inspect the prisoners that are coming out in the afternoon.

20 CA How long might such an inspection take you?

W The morning inspection will take me from around 9 o'clock until around 10, 10.30, and then the afternoon inspection is a little bit quicker because we are only doing the units that have the high numbers of double-ups, so that will take about another hour.

30 CA You have described your approach and the interaction that you have with prisoners. How do you try to apply the same approach to managers and below?

W In encouraging them to do the same thing?

CA Yes.

W They come with me.

40 CA But they are not with you all the time?

W They're with me all the time through the performance framework. If they do the wrong thing, if they don't keep up with the metrics that we have set that are all service focused, I will know within a very short period of time.

CA But it extends down even further to the approach of the average correctional officer, does it not?

W Correct, correct.

50 CA To get back to the Chief Inspector's comment about morale and attitude of staff being positive and encouraging, you mentioned leadership is one aspect of that. Is there more to it than that, to achieving that result?

W Good people.

CA How do you get good people?

W Well, you recruit them, but also you mentor them and grow them. I'm sorry if I sound that I'm not expanding on that, but it's an emotional issue for me.

CA What effort do you put into that?

10 W Every bit of effort that I can. I speak to them a lot. My managers and supervisors can make decisions pretty much in alignment with my values. I tell them how I think, and they all understand service is security. It is paramount that we not be the cause of violence or any sort of lack of service.

20 To that end, we've had to - and I'm not being unkind, but we've had to drag a number of service providers with us and be quite clear that, "If you aren't out there repairing items as they break, then that causes a risk for my staff and other prisoners. If you don't fix the hot water system when it breaks and you don't fix it quickly" - I expect the same level of service as anybody else who is looking after a group of people.

You can imagine if you were in a hotel and you had no hot water. You need to fix it now because of the disgruntled behaviour that can come from it. We have had to drag a whole lot of people with us on this journey of service is security, and I have a very high expectation of those people. They will provide an excellent service or they will hear from me, because it manifests itself as violence in the unit against prisoners and against staff. And I think that that is so obvious. Prisoners will revert to violence if you don't provide a service.

30 CA Perhaps your philosophy is all encompassing, perhaps it's not, but just on the subject of violence, is there some additional strategy beyond the treatment of prisoners to design to avoid disaffection, disgruntlement, conflict, and so forth, or is that the whole strategy?

40 W No, it has a number of different areas and it is quite nuanced. The modified unit routine, where we have tried to match the number of prisoners with the resource at times through the day, it not a longitudinal study. We have only been doing it for a short period of time. We have seen a significant reduction in violence when those prisoners aren't competing for those resources, so it confirms what we thought - in the short term. We are not sure what the long term will result in.

50 We have a violence prevention coordinator, who pulls apart every incident and looks for - it is a very difficult job because a lot of prisoners aren't forthcoming with information, because they think it is telling on people. With what information we have, through either a prisoner divulging or whether we just look at the circumstances, review the DVR - DVR is digital video-recording. I think some people call it CCTV. But the digital video-recording, we review that to see if there is anything that we can learn from the incident.

The violence prevention coordinator is also looking at the whole of the gaol, and not in a term of entertaining prisoners. This is about a process where she is looking at creating opportunities for prisoners to take responsibility for their behaviour, the consequences of their behaviour, rather than looking at entertaining prisoners and distracting them and

keeping them - to say that you can entertain prisoners and distract them out of poor behaviour I think is - it has an element that you need to have activity, an oval, and exercise, and it's great, but to say that that is one-dimensional, no. The prisoners need to start to learn. There is no distraction on the outside when we release them, and that's the issue that we're looking at in the long term. It is about releasing a prisoner better equipped and better able to stay in the community.

- 10 CA Typically the prisoners are with you for a short time.
- W Correct.
- CA Is there any industry, work program or educational program you are able to offer in that environment?
- 20 W We have a laundry industry. I couldn't tell you the exact numbers, but it's in the vicinity of 40 prisoners per shift, two shifts a day, in the laundry. It is a commercial laundry. We wash a lot of linen for the local prisons because their built laundries aren't able to keep up with the numbers of prisoners now. So we wash a lot of their linen. We also wash linen for Gold Coast Hospital and other areas, and we do that through an intermediary of another service provider.
- CA I was really just wondering what proportion of prisoners would be engaged in some sort of daily work activity?
- 30 W I wouldn't be able to give you a percentage, Mr RICE, but if I could say 100 in the laundry, another 30 in landscaping, and then you have prisoner services, where they work in the kitchen and they are cleaners, et cetera, in the units.
- We have also created additional activity that's not - it's not part of an industry, but we have created a painting crew, particularly for south accommodation where the protection prisoners are, because there's no protection industry. The industry is mainstream. So there is painting and, for want of a better term, beautification. They have made the centre - I really encourage you to visit sometime. It looks fantastic. It looks better than it was when it was commissioned.
- 40 CA Is active work or some form of education or other program important to the temperature of a prison?
- W Yes, absolutely.
- CA Can you explain just your own views as to why that is so?
- 50 W My experience with prisoners is that - it sounds paradoxical, but when you talk to prisoners, they want more than anything to be recognised for working hard. They want more than anything to - and I know it's a difficult discussion to have in a prison context - they want to be trusted. They want to feel that they can be relied upon. It gives them a tremendous sense of self-worth. If you can trust a crew of prisoners to paint a particular thing and they do a great job and then you recognise that through some form of recognition, even just talking about the work they do brings a tremendous amount of pride to them, and I don't think that should be underestimated. They go back to their unit, and the unit reflects

that.

We have one particular unit that, honestly, they have gone above and beyond anything in terms of the presentation of that unit. It's quite remarkable.

CA You mentioned before about inculcating your approach to staff. You have occasion to receive new recruits from time to time?

10 W Yes.

CA Is there any sort of program for their introduction to the new job?

W Yes.

CA Apart from just putting them on a roster?

W Yes.

20 CA Could you explain your method?

W It is a mentoring program and we select those people carefully in terms of them understanding the philosophy and the ethos of the gaol. They are also there because they are content experts. Whilst you said "apart from rostering", rostering is very important. We put the new recruits on a relief roster or an ARL relief roster, which means they will work in every part of the gaol rather than one area, so they will get to see the entire gaol on that roster. That's how we expose them to all of the areas of the centre.

30 And then the content experts - one of the areas that is not natural, and some people are very good at it and others aren't, is the security management system, which is the way that we open doors, close doors, monitor fence alarms, monitor the microphonics, the Jacques intercom systems, Talkwire, that type of thing. That is a very high-risk area, but also it takes a particular type of person. Some people are like ducks to water and other people take a period of coaching and mentoring. And coaching is very different to training. You need to tailor it. Some of it is age appropriate. Some of our officers are mature, and they haven't had the same level of familiarity with computers, systems, et cetera, but they

40 are very good people and we get them there in the end.

CA How does the system of mentoring of new recruits work in practice?

W It's monitored through the staff training coordinator. If there is a particular staff member that needs assistance, that will be almost a case plan for that particular officer. For an officer coming into the corrective services system, it can be the first time they have ever seen or handled a firearm. For many of them, in the initial phases, the anxiety involved with firing a weapon, together with the possibility of carrying that weapon in the community with legislative authority for use of force, lethal force, that can be quite daunting for a person. A lot of staff need a lot of support, and we have very good weapons trainers, not just in firing the weapon but also in the use of force and how they should approach that.

50

CA Are you familiar with the results of what I gather is a regular survey - it may be yearly - called Working for Queensland?

- W Yes. Look, if I said that I was very familiar with it, it would be untrue. I think I remember something like that.
- CA There was one, for example, in 2016. It may be a little bit at odds, the results of it may be a little bit at odds with what you have been speaking about, but the results included indications from staff that there was a negative workplace climate or that there was a degree of bullying. Do you recall the outcome of a survey of that kind?
- 10 W I do recall that, yes.
- CA Do you accept that is somewhat at odds with the approach to staff values that you have spoken about?
- W Yes. What I noticed about the survey - and it was very concerning, the degree to which staff believed that they had either witnessed or experienced firsthand bullying. It is at complete odds with what I would like to see and what I believe my centre is about. I thought it was interesting - and I make no inference from this - there was a Workplace Engagement Unit that came out of that as a result.
- 20 CA Yes. Do you have one?
- W Sorry?
- CA Do you have one at BCC?
- W No. The Workplace Engagement Unit was a central body, which was to create oversight and staff could refer matters to them as an independent rather than having it in the centre.
- 30 What we do have is a local workplace consultative committee. That is consisting mostly of union representatives and they bring matters to us as well. But the Workplace Engagement Unit is primarily the body that is independent. I think it is important to have independence, so that staff feel comfortable.
- 40 What I did notice, and, as I said, I don't draw an inference from this, but as far as I'm aware, the Workplace Engagement Unit has not successfully identified a case of genuine bullying since its inception. So I'm not sure whether the definition of "bullying" was correct during the survey, because you would imagine those high percentages of experienced or observed bullying would have manifested themselves in cases being pursued by the Workplace Engagement Unit, and that hasn't happened, to my understanding.
- CA Have you had any feedback from bottom to top about the culture at the workplace? Independently of the survey, you would have your own view about the degree to which staff are engaged and in sync with your values, and so forth?
- 50 W Yes.
- CA Does the result of a survey like that, then, surprise you?

- W It does. I am not saying it is not possible. I am just saying I didn't get a sense of it. It kind of took me by surprise. But it's really helpful to have that sort of independent view, where staff can be anonymous and - because I don't say that it's not happening at all. I'm just saying I'd really wish that staff could come to me or a manager and let us know, because it's something that we have a zero tolerance for.
- CA In addition to the mandatory core competency training, BCC conducts or has its own annual training plan?
- 10 W Yes.
- CA For subject areas different from and additional to the core competencies?
- W Those training elements that are peculiar to the centre, yes. Otherwise, it's just the general requalification of control and restraint and those sorts of things.
- CA How are the training needs for a particular centre identified, leaving aside the mandatory core competencies?
- 20 W They will be identified through the mentors. We have, for instance - I don't think it's incorrect to call them experts. I will keep it to one area for simplicity. I have an expert in the security management system, an officer I have known for many years, and he will identify staff that are struggling. He listens to the radios, listens to the traffic, and a lot of it can be, for want of a better term, intelligence based.
- 30 They have an open-door policy, where staff will come in and say, "I'm not coping in this area. I think that I need extra training", et cetera. They are assessed in terms of - we have competency based training. Competency based training is an excellent form of training. It ensures that the person undertaking the work is competent. But when the pace of that work increases as a result of an incident, that's where some shortfalls can be identified, and during that process the mentors will say, "Well, you need a particular" - and we will even run scenarios, a particular form of coaching, where we will say, "Okay, you are struggling under the high pressure when officers start calling for gates and doors because they are responding to an incident. That's the deficit you have. That is the training you need. So we'll put you in the control room and we'll run scenarios of incidents, and we'll stand beside you and work through officers demanding that doors be opened immediately because they are wanting to respond and assist their fellow officers." We will create those scenarios.
- 40 Also, we have a 12-month schedule of running contingencies, so we will run all of the codes. You may not be aware, we've got code blacks, browns and greens. So we will run a series of codes all year, every month, to ensure that staff remain current in their knowledge of that.
- 50 CA Some of the topics that have been identified to me concerning training include a four-hour session on mental illness.
- W Yes.
- CA Whose mental illness are we talking about?

- W The prisoners.
- CA I am not being facetious, because resilience is an important aspect of recognition of difficulties that staff face, is it not?
- W Absolutely, absolutely. Not just resilience, but anti-fragility, about not just being resilient to stress but actually coming back from it and being stronger as a result.
- 10 CA What reinforcement to staff would there be of that kind of recognition?
- W Sorry?
- CA You recognise the need to understand that staff can be affected in that way. Is that projected back on staff, that you are aware of that, and is there some mechanism to reinforce it?
- 20 W Yes. Part of the individual management plan process of prisoners, who are predominantly prisoners that have either cognitive impairment or mental health issues - if we didn't have those, you very well could just treat the prisoner based on his presented behaviour. So we want to know what is behind that, so the officer can start to look at the triggers and the environment and the circumstances which cause the prisoner to fail, for want of a better term. So we write the IMP around the elements of success for that prisoner.
- 30 I think I might have strayed off a little bit from what you are saying. What we recognise is, after an incident, we do a critical incident stress debrief and we do an operational debrief. We look at whether the contemporary practices in terms of operational procedures were adequate to deal with the situation and whether we need to improve that. And the critical stress debrief, if it is a high enough level incident, we bring in, under the employment assistance program, an external person to debrief, and that is the mental health issue for the staff, that is to say, "How did you cope with it?" Staff cope with it very differently in terms of stress, in terms of dealing with an incident. We have had very unfortunate circumstances where prisoners have ended their own lives. It creates an enormous amount of pressure for staff who care about their job and they care about the prisoners. It can affect them quite deeply. Is that-
- 40 CA Yes. Just getting back to the subject of mental illness, in the course of this inquiry there has been evidence given to the effect that an increasing number of prisoners over time are suffering from some kind of cognitive impairment or disability?
- W Correct.
- CA Do you agree with that?
- 50 W Absolutely.
- CA The question has been raised about the training of staff to cope with that. Is that recognised in your centre?
- W The majority of the training for that is at the academy, when they come

through. We don't have such an intensive training program at the gaol for that, but there are certainly avenues that if staff would like to pursue that, we can facilitate that.

CA What, then, is the content of the four-hour session on mental illness that is included in the annual training program?

W I have not done the training myself, Mr RICE. It would be a broad assumption.

10

CA Another topic of training is to do with professional boundaries. Why was that selected, do you know, to be included in the program?

W Professional boundaries would be - I guess, this is my own view if that's okay - that it is an area of risk where we're not managing a warehouse full of tinned fruit. We are managing people, by people, and just the common humanity between - and we're encouraging a very high level of interaction between staff and prisoners. We're encouraging empathy, a service model, and it is important to understand where that starts and finishes, and professional boundaries is part of that. You can certainly help a prisoner and you can be extremely supportive, but there is a point which you must not go beyond.

20

CA Is there any way of monitoring susceptibilities that particular staff may have in their lives over time for the impact that that might have on formation of inappropriate relationships?

W Not that I'm aware of. Most of the inappropriate relationships have come to light through intelligence information, that type of thing. It hasn't been a process that we've had in place.

30

CA Another aspect of the training program is CERT training. Is that for all custodial staff or a selection of them?

W Are you asking me to speak about my centre?

CA Yes.

W It's for all staff - all custodial staff.

40

CA Is there a certain level of training to be accredited as a CERT officer?

W Yes.

CA Do all staff do the training to become so accredited?

W Yes.

CA Is that centre specific?

50

W Yes.

CA Why? Why is the training at your centre arranged that way?

W It's a model of which I don't claim to own the intellectual property. I think it was originally designed by a number of experts at Arthur Gorrie, when

I was there as an officer. It no longer looks the same, similar to the performance management framework. I guess, to put it in context, other areas have trained groups of people, and if I could use a military example, they have a group of commandos. I have an army. My entire gaol-

CA But why train everyone to be a CERT officer?

10 W The complexity of the centre and the need to get as many officers on the ground during incidents and to make my staff feel part of the "service is security" and make them feel part of a bigger thing than them. All of the staff are trained because I want them to feel that they are all involved. I would hate to think that staff stand back and watch a particular - whether you call it a cadre or a coterie, where you have this specific group that does all of that work. And I have seen what that does, and I don't like it. I don't like the inference that staff stand back while a group go in and deal with incidents and then they leave and then the staff are left standing there. I've seen what the prisoners think of those staff afterwards. They give them a particularly hard time.

20 I am very proud of my staff in relation to CERT. Of course, some staff - they are all trained to the same level, but my CERT team leaders, which are my supervisors, will not put someone in the front shield line that can't stand there. But everybody knows the role of the shield line. They know that they'll be part of a snatch team, which is a group of people who take prisoners once they have been removed from the group. And then there will be a group of people who place them back in their cells. Every single one of them knows each other's jobs. They all know what it's like and what's involved.

30 We have had, I guess - and I'm not sure if you are familiar with the response times. We have not had a major incident go beyond an hour and a half, and that was one. All the rest of them are dealt with in under an hour because of this. I have the statistics where 50 people are involved, and 47 staff turn up. We had three incidents recently, and all of them were dealt with simultaneously because of the number of staff that are trained.

CA There is a local area instruction about the use of CERT, isn't there?

40 W Yes.

CA I don't want to go into all the details of it - it might be secret - but perhaps I can refer to it to this extent: it refers to a CERT model being utilised to respond to incidents. Are you able to say what is referred to there, what the CERT model is, by way of response to incidents?

50 W Yes. The CERT model consists of a code response, which is just a - when I say "just", it's an expression. That is our code yellow, which is an officer needs assistance. If it is a bigger incident than that, it becomes a CERT response.

CA So a code yellow is not a CERT response?

W It is a code response.

CA That would probably be the most frequent, wouldn't it, code yellow?

W Yes.

CA Officer needs assistance?

W Yes.

CA How would that typically be responded to?

10 W There will be four - that's something I'm not completely comfortable about letting you know.

CA Okay.

20 W Suffice to say there will be a number of officers responding from each area. Some will respond to an area where they start to prepare for the CERT and an escalation of CERT, because that requires the donning of personal protective equipment and munitions. So they will go there and get ready for the secondary response, if it's required. The primary response will go directly and support those staff that have called for the code, and that is the code response.

CA So is there CERT awareness built into a response to incidents?

W Every staff member is trained.

CA But is there, nonetheless, a CERT team dedicated as such, or not?

30 W All the staff are the CERT team. The only ones that are dedicated and trained separately are the CERT instructors, of which I have four, and I have a search - sorry, the supervisors are the team leaders. I have one officer in particular who I have considered to be expert at maintaining the equipment and training.

CA This perhaps raises another example. You have adopted this particular style for reasons that you have articulated. You would see it as beneficial overall, I take it?

40 W I see it as beneficial in fitting with the "service is security" model. I don't particularly want a group of people who are continually used for that purpose. There is a very real risk of brutalising them, and I don't mean they are treated brutally, but they become - all we do is respond. It is important to have people trained. The amount of pride that I see in my staff when they deal with an incident and then go back and manage the prisoners, and yet they were the ones who dealt with the incident. So there is a level of understanding: I can't go in and just burn this place to the ground; I need to, if you like, deal with the incident in consultation with its occupants, because I'm going to need to manage them afterwards. It seems to create a very good outcome.

50 CA Is the use of this model something that might be discussed in consultation with other general managers?

W I'm not aware of it.

CA There would be various occasions and forums in which the general manager would share experience?

- W Yes, that's correct.
- CA I think the Tuesday morning sessions might be one occasion to do that?
- W That is generally a very quick meeting relating to contemporary operational matters and also a forum for the Deputy Commissioner to keep us abreast of anything that is happening across the state that's relevant.
- 10 CA To take this CERT model as an example, is that something that you will have raised for discussion as to the pros and cons of it?
- W Yes.
- CA For the benefit of the Deputy Commissioner, Statewide Operations and other general managers?
- 20 W I'm a very good soldier. If the agency - I am Promethean by nature, creative. If I think I can do something better safely, then I do it. That has been advantageous and not, but I have offered everything I do. I have, in the past, created financial management tools which have saved millions of dollars, and I offer them to the agency, as I always do. I consider that anything I develop whilst the general manager is not my intellectual property; it belongs to the agency. I'm sure that as they have done in the past, if they want me to change or cease a particular process, then I will do that.
- 30 CA Could you give us your experience on what opportunities there are for the cohort of general managers to learn from the experience of each other in the operation of their respective centres?
- W We have an operational leadership group. I think it's every quarter we meet. The general managers come together and they are given an opportunity to add agenda items to the agenda for the meeting. There is an opportunity there to discuss with all general managers, including the general manager, Statewide Operations and the Deputy Commissioner, and to raise any issue that they feel that they can. That's a very free-flowing conversation. It is very robust. There is lots and lots of chatter, and there is no holding back in those meetings in terms of talking about issues.
- 40 CA A slightly different subject concerning the Chief Inspector's reports.
- W Yes.
- CA You would, as a matter of course, be made privy to any incident report concerning your centre; am I right?
- 50 W Yes.
- CA What about inspector's reports that are produced either by way of healthy prisons or incident reports for other centres, are you made privy to those as a matter of course?
- W They are unlikely to be sent to me, but we can certainly have access to

them. If there was a Chief Inspector's report on another centre - and I don't, in any way, presume to inform you of the Deputy Commissioner's role, but they are very keen on ensuring that good practice is shared, but also if there has been an incident where it has identified a particular vulnerability or weakness, they certainly are very interested in getting that out to every gaol to make sure that we can put some sort of either amelioration or mitigation in place. They are very, very proactive at doing that, so learnings are shared very quickly.

10 CA Would you personally see the Chief Inspector's reports on other prisons as being a learning opportunity?

W Absolutely.

CA Do you need to ask for such reports as the OCI might produce for that purpose?

20 W I would imagine you would need to ask, but they would be very, very willing to provide it. I don't think they provide it, from memory, as a normal process, but they are certainly available.

CA Available on request, do you mean?

W Yes, yes. I'm not completely sure, and I'd be expanding beyond my knowledge, but I think the Chief Inspector's website might even have some ability to either request or view reports on there.

30 CA Can I just ask you about an aspect of the breach process. One of the features we have learned about is that centres make referrals to CSIU of what is classified as conduct which might amount to either a breach or possibly a criminal offence. Do you understand the concept?

W Yes.

CA Conduct that is classified in that way gets referred routinely to CSIU, does it not?

W Yes.

40 CA Who does the classification of that in your centre so as to trigger a referral?

W As part of the performance management framework, I have created portfolios. The manager of north accommodation has the portfolio for breaches. I found that it was better than having all the managers doing their own. One manager that deals with all of them becomes very familiar with all the legislation and all the processes, so that manager has the portfolio. So there is a consistent approach to referral.

50 It's not an easy process, but it is a process of saying that if the behaviour could be seen as a breach or, as you have said, as an offence, then we refer it automatically. When it comes back, it comes back as a major breach. If the police decide not to pursue it, prefer charges, it will come back to us, and then it must be dealt with as a major breach because of the seriousness of it. It doesn't mean that we can't review it and say "time served" and make the consequence suit what actually occurred.

- CA One of the features that seems to apply across all centres is that a great many are referred back from CSIU, but then only a low proportion are actioned as breaches. I suggest that's the case at BCC also; do you agree?
- W Yes. There's a context to it.
- CA Can you tell me what it is? On the face of it, a large number of referrals go to CSIU, most of them come back and a high proportion are not then actioned.
- 10 W Yes.
- CA Perhaps you can explain why that might be at your centre?
- W Yes. We, from memory, have a 100 per cent completion rate, and the ones that we don't are the nine-day stay. The prisoner that has been breached has gone to another gaol, and quite often those gaols choose, through circumstances, whether it is a lapse of time or whatever - they don't pursue it.
- 20 CA In your particular case, if the average is nine days, that might well have elapsed by the time the information comes back from CSIU; would that be so?
- W That's correct. By the time CSIU determine which path they will pursue, the prisoner has mostly moved.
- CA One of the requirements of a secure prison is to try to limit the inflow of contraband; correct?
- 30 W Correct.
- CA Am I correct that there is a practice direction concerning the frequency of staff searching?
- W That's correct.
- CA Is that the minimum quarterly?
- 40 W That's the minimum, yes.
- CA Unless there's some targeting which, would I be correct, would be intelligence driven, typically?
- W Largely, yes.
- CA A couple of months ago - correct me if I am wrong - there was an exercise of staff searching at BCC?
- 50 W Yes. From memory, yes.
- CA I think it might have been in March this year. Do you recall the occasion?
- W I understand that we do our four a year, and I leave that pretty much in the hands of the intelligence coordinator and he sends me an email saying

he's conducting it. He has certainly done all of them. I can't remember the exact dates.

CA Is that quarterly search done on a date on which all staff might be searched; in other words, it is not staggered in some way?

W It is for the staff who are on shift and on duty that day, not the entire staffing group.

10 CA Is that kind of a search announced?

W No. Can I just qualify, when I say "no", there are staff that obviously know, but not the general - we apply the PADD dog, the passive alert dog, and the staff member conducting the search, they are the ones who know about it, and myself.

20 CA One of the areas of interest is information security, talking about the contents of IOMS. Would you tell us your experience as to whether there is any capacity to be proactive in assessing appropriate use of IOMS by staff?

W I do know that we can request an audit on a particular staff member. I'm not aware of a system which does that automatically, and I guess, from my perspective, I rely on the staff reading the cautionary note that's at the front of the logging on, where it says, "These are the conditions of use, and", for want of a better term, "you will be in trouble if you misuse it." That is every time you log on to IOMS. I assume people take that seriously.

30 CA Is the response to inappropriate use of IOMS a bit like inappropriate relationships, that you need to have some intelligence or some complaint to trigger further inquiry?

40 W Yes. In some rare cases, there are certain prisoners with high profiles that may be of interest to the general public, and those prisoners are tagged with a process where if you try to access that prisoner profile, it will bring up a text box which requires you to put your ID in and cautions you that this is a prisoner of particular interest. It is to stop people from seeing something in the news and then saying, "I would like to have a look at that prisoner." It says, "What is your interest and what is your authority?", and you have to actually put your ID in, which usually, I think, would deter people, but also, if you do, then you are on the record as having said that you have a legitimate reason to access that prisoner.

CA From your experience, what reason would a correctional officer have to look at the IOMS file pertaining to a prisoner in another centre?

50 W The prisoner, in our case, may very well be being transferred to us, and we would want to understand what level of compliance and what his institutional behaviour has been in terms of-

CA I'm sorry to interrupt you. Would that apply to all correctional officers in the centre or to a select few who might be involved strictly in receptions?

W It could apply - it would mainly apply to the reception officers and the supervisors, who would then brief. But if there are notorious prisoners

who have a long history of violence against staff, some staff may look at it to see how this prisoner has been behaving lately, et cetera. It will be related to the transfer. It will be related to something. It won't be completely disconnected from the centre, just looking up a prisoner for no reason whatsoever. I think the reason is important.

CA Could I ask you this: in your opinion, do all correctional officers need access to the IOMS files of prisoners in other centres to carry out their duties?

10

W Not if there's no connection to your centre, I don't think so. As I have just said, in the scenario where the prisoner is coming to us, I think that's important. But if a prisoner is accommodated in another centre, with no link to our centre in terms of transfer or transit, I don't think we need access to that.

CA It may be a small point in the scheme of things, but there seems to be over time and in some places a continuing issue about the availability and the integrity of the blue envelope complaint system. It could be as simple as envelopes not being available, having to be sought from correctional officers, correctional officers questioning prisoners about why they might want a blue envelope. What arrangement is in place at your centre, as you understand it, to ensure the availability and the privacy of that complaint mechanism?

20

W Pretty much what you have just outlined. The prisoners can request blue envelopes.

CA But do they need to ask a prison officer for an envelope?

30

W Our experience is that if the envelopes are placed into the unit without any sort of control, they disappear almost within - for art and craft, making aeroplanes and that sort of thing, or even just as little containers for items, et cetera. So they can become used very quickly.

I think - and I don't know if this helps - in years gone by, we had a process where a prisoner had to actually request a blue letter, and then it was given a tracking number and registered so that it wouldn't get lost. That, I think it was under the advice of the Ombudsman, created too much of a stigma to requesting, and it was decided to not track them any longer, and I think there's some disadvantage in that.

40

What we've done in place of that is, it's not the blue letter process, but we have what is called a shop front. It is an electronic system, a spreadsheet, where a prisoner makes a request of an officer; he types it in to the system; it can't be removed, then, and it goes directly to the recipient. So if they were making an inquiry about their sentence, the prisoner will say, "I would like to speak to a sentence management officer", and it will go directly to that officer, and there is no losing it. It also has a traffic light system. If a request hasn't been responded to within timeframes, it turns amber and then it goes red if it is beyond the two-week mark. So I think that's a - it doesn't deal with all of the blue letters, because the blue letters are usually subjects which require some more subtlety and quite often need investigation.

50

CA Okay. I don't think I had tendered the Chief Inspector's report of 2017,

Commissioner. I do that now.

PO Exhibit 79.

ADMITTED AND MARKED EXHIBIT 79

CA That is Mr KRUHSE's evidence, Commissioner.

10 PO Mr KRUHSE, just a couple of questions. You said earlier, I think, that a recipe for success at a centre, and yours in particular, is that you have good people.

W Absolutely.

PO Do you have a part to play yourself in recruiting staff for your centre, or is that done independently of you?

W No, it's done by an organisation called Manpower.

20 PO Do you have any input into the requirements to fill vacancies at your centre?

W In terms of the number of staff we need, we have an attrition rate of about 12 officers a year, who move on to either retirement or other jobs, and we try to keep our recruitment forecasts in line with that, to ensure we have enough staff. Manpower do the original, I guess, filtering and vetting, and then I will send my best staff, supervisors and managers, to interview those people and hopefully go through another process where we get the best of that selection.

30 PO Do your staff have a set of criteria to inform the selection process that you have devised?

W It's pretty much along the lines of what we discussed in terms of the ethos of the centre. There are staff that - and it's not being critical in any way, or pejorative. There are staff that arrive at my centre that find it hard to keep up with the pace. The goal is incredibly fast with that level of churn, and there are staff that simply don't fit. But they fit in other areas; the other goals are a lot slower in terms of that churn, because they do more considered sort of work, programs, et cetera. Generally, the staff that we get on board really like the centre. We have people requesting to come and work with us. Yes, it is my honour and great privilege to work with those people.

40 PO Is that system you have just described, where you send your managers and supervisors to Manpower to interview the applicants who might have been shortlisted, for instance, unique to your centre or does that apply generally across the service?

50 W It is general, Commissioner.

PO Is that set down anywhere in a policy or guideline?

W I couldn't tell you whether it's policy, but we have done it on every occasion. I think it's a request, and it's to our advantage to put in another layer of assessment to see whether the people are suitable.

PO Just the last thing: your centre has a number of remand prisoners; is that so?

W 175 at the moment.

PO Is that a generally consistent figure as a percentage of your total population? It goes up and down, obviously, but is there an average of a fairly high number like that?

10

W Initially when we were asked to accommodate remand prisoners, we agreed to 24, and that has grown. We, of course, have had to create a legal library to support them during their bail application process. It has been a really difficult task to maintain a sufficient number of bail clerks in terms of prisoners, because of the fast turnover. The remand prisoners stay with us. They don't get turned over as quickly, so it is difficult in that way, but we do provide a very good legal library and we also provide access to laptops, computers and printers so that they can prepare for their cases.

20

PO Is it fair to say that remand prisoners provide some unique challenges to management of the prison more generally?

W We haven't seen too much difficulty in managing that, because they are mixed in with the reception prisoners, so it is very hard to treat them differently other than specifically to - or the peculiarities of their need for remand. I employ remand prisoners that are long-term remand that want to work. They go up to the workers units and are part of my industry in the laundry, et cetera. We are doing the very best that we can in terms of providing service.

30

PO Quite apart from providing work for them where you can, are they also able to access programs, education programs and so forth, or is that restricted to sentenced prisoners?

W Our centre has very limited programs because of the nature of it. We have some numeracy and literacy programs. We have some White Card programs, which are basically the very beginning stages of being able to use some dangerous equipment, so it's workplace health and safety. We also have asset maintenance programs as well, and then we have the arts and crafts, sort of art and ceramics and that type of thing. We don't have the intensive programs that other centres would have, because they are keeping the prisoners for a longer period of time.

40

PO Are those programs you have just mentioned available to remand prisoners as well?

W Yes. We also have what is called the SSI, which is short substance intervention. We actually requested that because there was such a high demand for it. So we requested - particularly for prisoners returning to us on a 28-day breach of parole, it seemed an opportune time, because they can sometimes be released back into the community after 28 days and I thought it was an opportunity to do something rather than just have them sit there. Depending on what was a feature of their offending and/or breach - quite often it is a dirty urine test or a positive urine test, and we thought it was an opportune time to give them short substance

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intervention to possibly intervene with that and hopefully send them back out with less likelihood of failing.

PO Thank you.

Ms CLOHESSY, do you have any questions?

PC Just a couple of things, Mr Commissioner.

10 Mr KRUHSE, at your centre, you spoke of having a team of psychologists who, firstly, conduct the risk assessments and then also have some part in screening for mental illnesses and cognitive impairments. You also mentioned IMPs, individual management plans. At your centre, do you utilise the expertise of those psychologists to develop those plans?

W Yes, if it's relevant.

PC Those plans, I think you said, have elements of how to better manage or successfully manage those particular prisoners?

20

W Correct, yes.

PC Are those plans recorded on IOMS for use at placement centres?

W Yes, they are.

PC Thank you, Commissioner.

PO Thank you.

30

Anything, Mr RICE?

CA No, thank you, Commissioner.

PO Thank you for coming, Mr KRUHSE. You are excused.

We will resume at midday.

END OF SESSION

40

SHORT ADJOURNMENT