



PARLIAMENT OF TASMANIA

PARLIAMENTARY STANDING COMMITTEE ON PUBLIC WORKS

Prisons Infrastructure Redevelopment Program, Stage D1

Brought up by Ms White and ordered by the House of Assembly to be printed.

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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 following reference -

Prisons Infrastructure Redevelopment Program, Stage D1

SCOPE OF WORKS

The scope of work proposed in this reference comprises:

- A new activities and education centre;
- A new industries building;
- Modifications to the existing education building in the medium-security precinct;
- Expansion of the exercise yards and inclusion of multipurpose rooms in the Derwent A and B maximum-security units;
- Expansion of the exercise yards and the addition of a shared multipurpose room in the Mersey and Huon maximum-security units;
- Additional exercise yards and multipurpose functionality in the RPC Transition unit (formerly known as the Tamar unit);
- A new 30-bed maximum-security accommodation unit to house prisoners with complex needs;
- Upgrade of the gatehouse to allow for expansion of the existing master control room, to incorporate a new dual-purpose emergency command centre/training room and address a range of security-related matters;
- A new vehicle lock to provide construction access to the facility in the short-term and become an emergency access/egress point in the longer-term;
- Relocation of the Tactical Response Group facility to beneath the Ron Barwick Minimum Security Prison, to create space on the first floor the gatehouse for the new incident control/training room; and
- Upgrades to electronic security systems to address shortfalls in existing duress, Closed Circuit Television (CCTV) and recording systems.

The full submission of the Department of Justice in support of this reference is published on the website of the Committee at:

<http://www.parliament.tas.gov.au/ctee/Joint/works.htm>

PROJECT COSTS

Item / Building	Cost \$
Gatehouse	225,000
Vehicle Lock	376,000
Tactical Response Group	567,000
Derwent A & B	428,000
Mersey / Huon	381,000
Tamar/Franklin	558,000
Industries Building	953,000
Recreation Building	1,502,000
Maximum Security Building	4,863,000
Medium Education Building	104,000
Site Infrastructure Works	415,000
Prototype Cell	70,000
Security	2,766,000
Construction Contingency	851,000
Net Construction Cost	14,059,000
Managing Contractor & Post Novation Design Fees	2,897,000
FFE & IT	758,000
PIRP Fees	1,288,000
Project Management & Pre-Novation Design Fees	1,088,000
Artwork	80,000
TOTAL PROJECT COST	\$20,170,000

EVIDENCE

The Committee commenced its inquiry on Friday, 19 October last with an inspection of the site of the proposed works. The Committee then resumed in Committee Room 2, Parliament House, whereupon the following witnesses appeared, made the Statutory Declaration and were examined by the Committee in public:-

- Robert Williams, Deputy Secretary, Department of Justice/Director of Corrective Services
- Gary Handl – Program Manager, PIRP Stage D
- Michael Flood, Project Manager, PIRP Stage D1
- Kavan Applegate, Director, Guymer Bailey Architects
- Barry Greenberry, Director of Prisons

Palmer Report

The Committee questioned the witnesses as to whether the recommendations of the Palmer review were integrated into the proposed works. Mr Williams responded:-

At the time the Palmer report was done we hadn't gone into a detailed planning phase for this development. By and large they were the things that were in scope. This is a follow-on from PIRP stage C, which happened about six years ago. Most of the things in scope now were things that were in scope before. Not everything, though; for example, we're not building a kitchen in this phase because the money doesn't run to it. We had decided that what we had put in scope is more needed in the system now.

Palmer did not really add a great new range of things but he supported the sorts of things we'd been talking about in the lead-up, especially around the Tamar Unit. He recognised the deficiencies in the infrastructure around that unit especially. The main scope we have now came from the processes we instituted after the Palmer report. He knew building this was on the horizon. It was the Palmer report that convinced the government to bring the money forward. We would have been starting a year later, so in that sense it influenced the timing of this project.

The Committee questioned Mr Williams as to whether the entire Stage D redevelopment should be undertaken at a cost of \$48 million as proposed in the Palmer Report. Mr Williams responded:-

You would have to ask the government on its deliberations about that because the only thing I have to do is to deliver the government's decision which is the \$20 million and make the best job of it within the circumstances I am given.

... There is no doubt that more is always better. There are certainly more things we could do with more money. We have been through an extensive consultation process with our staff and managers, including talking to prisoners, to determine what we could have in the scope for this project and by and large we have had to take some things out of scope that we originally thought of, but we think we have come up with a package of works which meets a whole range of needs and will significantly improve the operation of the prison. For example, we won't have a kitchen, which was one of the original things, but we think that the money is better spent on the things we have chosen to look at such as education, recreation facilities, an industry facility and those sorts of things.

Overview

Mr Williams provided the following overview of the proposed works:-

If I step back to the beginning we have the Breaking the Cycle strategic plan which Minister McKim put out just over a year-and-a-half ago. We started with that as the basis for our thinking about what sorts of facilities we would need. Goal number one, which is about rehabilitation and reintegration, has been at the top of our minds in this because apart from a number of prisoners, which you could count on your hand, every one of the people who are in gaol are going to come out. We have taken it on ourselves to do the best we can to make sure that when those people come out and they live in a suburb next to myself or to you that we have done the best we can to create better behaviour,

better responses and reduce the level of recidivism. That is why the focus of the current building has been on education facilities, multipurpose classrooms, recreation facilities, education capability, and the industry capability, because at the moment people in maximum security do not have significant education or recreation facilities to use. Exercise yards are far too small for the number of people who are using them and they don't have an industry facility.

Busy prisoners make a well-run prison and we have that in other parts of the prison. Our women's prison and our minimum-security prison run really well, in fact, they are probably as good as any you could find in the country because prisoners are busy with education. We have a bakery, a kitchen, a vegetable processing facility. Those sorts of things make prisons run well; people are busy and we are giving them skills. We really needed to complete the process in maximum security around that. In addition, making sure the infrastructure is safe for our staff. It is unacceptable that people are injured when they go to work. Working in prisons is a higher-risk occupation and we need to make sure that what we put in place such as these facilities that help the prisoners with education, keep them busy with industry, and reduce the tension inside the prison and that creates a situation where staff injury is less likely.

The Committee questioned the witnesses as to whether further development was planned and whether the subjects works, once completed, would compromise any further development on the site. Mr Williams responded:-

The ultimate question is for the government. We will certainly be putting up in the future further advancements in the system. There are issues to be dealt with. For example, Launceston Remand Centre needs to be looked at; it's quite an old prison. There are other parts of the system. We will be continually putting forward ideas. What the government decides to do with them is its business.

...I don't think they have compromised. There's enough land on the site and inside the maximum-security fence to permit us to be flexible. We have different areas that we could use for those facilities.

We are pretty happy that what we are getting with is a significant improvement in the operation of the prison. You could always have more, that is just a truism.

We have worked through this with staff to come up with the list of things that are in scope. We have done some scaling back and some adjusting to make sure we put together a package that fits the budget, but by and large, we have been able to accommodate the great needs that have been put forward to us. I am confident that we are getting a significant improvement.

I think it is a decision for the government to make in the future; where it prioritises it in the system. There will come a time when what we do in Launceston, for example, has to be considered. Ron Barwick, which is a minimum-security prison, is a 1960s building. It functions well at the moment because of the level of programs and activity. It's not really about the age of the building it is about how you run it. At some stage that will need to be considered. The process, in its origins, had a vision of a new minimum-security prison, a new northern prison and further development around it.

Adequacy of funding

The Committee questioned the witnesses as to whether the funding allocated to the works was sufficient to avoid the design flaws recognised in previous works at the site. Mr Williams responded:-

As we saw this morning, maximum-security accommodation was built, but with little activity capability available. In that sense, it wasn't the design, it was the fact that we didn't complete the capability rather than the design itself. I am confident that we will get very good outcomes from this.

Mr Palmer was very clear when I spoke to him that, while we needed to have this development - and he wanted us to have all of the \$48 million worth - it wasn't the only reason that we had to say that the place was dysfunctional in some ways. We had to change the morals of operation. We had to have a culture change and we have Mr Greenberry and Mr Edwards, who are both people with international experience. We have already achieved significant things without the infrastructure. I am really careful to not say that the infrastructure is a silver bullet because there are other things in terms of culture and operations that we have to do. With this investment, we can make the place a properly functioning prison in terms of infrastructure. The rest is up to us and our culture, attitude, staff and those sorts of things.

(The adequacy of the project budget) is something that has been at the very top of our mind in terms of the planning process. The way we have put the model together is we have hired the architects, we have hired the quantity surveyors, we have hired procurement advisers to make sure that we get the best possible projection of cost. Once this hearing is over and, if we get permission to proceed, we have a managing contractor in place who will then come in and start to work with our architects and give us a final staging of the process. We are confident now that we have got advice from experts that what we are proposing in the scope and what the designs have come up with is affordable within that \$20 million.

Northern prison

The Committee questioned the witnesses as to what, if any, consideration had been given to the development of a prison in the north of the State. Mr Williams responded:-

In the original plan for the prison redevelopment there is a northern prison which was scoped. It had some preliminary designs. Whether it goes ahead is a matter, in the end, for the government and based on whatever priority settings.

... If we were going to do that we would probably put (a new prison and the Launceston Remand Centre) together because then you would have your workforce centralised. You probably wouldn't set about building a new remand centre and a separate prison. If you were going to do it you would probably put them both together, possibly on a greenfield site. That is all hypothesising and guesswork because it really is a government decision as to whether they invest in that.

The Committee asked Mr Williams whether a northern prison would assist the management of prisoners and whether if such a facility was built, whether it would negatively impact upon Risdon Prison. Mr Williams responded:-

There's no doubt that having a northern facility would be beneficial to the prison system. It was in the original designs of the future plans for the prison infrastructure redevelopment programs, so it was clearly envisaged. While it remains completely a government policy issue as to whether we go there, if you're asking whether we would make good use of it, the answer is yes.

...One of the things that I would put into that mix is that we have the Hobart Reception Prison which is meant to be a temporary facility for people to come in, adjust to prison life and then move off into the system. Because of lack of capacity at Risdon we have people staying there for a significant time; it is part of having a small system. As we heard, if you have 30 prisons in New South Wales or a big state like Western Australia, if someone plays up or someone is vulnerable or someone needs protection you simply shift them to a prison where they don't have those sorts of problems. In Tasmania, it is much more difficult because of the small size. We keep people in, say, the Hobart Reception Prison for protection reasons.

Community value of proposed works

The proposition was put to the witnesses by the Committee that rather than improving the facilities for prisoners, the project budget could be better spent elsewhere in the public sector for the benefit of the community. The witnesses were then asked whether the proposed works would, if at all, benefit the community as a whole. Mr Williams responded:-

I believe so, but I can't answer the question about how the government sets its priorities. That is absolutely its domain.

In terms of a prison, go back to Breaking the Cycle. If you want a safe community, if you want corrections to contribute to a safer community, we have to use the time we have those people with us in a way that helps them deal with the issues that cause them problems; drug abuse and making poor choices. We have to work on all those things because if we don't, they will come out worse than they go in, and that makes us less safe. You can put people in prison, but they come out and they are going to live somewhere near you or I, and if we haven't given them some skills -. We do a mandatory literacy and numeracy assessment when people come in and it shows what you would expect, that a very high percentage of people have literacy and numeracy problems.

The government committed last year, through the education system, to literacy and numeracy coordinators for corrections and community corrections and in the prison. We have volunteers who are coordinated to come in and assist. We have people like the Red Cross come in to do things with parents to help them, not only helping the parent to read but to maintain the family connections because all of those have to exist for someone who comes out of prison. They have to have friends, they have to have family connections. They have to have some skills to get a job. You can't get a job if you can't read. You can't even get a basic job these days with OH&S requirements and things like that.

If we don't invest in having a prison that does more than just make people angry because you've locked them up and you've given them nowhere to learn and nowhere to use their physical energy or engage in industry, the community will be worse off. I have no doubt about that. This is for maximum security. While we have a system where we want people to move from maximum

security, through medium into minimum before they leave, it doesn't always happen because some people remain badly-behaved in prison. They will leave prison from maximum security. If they leave angry and unskilled, no-one is better off.

My sense is, we don't do this. The other thing is, people go stir-crazy. It's a real concept. It's not something from TV comedy. You lock people up with nothing to do they get agitated, they then take it out on the staff. We have had horrific injuries in the prison system that we should not have. It is absolutely soul destroying to see people, to talk to people who a year after they have been bashed in prison are still not coping with coming back to the place where they go to work every day. If you or I went to work with the notion that we could come home in an ambulance we would not want to go to work either. This whole thing, as Palmer pulled it together, is not one thing.

Workplace safety is one of the key things that we are trying to achieve. Prisoner comfort is not something we are really concerned about. We want to make sure we keep people humanely, their punishment is going to gaol. We do not exercise unnecessary activities in gaol to further punish them.

Mr Greenberry added:-

Without these facilities we are not doing as much as we could do to help make the community safer. Although I can fully understand from outside the prison you are applying different priorities, the reality is that this is an investment in the community, because people will come out with more skills, with more support, with more direction to help them stop re-offending. That is obvious because at the moment we have got a prison that was half built and I understand that this committee previously wanted the prison to be fully built. It is only fulfilling that previous design. It is as simple as that. It is no more complicated. If we do not have places and facilities to train prisoners we are not going to help them in a way that we should be doing as a public service.

Prisoner programs

The Committee questioned the witnesses as to how investment in prisoner programs had been accommodated within the recurrent budget of the Department of Justice. Mr Williams responded:-

... we will need some extra resourcing to run those programs. One of the things that Barry and Brian have been looking at in the last few months is; we haven't reached the stage where the way we operate now is as efficient as it should be. We have high overtime. We have high sick leave. Before I go to the Government and say that I need more money to run the prison service we have to get some of those things under control because until they are we can't say that we are under-resourced because we need to actually fix those things. There is no doubt more resources need to go into that operation. It is how much can we take from an inefficient system to do that.

... I can say that in the last year we think that the amount of education effort that we are getting into the prison has risen more than 50 per cent, especially in the area of vocational education and training. It helps that you have a Minister for Education who understands the prisons intimately, but these are people who haven't got to year 10. These are people who haven't finished their basic education. We have focused in the last year on increasing vocational education so that people are coming out with tickets to do scaffolding, first aid, and

OH&S, so employers go, 'That's three months of training costs I don't have to do to get someone onto the building site to start an apprenticeship or to get into some sort of labouring job.' You need certificates in things to get on any site where you are doing blue-collar work these days. We are trying to give them that and the education system has added a lot to that.

The Committee asked Mr Williams what, if any, consideration had been given to mandating programs, he responded:-

... Our advice is that if you mandate them you can get negative outcomes because some people aren't suitable, some people can't start the courses because at the beginning of those courses you have to admit you are offending, so if you don't admit it then there's no point in starting the course.

In those circumstances, where we think people should be doing a course of how to deal with their sex offending or anger management, we encourage that and we actively go back to the people who say no, especially for the sex offending courses, and we try to convince them to do it.

Some people are in and out so quickly that they don't get much benefit from our educational or criminogenic [sic] programs. If they are in for three months they are barely in the system before they are planning their release, so they don't get a lot.

For people who are in there long-term - we have a huge number of people doing years 10, 11 and 12 education and large numbers of people are now doing VET (vocational education and training) courses in construction and hospitality. We have had people leaving who have done barista courses in the prison who now have jobs from that.

Consultation with Corrective Services Officers

The Committee referenced the submission of the Department which made it quite clear that correctional staff were very critical of stage C of the PIRP because of that perceived or real lack of engagement with operational practitioners. Accordingly, the Committee questioned the witnesses as to what, if any, consultation had been undertaken in relation to the proposed works. Mr Williams responded:-

... There are a lot of staff who feel let down that the first stage did not include these sorts of facilities. That was one of the key drivers of some of the industrial unrest; they felt betrayed. That they were told they were going to get a prison with all the bells and whistles and they just got accommodation. There were all sorts of reasons for that and I am not criticising that, but that is how staff felt. We have got this \$20 million - Mr Palmer suggested it should be \$48 million - and I am absolutely hell-bent that we would engage the staff in a way that they understand that if this is all we are going to get in the foreseeable future for that facility then they had to agree that we were getting the best value for the money in terms of their expertise.

We ran workshops with the staff to get the scope sorted about what they thought we wanted. To fit it into the funding we have had to adjust here and there and things are not quite as big as they might have been, but we have got general agreement from the staff that we have managed to capture most of the things that they wanted. I don't know whether Gary might want to talk

about that if you want some more information because this was the most critical thing; when this project is done if we have not got it right for staff we are back where we were last year with inadequate facilities and industrial unrest. To me this was the heart of the project. The staff had to say what they thought we needed because it is their prison. They live in it every single day. They get hurt in it and they have got to tell us how to get out of that cycle of prisoner unrest, staff injury and essentially a badly-managed facility.

...Over the years there was a level of mistrust that built up between management and staff. Until Brian and Barry arrived we were finding it really hard to get compromise and to get sensible changes happening because there was this level of mistrust largely because the staff felt let down that they did not have the fully-built prison.

The trust factor is not fixed yet, but we have certainly come a long way in the last few months and we now have the staff and management agreeing on innovative ways to manage some of these things. One of them was to move more staff into that particular area and let them manage it. Palmer was quite right; we cannot blame the infrastructure alone for all the problems we had, but if we don't put it in there we will still have all the problems because prisoners who go stir-crazy are going to assault staff and that is just unacceptable.

Design deficiencies

The Committee invited the witnesses to explain how the well documented design deficiencies of Stage C were addressed in the proposed works. Mr Applegate responded:-

...The approach we took was quite extensive in terms of staff engagement. Because there were always going to be individual building areas, the way we approached it was to put the request out to staff and they were encouraged within the TPS to attend these user group sessions. The system backfilled all those positions so they were free to come along. We had a very good turn out. We used a whiteboard session where we initially put up what was included in the original briefing document that we were given and we were open with them and said, 'This is what we've been told the need is in this particular area. To start with, do you agree?' and then we filled the whiteboard for each of these areas. There was some good analytical discussion, both at operational and program-delivery level. We stayed right away, at that early stage, from what the infrastructure solution would be. It was purely about needs. It was about what they needed to do the job. What were the issues they were having with their current facility and what sort of things would be needed to fix those.

We filled the whiteboard and took photographic evidence of it and then, when we went away, we had further discussions with prison management and bounced a few more ideas around, then we came back a number of weeks later and presented the scheme back to the staff. The way we did that was, we had the photographic evidence of the whiteboard and we put that back up on the screen and said, 'This is what we talked about' and then we went through point by point, 'These are all the things you asked for and this is how we have incorporated them'. It was quite eye-opening for many of the staff. They were actually taking ownership of individual bits, 'That's right, that's what I asked for and this is how it has been incorporated'.

There were a couple of minor things where we understood something they had said a particular way and they said, 'I can see how you took that, but you've

probably misinterpreted it a bit', so we refined those in the next scheme and there were others where they said, 'Yes, that's exactly what I asked for, but now I don't think that's going to work the way we thought it would. Can we change those?'

We went through this process a number of times through each of the building areas including accommodation, recreation, industries and also how we were dealing with the gatehouse. The TRG area was a great suggestion that came out of the staff body. The original brief we had was that the TRG area was an extension to the gatehouse building but, driven from within that group, they were saying, 'It's clearly going to be an expensive solution to try to extend an operating gatehouse and maintain the security'. There were some limitations in what they could achieve in that environment so eventually we relocated the whole TRG to a separate location Ron Barwick centre which gives them more area in a most cost-effective way than was originally envisaged.

Rob mentioned the value management process we went through. A lot of those ideas came from the staff group as well. Once they saw what was being proposed and they were aware of the cultural change that was occurring, the shift of any infrastructure design solution was greatly influenced.

Another good case in point is the recreation building that we saw the location of onsite. That was initially a large basketball court with a weights room off to the side and a programs room. We were looking to have more programs rooms in the individual, maximum-security accommodation areas. The more we discussed that with staff, the more they were telling us that the whole idea of trying to get the prisoners out of their units and into a normalised environment and the daily routine of leaving where you live and going off to school or work, was being hampered by the fact that we were trying to build these programs rooms inside a maximum-security unit. We were also aware that we may not be able to vacate to do the construction work, which was going to create all sorts of construction issues. It was through that discussion that the idea arose that we should put more of these programs and education spaces adjacent to the recreation building. This is a much easier build and a much more cost-effective solution and provides much more flexibility for staff in how they manage those areas.

... There are a number of these areas where we are making sure we are taking onboard the learnings that have occurred within the facility already. In some ways it is - we have a model of things that have worked fine in other jurisdictions. The prisoners in RPC have managed to treat them with a lot more rigour -.

... We have been working very closely with the prison services maintenance area. We walked through each of those areas with the maintenance area and they pointed out to us the things that had been damaged before. We have a list of all those and we are working through the solutions as to how we install those in such a way -

The other thing we have included in the project is a prototype cell. We are going to build a whole new cell and that is costed and part of the earlier works package in the program. We're looking at a more contemporary cell layout. It was a recommendation from us, and supported by TPS, that we build a whole new cell so that the managing contractor can walk on board and completely understand any issues with building one of these cells before they roll out the final 30. It is an ongoing value to the prison services as a training facility. When

new staff come on board they understand how you go about searching a cell as part of their training regime before they are in the facility itself.

DOCUMENTS TAKEN INTO EVIDENCE

The following document was taken into evidence and considered by the Committee:

- Department of Justice - Prisons Infrastructure Redevelopment Program, Stage D1 Project – Submission to the Parliamentary Standing Committee on Public Works – October 2012;
- Breakdown of prison population by principal offence.

CONCLUSION AND RECOMMENDATION

The need for the proposed works was clearly established and will address the inadequacies that resulted from the deferral of funding for the completion of the original scope of the Risdon Prison Complex redevelopment.

The works will ensure the safe and secure accommodation of maximum and medium-security male prisoners and will provide basic/foundation level education, program, industries, welfare, reintegration services, and other meaningful activities’.

In relation to longer-term prisoners who progress through the prison system to other facilities, the redevelopment will assist to establish a strong base from which they can confidently engage in rehabilitative/developmental activities suitable to their needs. In the case of shorter-term prisoners, the redevelopment will enable the provision of services and opportunities for prisoners to undertake activities relevant to their in-prison needs, and to support a successful reintegration to the community.

The Committee recommends the project, in accordance with the documentation submitted.

**Parliament House
Hobart
9 November 2012**

**Hon. G. R. Hall M.L.C.
Acting Chairman**