



PARLIAMENT OF TASMANIA

PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

Southern Remand Centre Program

Brought up by Mrs Rylah and ordered by the House of Assembly to be printed.

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1 INTRODUCTION

The Committee has the honour to report to the House of Assembly in accordance with the provisions of the *Public Works Committee Act 1914* on the -

Southern Remand Centre Program

2 BACKGROUND

2.1 This reference recommended the Committee approve works to construct the Southern Remand Centre (SRC) and redevelop key facilities at the Risdon Prison Complex (RPC). The proposed works aim to:

- address the urgent need for additional beds and upgraded facilities by catering for the current and predicted growth in prison numbers;
- assist in enabling the RPC to meet new standards and obligations for prison management and the treatment of prisoners, including separation of remand prisoners from sentenced prisoners and accommodating different groups of prisoners in separate prisons or separate sections of prisons;
- address identified shortcomings within the prison system;
- promote prisoner health, wellbeing and rehabilitation and to reduce reoffending by creating a positive and stimulating environment for prisoners;
- provide accommodation alternatives to effectively manage an increasingly diverse prisoner population.

2.2 Remandees are the fastest growing prison population group. A remandee is a person in custody pending the outcome of a court hearing, including a person who has been convicted but not yet sentenced. Remandees currently represent around one third of the prison population in Tasmania. Tasmania has no separate remand facility, so remandees are accommodated within the general prison population.

2.3 Construction of the SRC is part of the Government's commitment to optimising opportunities for rehabilitation and improving facilities in response to growing demand and new standards. It is also the first infrastructure project in the Strategic Infrastructure Framework for Custodial Corrections in Tasmania.

2.4 The SRC will be built on an available site in the existing RPC and will provide 140 dedicated remand beds. A number of facilities in the RPC will be upgraded to support the Southern Remand Centre.

2.5 The proposed works include:

- 140 cellular beds (minimum) located across two units within the SRC precinct;
- A new health clinic and sport and recreation facilities within the SRC precinct;
- Installation of secure walkways between the SRC and RPC;
- Installation of electronic security services for the SRC;
- Landscaping for the SRC;

- Upgrades to existing RPC facilities, to provide an environment conducive to prisoner health and wellbeing, and to cater for the growing prison population that will be using these shared facilities. These upgrades include:
 - Alterations and extension to the existing RPC Gatehouse;
 - Alterations and extension to the RPC Health Centre;
 - Alterations and extension to the RPC Visitors Centre;
 - Alterations to RPC Prisoner processing area;
 - Construction of a new RPC Kitchen.

3 PROJECT COSTS

- 3.1 Pursuant to the Message from Her Excellency the Governor-in-Council, the estimated cost of the work is \$78.94 million.

The following table details the current pre-tender cost estimates for the project:

DESCRIPTION	SUB-TOTAL
Remand Unit 1	16,349,000
Remand Unit 2	16,293,000
Clinic Building	2,994,000
SRC Site Works	10,941,000
Sally Port	648,000
Car Park	501,000
Gatehouse	4,476,000
Health Building	3,082,000
Visits Building	2,885,000
Kitchen	5,796,000
Remandee Processing	315,500
RPC Site Works	401,500
High Voltage Works	1,500,000
Miscellaneous	4,728,414
Fees	5,802,510
Allowances	2,337,076
TOTAL	79,050,000

4 EVIDENCE

4.1 The Committee commenced its inquiry on Monday, 19 August last with an inspection of the site of the proposed works. The Committee then returned to Committee Room 1, Parliament House, whereupon the following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:

- Kathrine Morgan-Wicks, Secretary, Department of Justice;
- Dale Webster, Deputy Secretary, Department of Justice;
- Ian Thomas, Director, Tasmania Prison Service, Department of Justice;
- Alex Newman, Director, Xsquared Architects; and
- Kavan Applegate, Director, Guymer Bailey Architects;

Overview

4.2 Ms Morgan-Wicks provided an overview of the proposed works:

Ms MORGAN-WICKS -The Southern Remand Centre is the first major infrastructure project the Department is undertaking as part of an 11-year strategic infrastructure framework for custodial corrections in Tasmania. This request follows on from the work to build the Vanessa Goodwin units at the Women's Prison, the recommissioning of division 7 in the minimum security prison, work underway to expand the pre-release centre attached to the minimum security prison, and a major upgrade to electronic security at the Hobart Reception Prison. All of this work sits under the threshold for this committee.

The Southern Remand Centre will provide urgently needed additional beds at Risdon Prison and the upgrades to the Risdon Prison Complex will not only improve facilities, but will enable the more efficient operation of the Southern Remand Centre. It is also the first step in enabling the Department to implement the key pillars of the strategic infrastructure framework for custodial corrections. It targets specific prisoner cohorts and optimises opportunities for rehabilitation, community engagement and reintegration and supports cultural change within the Tasmanian prisons system.

This is in contrast to the one-size-fits-all approach that has occurred in the past. The demand for beds will increase over time, with current male accommodation at around 95 per cent capacity and female at around 67 per cent capacity. With the completion of the last of the small infrastructure projects in late 2019, the design capacity of the Tasmanian prison system will be 759 beds. However, recent demand analysis completed by the Department indicates that the prison population will reach 787 by late 2021 and rise to 1137 in 2029-30.

It is also important to note that the 2020 design capacity includes the current Ron Barwick Minimum Security Prison, which was constructed in 1960 and will celebrate its 60th birthday in 2020. Whilst still functioning as a minimum prison, it is well past its useful life and will become an increasingly expensive liability to the state in terms of ongoing maintenance. In addition to addressing increasing prisoner numbers, particularly in relation to remandees, and decreasing reliance on ageing infrastructure, construction of the new Southern Remand Centre will allow the Department to ensure that its management of remandees is consistent with international rules relating to the treatment of prisoners.

The Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, known as OPCAT, was recently ratified by the Federal Government and the United Nations Standard Minimum Rules for the Treatment of Prisoners, the Mandela Rules. These rules, along with the standard guidelines for corrections in Australia, as well as the Inspection Standards for Adult Custodial Services in Tasmania developed by the Tasmanian Custodial Inspector, include obligations relating to the

separation of remandees from sentenced prisoners and the use of separate prisons and separate sections of prisons for the treatment of different classes of prisoners.

Further to these rule-based obligations, it is important to highlight that a key driver for the construction of the new Southern Remand Centre, including its design and the principles used to operate it, has been the Breaking the Cycle Strategic Plan for Tasmanian Corrections 2011-2020 and the 2016 update title Breaking the Cycle - A Safer Community: Strategies for Improving Throughcare for Offenders 2016-20. These plans include an emphasis on creating a prison system that allows prisoners and remandees to both develop where necessary, and maintain, strong ties and relationships with their families and the communities they will be returning to upon release, with the aim of supporting a safer Tasmania through the reduction of reoffending.

As the community is aware, the Southern Remand Centre program comprises two key infrastructure projects, one being the Southern Remand Centre, and the other upgrades to facilities at the Risdon Prison Complex. These upgrades will enable the Tasmania Prison Service to operate more efficiently when the Remand Centre comes online, but also provides much-needed upgrades to ageing facilities, namely, the Medical Centre and Visitors Centre. In addition, the outdated kitchen facilities that service the prison will be replaced with a contemporary commercial kitchen to be built in the Risdon Prison Complex.

The design principles informing the projects are based on contemporary correctional design and we have engaged specialists in this field to lead the design process. Emphasis will be placed on creating an environment that is positive, mentally stimulating, provides access to justice, and enhances access to family and support services. In designing some of the proposed works, most notably the upgraded gatehouse and the expansion of the RPC Visitor centre, specific care will be taken to soften the experience, particularly for children visiting parents and relatives.

While focusing on informed and contemporary design, the Department acknowledges the establishment of a best-practice remand facility will only occur through the alignment of design and how it is intended to operate the facility. To that end, the Department has engaged specialist resources, including a very experienced and senior correctional manager, to work closely with the Director of Prisons and his staff to develop an operating model for the Southern Remand Centre that will support the delivery of a best-practice facility and provide a foundation for the culture change within the Tasmanian prison system which is envisaged in the Strategic Infrastructure Framework for Custodial Corrections.

The Department has also recruited change management expertise to aid the development and implementation of a change management framework that is both specific to the Southern Remand Centre Program and will also provide a solid foundation for change associated with the construction and commissioning of future facilities such as the proposed Northern Prison Facility.

It will also enable the Department to better comply with contemporary, international, national and local standards for corrections - most notably relating to the separation of remandees from sentenced prisoners and the individualised treatment of individual classes or cohorts of prisoners.

As outlined in the Department's submission, much thought has been put into the design of the new facility with the aim of creating a positive and mentally stimulating environment that considers the safety and psychological health of both staff and remandees. There has been an emphasis on sustainability, the life cycle cost of the facility, and the thoughtful and effective use of electronic and communications technology, aligned to the needs and safety of staff who will be working there and the remandees living there.

The Department has also selected a procurement model aimed at delivering cost certainty and value for money. In addition to the physical design and the construction of the new facility, there will be a heavy investment in developing an operating model and a change framework that will ensure the operations of the facility are both contemporary in terms of

corrections best practice, and aligned with the philosophy and principles underpinning its design.

Factors Influencing the Design of the Southern Remand Centre

4.3 The Committee noted that a number of interlinked factors had influenced the design of the SRC. Key influences included:

- Contemporary approaches to the design and operation of prisons;
- New standards and obligations regarding the placement and treatment of remand prisoners;
- Recommendations made by the Tasmanian Custodial Inspectorate;
- Recognition that the built environment influences prisoner health and wellbeing;
- Refocusing correctional policy to foster prisoner rehabilitation and to reduce reoffending;
- Development of a new operating model for the SRC instead of a one-size-fits-all approach to the operation of correctional facilities; and
- A desire to undertake cultural change within the correctional system.

4.4 The Committee understood that Departmental staff and consultants had conducted an extensive investigation of contemporary approaches to the design and operation of prisons in other jurisdictions to inform the planning and design of the SRC. The Committee sought further detail on the extent and nature of these investigations:

Mrs PETRUSMA - A follow on from what you were saying, Mr Webster, I note that page 11 of your submission mentions that you reviewed and undertook extensive research in relation to the design and operation of prisons in other Australian jurisdictions and also attended prison design and development conferences, and inspected contemporary design of facilities on the mainland.

For the record, can you outline to us which prisons in other Australian jurisdictions you took note of and also the conferences? Where were they and what facilities were inspected?

Mr WEBSTER - I might pass to Mr Newman, who did the design work.

Mr NEWMAN - We visited the Ravenhall Prison, designed by Guymer Bailey Architects. We also visited the Hopkins Correctional Centre in Ararat. We visited Port Phillip. There were a few other prisons that other correctional officers went to without us. There were a number of correctional conferences held in Australia in the past couple of years. The last one I went to was in Brisbane, but they have been in Melbourne and Sydney over the past few years.

Mr APPLGATE -I have attended the last two International Corrections and Prisons Association conferences. We are constantly trying to ensure that we are up to speed on international trends and best practice around all the key jurisdictions.

4.5 The Committee understood that Australia was a signatory to the Optional Protocol to the Convention against Torture (OPCAT), which requires detention facilities in Australia to meet obligations pursuant to the *United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules)*. The rules describe the principles and practices for the treatment of prisoners and prison management, including a requirement that remandees are kept separate from sentenced prisoners.

4.6 The Committee was keen to receive an assurance that the SRC would meet all relevant standards and rules relating to the construction and operation of correctional facilities and the treatment of prisoners:

CHAIR -have you had the opportunity to get international input through relevant standards that need to be complied with? Could you comment on that for the record?

Mr APPEGATE - There is a couple. The Mandela Rules, which is a significant piece of international documentation, and there are some guidelines put out by the International Committee for the Red Cross, which are also providing very good framework and that our facility stacks up very well against.

CHAIR -For the record, would you outline which particular standards you are following? We talked about the Mandela Rules, which is an international set. Are there any other Australian standards you're following in particular that we need to raise for the record?

Mr THOMAS - There is a set of correctional standards that we followed in most of these designs, which are broadly the Corrections Victoria standards, particularly on cell design and capacity, which are broadly used across most of Australia. To accompany that there is the Australian Corrections Guidelines which is a set of standards agreed between each of the jurisdictions in Australia around how their facilities operate, so we've been comparing both of those.

Ms MORGAN-WICKS -With the federal ratification of the Optional Protocol to the Convention Against Torture, or OPCAT, that will introduce an element of international inspection to which Tasmania is yet to be required to comply. Whilst it is being ratified, we are not expecting the first inspections under OPCAT until 2020-21 if Tasmania is selected as a first entry state.

CHAIR - And we're not going to get to the point where we've signed off on this and finished it to find that - oops! - we haven't got the right locks in place. We're not going to get to that point where we missed a crucial point in its design?

Ms MORGAN-WICKS - No, we do not believe so.

4.7 The Committee was also keen to understand if recommendations made by the Tasmanian Custodial Inspectorate had been factored in to the design of the SRC:

Mrs PETRUSMA -is the Custodial Inspectorate aware of the plans and everything else - approved the plans?

Mr THOMAS - They have been invited and have attended a number of briefings we've held on the design and the overall concept.

Ms MORGAN-WICKS - If I may add to that, certainly each and every recommendation that is made by the Custodial Inspector we are taking into account in terms of formulation of our designs for future infrastructure facilities. As to some of the more negative recommendations, for example, we know they will be fixed by certain elements of the Southern Remand Centre or through some of our upgrades in some of the divisions in Ron Barwick. You will note that the prison's response to Custodial Inspector reports will often refer to encapsulating that in the design for the new facility.

4.8 The Committee acknowledged contemporary thinking on the impact of the built environment on prisoner health and wellbeing. The Committee sought to understand how the SRC prison environment would be designed with this in mind:

Ms RATTRAY - In regard to creating a positive and mentally stimulating environment, I am aware that inmates get a bit rowdy if they have too much time on their hands or are not stimulated. Can you give me some idea of what that might entail in this design objective?

Mr THOMAS - We are aiming to create an environment that, in many ways, looks as least like a prison as possible. It acknowledges that when these people first come to prison, often it is their first time, they are removed from their families; all those stresses and anxieties are created by coming to prison. We don't want to add to those by putting them in an austere or intimidating environment. We want to make it light, airy, employ use of bright colours, et cetera, access to the outdoors and the fresh air, give them the opportunity to engage in physical activities to address their health needs, and to be able to maintain those family ties, et cetera. All of those things are stimulants for them in the right direction so that they can begin to get ready for their trial and, if they are convicted, to work in an environment that allows them to focus on their reoffending; not being in an environment where they fear for their safety or they feel enclosed or suppressed, so to speak.

Ms RATTRAY - In regard to the seating arrangements in the Visitor Centre, we were told this morning that those cold, unmovable seating arrangements are going to be replaced with something more comfortable and aesthetically pleasant.

Mr THOMAS - That is exactly right. It is that kind of direction that we are trying to move into. It can still serve exactly the purpose we need it to but, to use your words, it doesn't need to look cold and uncomfortable. That goes through to some of the design in the units. Gone are the old traditional bars and high windows in walls. It is more large windows, lots of light and air coming in to stimulate people's senses.

Mr THOMAS -If I may just add, it's really to look at the use of materials that are in line with that cultural change we're trying to make. So aesthetically pleasing to look at and use but very difficult to damage or create weapons or items from, and also safe for cell compliance. It removes the opportunity for people to try to harm themselves by the use of both the material and the way it's used in the design.

Mr WEBSTER - The other thing to add there is in terms of the feeling of safety. We are also envisaging that they will have two sets of locks, one that is prisoner operated and one that is staff operated, so a prisoner who feels they need to retreat into their own space, so to speak, will have the opportunity to be able to lock themselves in their cell to create that level of safety for themselves.

Ms MORGAN-WICKS -It is also an opportunity to lock their own valuables in their own cell because at the moment it is open in terms of cells.

Mr NEWMAN -One area we haven't mentioned is that we have an acoustic engineer on board and we're trying to make sure the acoustics of the rooms are not poor. This is one of the drawbacks they have at the existing facilities.

Mr WEBSTER -I think it's also important that the indoor environment and the quality of it is enhanced by the amount of light that is envisaged, particularly in the indoor space. During the winter months most of the remandees will spend their time in that indoor environment. The design actually pours light into those two central corridors.

Changing the Culture with the Prison System

4.9 The Committee noted that the SRC will be run under a new operating model, and will therefore be a key step in delivering a change in culture with respect to prison management and the treatment of prisoners within the State's correctional system. The Committee sought further information on the culture change program, the level of engagement that was occurring with prison staff and prisoners and the development of a new operating model for the SRC:

Ms RATTRAY - With regard to the change management position, I am interested in exploring that a bit more. That is going to be key to the entire complex through this potential build and then post. Can I have some further explanation?

Mr WEBSTER - The Department has a number of major projects under way besides infrastructure. We have the Justice Connect program, which is the criminal justice ICT upgrade. We are also working in the ICT space with local government. We are putting together a unit called the Organisational Change Unit. Its job will be to work with across all our major projects, working with our staff to change the culture, rather than just building a prison and importing the old way of doing it. They will develop a framework and that framework will lead us into a long-term change process. This project was the first to come on line because it is a project of just over two years. Their focus initially will be the southern remand process. In addition, one of Mr Thomas' senior staff at Deputy Chief Superintendent level has been transferred to the project team to make sure we have that close liaison with the prison system, particularly the Director of Prisons so the buildings we deliver are the ones that are going to deliver the operating model that the Director of Prisons wants.

Ms RATTRAY - In regard to the culture change, I know that is probably more operational, but through the exchange we had at the prison site, we talked about the fact that personnel working at the prison had been engaged in the design process. Can you give me some idea of what that engagement is? I think that will be the start of the change of culture.

Mr THOMAS - We have had a number of sessions with Alex and his team, the architects, right from the early concept. These designs were no more than bubbles on a piece of paper. We have taken those design concepts to a more detailed design and taken the staff on the journey. We have had several engagement sessions with the staff across all elements of TPS: our correctional officers, offender management and therapeutic services, industries, kitchen, to ensure that they understand what we are building and why and to get their input and ideas. It will send a clear direction about what we are trying to create so that the environment that we create is an environment that prisoners are quite happy to live in. Their punishment is the loss of their liberty. We want to create a modern environment that they can live in and they can use their time in prison to address their rehabilitation needs.

Ms RATTRAY - With that staff engagement at all levels, can you already see any improvement in the culture of the entire TPS?

Mr THOMAS - Definitely. By getting a greater understanding of what we are trying to achieve through this build, and more broadly the other infrastructure projects, the staff are becoming more engaged and feel more empowered to contribute to the development both in the design itself but also in the operating models of the areas as we take these designs forward.

Mr WEBSTER - Through you, Chair, one of the programs to do with change that we have already commenced is some of the key influencing staff in the prison service have been taken to the mainland to look at modern facilities there.

Ms MORGAN-WICKS - In terms of the design and Mr Thomas referred before in relation to the engagement of staff, particularly in the early stages of design, but a key end-user is also our remandees and other prisoners who are benefitting from the shared facilities. In terms of the engagement we undertake surveys of inmates and prisoners, including remandees, regarding their experience within the prison and what they would like to see in terms of improvements as part of the overall change management and process through the design and stages of construction, which will have some level of interruption or increased activity on the site. So it's just managing people's understanding and engagement through each stage of the process. Then we get to the actual change in operating model once we start operating the facilities. Ian might have something to add to that.

Mr THOMAS - To add to what has been outlined, there is a number of opportunities we already have to engage with prisoners that we use for a number of reasons. We have a

prisoner peer council in each of our facilities, particularly in RPC but more broadly across all the prisons and, as we increasingly get into the build stage, it becomes an interest for them. They read the papers and see what is going on and they'll see the buildings coming out of the ground. So we will engage with them in the right way to inform them about what's occurring. A lot of the feedback we'll get from them is useful as we go through the design but particularly, as has been referred to, the operating model as well. Some of the things we have already incorporated into our design thoughts are from learnings about how we manage prisoners in our current accommodation.

- 4.10 A key element of cultural change in the correctional system is the relationship between prison staff and prisoners. The Committee sought to further explore the concept of dynamic security and how this would promote cultural change and help support positive relationships between prison staff and prisoners:

CHAIR - Perhaps, you can talk about dynamic security. The SRC second dot point, under culture -

The SRC rely on dynamic security more so than in other prisons. It requires staff to be more active in monitoring activity and relies heavily on the relationship formed between the remandee and the officer.

Mr THOMAS - Dynamic security is exactly that. It is the professional relationship between the Correctional Officers and the prisoners. We want to focus on that to create an environment where staff have to and are encouraged to engage safely with the prisoners. By understanding prisoners and understanding what their issues are, what their concerns are, what their associations and cohorts are it allows us to better manage the prison and the dynamics within it. That is what the dynamic security is. It complements the physical and procedural security processes that we have in place. It leads more broadly to that cultural change which we want to create as an environment where both prisoners and staff feel safe and can engage constructively together.

CHAIR - That leads to processes, the first dot point under 'Processes' -

This will mean that remandees are more independent and able to take responsibility for their actions with less reliance on TPS staff.

Appropriate mechanisms, both for staff and remandees, will need to be in place to support this.

I am assuming that not all remandees are well-behaved individuals. They might be recidivists, so this lends itself to the dynamic nature of what you are talking about?

Mr THOMAS - Yes. A number of people who come through our doors are recidivists. They have been in before and sadly will come through again. However, that relationship between staff and prisoners is critical to managing the behaviours. The physical infrastructure only assists to a degree in how we do that. The relationship between staff and prisoners is critical to minimise any negative or unwanted behaviour by prisoners towards other prisoners or towards staff.

Ms MORGAN-WICKS - The greater access to technology for a prisoner can also then improve their interaction with the staff, so they are not racing off to staff every time to hand over their piece of paper to get their order of Mars bars or something else from the canteen. This is all manually processed at the moment, as is booking a health visit or other appointment within the prison. In-cell and kiosk technology will give prisoners greater visibility over their own accounts, access to funding and allow them to book and manage their time throughout the day without having to go to the staff. The interactions that then occur with staff are of a higher quality level.

Visitor Centre Upgrade

- 4.11 One of the important measures that will help in fostering a positive and mentally stimulating environment for prisoners is the upgrade planned for the Visitor Centre. The upgrade will expand the Visitor Centre and provide greater opportunity for prisoners to take advantage of their access visit entitlements. The Committee sought clarification on how the upgraded facility will improve the opportunities for access visits:

Ms RATTRAY - With regard to the alterations and extensions to the Visitor Centre, we were informed this morning that that is because there will be more opportunity for visitors to come to visit those who are going to be in the Remand Centre. I want to clarify that that's part of those new requirements for the remandees.

Mr THOMAS - The intent is that the Visitor Centre will be expanded to recognise the increase in prisoner remandee capacity but we will develop a different operating model for the Visitor Centre as well. So depending on a prisoner's classification and status, and the different cohorts that have been referred to, that will decide when they get their visits. We really want to maximise the opportunity for remandees to access the visits they are entitled to as a remand prisoner and also access their legal representatives whilst they're in custody. We envisage that the centre will be in use seven days a week.

Ms MORGAN-WICKS - The significant focus for a remandee is about preparing for trial and having access to legal services, so that has to be a priority for that upgrade.

Ms RATTRAY - Yes, and certainly to keep their friends and family - their relationships - still going, because they'll need that support through that time. Is that the basis for that?

Mr THOMAS - Yes, absolutely.

Site Selection

- 4.12 The Committee was aware that three locations on the RPC site were considered for the SRC. The Committee sought confirmation of the reasons why the final site had been selected:

Ms RATTRAY - On page 15 it says the precinct has been designed with setbacks from the perimeter wall and fences. We had quite a bit of discussion about that when we were on site today. It would be useful to put on the record why this particular site has been chosen over a couple of others that were available - without having any visuals - for Hansard.

Mr NEWMAN - The Department looked at a number of different sites before selecting this one. There are large falls across the different areas of the Risdon title. There is one near the entrance area that potentially would work but there are large electricity lines that bisect the site and easements or distances off those where you're not allowed to build, so that basically ruled out one of the sites. There was another site with an 18-metre drop from one side to the other end. The flattest site which is down below the existing facility nearer the waterway is flat but can flood. The site that has been selected still has a fall - it is about 7 metres across the side - but that's why we went with this site.

In terms of setbacks of buildings, a concrete wall is proposed on three sides of the new facility mainly to help with the visual separation between the women's and the new SRC site, and in line with national guidelines, there are setbacks from those perimeter lines that you shouldn't have your buildings within, so we end up with a sterile zone and a perimeter roadway for Tasmania Fire Service to access if need be.

Aboriginal Heritage

- 4.13 The RPC is located on a site of great significance to the Aboriginal community and is known to contain Aboriginal camp sites and artefacts. The Committee sought

further detail on the measures taken to deal with the presence of Aboriginal Heritage on the SRC site:

Mrs PETRUSMA - Can you outline how you have considered Aboriginal heritage on the site?

Mr WEBSTER - The first application we put in was the application for an Aboriginal Heritage permit. The Aboriginal Heritage Committee considered that and a permit was issued. Risdon has been done in a series of zones for Aboriginal heritage. The new remand centre is another zone for us to look at. Given that it is quite a unique location the general rule that has been applied to us across the Risdon site is that, rather than doing ongoing archaeology, we remove 400 mm of topsoil, which is then stored in what is called zone five. That allows for future archaeological research and exploration.

There is a second application that needs to be lodged. We need to do some trenching to put some high-voltage work through, and for the kitchen because we have enlarged the size of the kitchen. It is greater than the original permit we had for the original Risdon, so we need to get that as well. At this stage we have it for the Southern Remand Centre and we need a further permit for the kitchen and for high-voltage work.

CHAIR - ... Mrs Petrusma touched on this. Can you give us a rundown on the processes you went through to deal with significant Aboriginal heritage sites? Or at least the possibility of Aboriginal heritage sites? What you found? How you dealt with that in terms of gaining acceptance from the Aboriginal community?

Mr WEBSTER - The Risdon Prison site as a whole has been disturbed to a large degree over the 200 years of European settlement. As such, there are remnants of Aboriginal campsites but it is a known Aboriginal campsite area. It is documented back to Lieutenant Bowen's day that that area was used by Aboriginal people. Regarding the permit going back to previous building, we've been careful to engage with Aboriginal Heritage early and we've already done that for this site. As part of that we have done some archaeological work around the site. The solution that has been accepted by Aboriginal Heritage is that we remove 400 mm of topsoil which we then store on the Risdon site that is called zone 5 - it is to your right as you drive up the main driveway - and it is stored there for future archaeological exploration, so that they can do that, given it is significant to the Aboriginal people ... We're very pleased that the Aboriginal Heritage community came on site with us, as you did today, and had a walk around and were able to talk us through what they saw on the site as well.

CHAIR - And they're happy with the way things are being dealt with? That's the important thing, obviously.

Mr WEBSTER - Yes, they are happy. It's important to note that because it's such a disturbed site it's unlikely that we would find a site that was obvious. It is likely that underneath the soil there are a lot of artefacts, which is why the idea of removing the top 400 mm and storing it came up and was used with the 2006 build and the 2015 build, as well as this particular process.

Procurement Model

4.14 The Department's submission highlighted that the procurement model selected for the SRC Program would need to provide robust control and oversight of the design process, must provide cost certainty and must enable completion within the Government's mandated timeframe. The Committee sought further information from the witnesses on how this would be achieved under the Managing Contractor Model, which was the procurement model that had been chosen by the Department:

Ms RATTRAY - This starts the identified three models for consideration, ending with model number three. It lists all the benefits of using the Managing Contractor Model. I'd like a brief overview as to how you arrived at model number three, the Managing Contractor Model.

Ms MORGAN-WICKS - I might start and hand to Mr Webster. We did take specialist advice in relation to the procurement method because the Managing Contractor Model, which is probably the most complex out of the three models but we believe will provide the best outcome for us, is probably rarely used in the states. An example would be the delivery of the Royal Hobart Hospital redevelopment under a Managing Contractor Model. We are aiming for every success with the delivery of this Managing Contractor Model. Mr Webster may speak to the advice we sought.

Mr WEBSTER - We took both legal and construction advice around what should be our model of procurement. Critically, with a Managing Contractor, it is the way it's staged. It saves us time through the process and, again, time was critical for us in this process. Second, it also allows us to better engage with the Managing Contractor in iterations and instructions and things like that. Whilst we have the design team in Guymer Bailey and Xsquared on board already, we will novate them to the Managing Contractor at some point. They will be part of the team that is managing this process as well. It is a methodology that gives us better control than design and construct, not as great as just construct, but it also allows us to do the design alongside early works and things like that rather than doing it as a couple of steps and you do lose time in that step. It is more of an iterative process.

Ms RATTRAY - I notice that's the one that is going to negotiate cost savings. I'm sure that's one we're all very pleased to see.

Ms MORGAN-WICKS - Bringing the Managing Contractor in early and having that novation in the design so that you can look at the materials, the products selected and specifications, et cetera, rather than we've designed it all and here it is, please construct it and give us what you think your estimate is to do that, we believe there are better opportunities for value in the Managing Contractor Model.

CHAIR - ... That's an interesting one and probably avoids the conflicts that might exist if you had a totally separate design, engaging the same firm who did the design to do the build or to have significant input into the build. I have heard of contracts that block others from having a fair chance.

Ms MORGAN-WICKS - It is also in trying to avoid re-design once you have appointed the contractor to construct.

Mr WEBSTER - Of the three models, the model allowing design and construction, we lose most control. With managing contracts we keep a high level of control over design.

CHAIR - ... But also, the level of risk you are taking on is more commensurate with the level of expertise you have yourselves, you are not construction engineers, are you?

Mr WEBSTER - Exactly right.

CHAIR - The third last dot point notes the GCS [Guaranteed Construction Sum] provides certainty around costs but I wonder whether that model ends up with a higher tender price.

Mr WEBSTER - The importance is that there is a process by which you achieve the GCS. You just don't let your Managing Contractor go away and come up with a GCS. You engage in a process in which you are negotiating back and forth, so you have a target construction sum in mind. You need to compare it and you need to work with the contractor rather than say, go away and come up with a figure -

CHAIR - ... That third last point includes an agreed contingency. How does the Department know what a 'reasonable' contingency is? The Managing Contractor would be keen to use that to reduce their risks, wouldn't they? Do you have any comment on that?

Mr WEBSTER - That's right. We engage a quantity surveyor to advise us and a construction consultant. We have both of those on board already to give us input into that. The other

thing is that contingency is there to manage risk. We need to consistently assess the risk and whether the contingency matches the risk. If we were going to them and saying, look, we haven't done Aboriginal heritage, so we are going to have to go through that... .., that is increasing the risk so you would expect a contingency.

We can manage some of that risk down by doing some of the activities early and those sorts of things. Certainly, by doing schematic early and working with our designers early, we are managing some of that risk, so it is a back and forth. That is why I say the GCS is not something you let them go away and come back with. It is a process in which you engage closely with the Managing Contractor so that there are, effectively and hopefully, no surprises in the process.

Does the Project Meet Identified Needs and Provide Value for Money?

4.15 In assessing any proposed public work, the Committee seeks assurance that each project is a good use of public funds and meets identified needs. Ms Morgan-Wicks noted that the SRC Program had been designed to address recognised issues with the Risdon Prison, with respect to both remand prisoners and the growing general prison population, and will facilitate compliance with new standards for the accommodation and treatment of remand and sentenced prisoners. Ms Morgan-Wicks also highlighted how the design process had focused on delivering value for money by aligning the design with the investments being made in culture change and the development of a new operating model:

Ms MORGAN-WICKS - The Government's investment in the proposed Southern Remand Facility will address known shortfalls with the accommodation at the Risdon Prison site and will enable the Department to commence a planned and strategic response to a predicted increase in demand for prisoner accommodation throughout the Tasmanian prison system over the next 10 years.

It will also enable the Department to better comply with contemporary, international, national and local standards for corrections - most notably relating to the separation of remandees from sentenced prisoners and the individualised treatment of individual classes or cohorts of prisoners.

As outlined in the Department's submission, much thought has been put into the design of the new facility with the aim of creating a positive and mentally stimulating environment that considers the safety and psychological health of both staff and remandees. There has been an emphasis on sustainability, the life cycle cost of the facility, and the thoughtful and effective use of electronic and communications technology, aligned to the needs and safety of staff who will be working there and the remandees living there.

The Department has also selected a procurement model aimed at delivering cost certainty and value for money. In addition to the physical design and the construction of the new facility, there will be a heavy investment in developing an operating model and a change framework that will ensure the operations of the facility are both contemporary in terms of corrections best practice, and aligned with the philosophy and principles underpinning its design.

4.16 The Chair sought and received an assurance from the witnesses that the proposed works were addressing an identified need in a cost effective manner and were a good use of public funds:

CHAIR - Do the proposed works meet an identified need or needs or solve a recognised problem?

Ms MORGAN-WICKS - Yes, they do.

CHAIR - Are the proposed works the best solution to meet identified needs or solve a recognised problem within the allocated budget?

Ms MORGAN-WICKS - Yes, they are.

CHAIR - Are the proposed works fit for purpose?

Ms MORGAN-WICKS - We believe they will be.

CHAIR - Do the proposed works provide value for money?

Ms MORGAN-WICKS - Yes, we think they will.

CHAIR - Are the proposed works a good use of public funds?

Ms MORGAN-WICKS - Yes, they are.

5 DOCUMENTS TAKEN INTO EVIDENCE

5.1 The following documents were taken into evidence and considered by the Committee:

- *Southern Remand Centre Program*, Submission to the Parliamentary Standing Committee on Public Works, Department of Justice.

6 CONCLUSION AND RECOMMENDATION

- 6.1 The Committee is satisfied that the need for the proposed works has been established. The proposed works will result in the construction of a new Remand Centre on the site of the Risdon Prison Centre and will upgrade key facilities to cater for the increased prison capacity.
- 6.2 The proposed works will provide increased capacity to meet the expected growth in prisoner numbers, while also meeting new standards and obligations with respect to the treatment of remand prisoners and accommodating different classes of prisoners. The proposed works will also play a key role in supporting the cultural change program within the prison system and will provide an environment more conducive to supporting the mental health, wellbeing and rehabilitation prospects of prisoners.
- 6.3 Accordingly, the Committee recommends the Southern Remand Centre Program, at an estimated cost of \$79.05 million, in accordance with the documentation submitted.

**Parliament House
Hobart
25 September 2019**

**Hon. Rob Valentine MLC
Chair**