

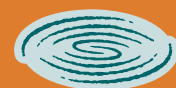


REVIEW OF REGIONAL YOUTH CUSTODIAL  
TRANSPORT SERVICES IN WESTERN AUSTRALIA

74

AUGUST 2011  
REPORT

*Independent oversight  
that contributes to a more  
accountable public sector.*



OFFICE OF THE INSPECTOR  
OF CUSTODIAL SERVICES

**Review of Regional Youth Custodial Transport  
Services in Western Australia**

Office of the Inspector of Custodial Services  
Level 27, 197 St George's Terrace, Perth WA 6000

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# The Inspector's Overview

## TRANSPORTING YOUNG PEOPLE FROM REGIONAL WESTERN AUSTRALIA: SOME POSITIVE DEVELOPMENTS AND FURTHER OPPORTUNITIES

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This report examines the arrangements for transporting arrested children from regional Western Australia. Naturally, it falls to the police to transfer children from the point of arrest to the nearest regional lockup. Traditionally, however, the police have been responsible for far more than this, including transporting those children who have been remanded in custody or sentenced to detention from the regions to the Rangeview Remand Centre in Perth and also, if required, transferring them from Perth to regional courts and back. Previous reports by this Office have raised concerns about these arrangements, including the use of unsuitable vehicles, and have made recommendations for review.<sup>i</sup> The police shared similar concerns and were also concerned that such work was taking them away from core frontline functions.

In November 2010, WA Police and the Department of Corrective Services (DCS) began a 12-month trial during which DCS has taken over responsibility transporting children from regional lockups to Perth and, if required, back to regional courts. This report, which is based on document reviews, interviews and fieldwork, provides an independent evaluation of this trial. Our findings are generally positive and give strong support to DCS continuing to undertake such transports.

### OPERATIONAL PERFORMANCE

The Service Level Agreement governing the trial set an expectation that escorts from 'country' areas (defined as places within a 450km radius of Perth) would be completed within 12 hours of official notification being received by DCS. Escorts from 'regional' areas (places outside the 450km radius) were expected to be completed within 24 hours of official notification. Given the size of the State and the logistics that may be involved, these can be challenging targets. However, some lockups are in relatively poor condition and the experience is clearly oppressive, distressing and isolating for many children.<sup>ii</sup> It is obviously important, therefore, to ensure that children are not kept in regional lockups for any longer than is absolutely necessary.

We found that from November 2010 to March 2011, 74 per cent of regional transports and 70 per cent of country transports were being completed within the target timeframes.<sup>iii</sup> This is a creditable achievement, especially in the first few months of the trial,<sup>iv</sup> but there is also room for improvement. In terms of country locations, we were surprised to find that only 60 per cent of transfers from Bunbury, just two hours from Perth, had been completed within the 12 hour target and in one case that a transfer had taken more than 24 hours. This meant that the young people in question were kept in a lockup even though they were only two hours from Perth. Other examples from country areas have come to our attention

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i Office of the Inspector of Custodial Services (OICS), *Thematic Review of Custodial Transport Services*, Report No. 43 (May 2007), Recommendation 38. See also Recommendations 14 and 39.

ii See paragraphs 3.26 – 3.37.

iii It is important to examine performance in terms of the number of cases where the target was met, and not on the basis of 'average time' taken for escorts from a particular place. For example, on average it took around nine hours for transfers from Bunbury to Perth (well under 12 hours), but some 40 per cent of cases actually took well over 12 hours.

iv We do not have comparative data to compare DCS performance with WA Police performance.

## TRANSPORTING YOUNG PEOPLE FROM REGIONAL WESTERN AUSTRALIA: SOME POSITIVE DEVELOPMENTS AND FURTHER OPPORTUNITIES

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subsequently.<sup>v</sup> It is difficult to comprehend this situation.

We found that children in regional areas are very likely to spend at least one night in a police lockup after a request for transport was made. The position is particularly acute in Kununurra where almost three quarters of them spent at least two nights in the lockup after their initial court appearance.<sup>vi</sup> Young people arrested on the weekend often have to spend a night or two in custody before their initial court appearance, so some will have spent three or four nights in custody before being transported. Given the size of the State it is very difficult to prevent this under the current arrangements for transfers. Youth custodial officers based in Perth, not officers based in the regions, are responsible for the transfers, so they must therefore first fly to the regional centre to escort the child to Perth.

### YOUNG PEOPLE'S EXPERIENCES

Overall, the young people interviewed for the purposes of this review were very positive about the experience of being transported by DCS staff, giving this a rating of 7.5 out of 10. They were positive about both the mode of transport and their treatment by staff. They were less positive about their experiences of being transported by the police and gave a very low rating to their experience in a lockup (just 3.3 out of 10). Their concerns about the lockup covered a whole range of matters, including the quality of food and bedding, the condition of the lockups, the threatening tone of graffiti, the inability to mix with others, lack of access to exercise, isolation from family and lack of access to lawyers.

### OPPORTUNITIES FOR IMPROVEMENT

There are only three recommendations in this report. The first, which is agreed by all the parties and was already the subject of action, is that DCS should continue to be responsible for transporting young people between country and regional areas and the Perth based detention centres. This report should give Parliament and the public some confidence that this is an improvement on previous arrangements.

A number of important initiatives are currently being pursued to reduce the number of occasions on which children need to be transported to Perth. The most notable of these are the regional youth justice strategies which aim to reduce offending and to enhance the opportunities for magistrates to grant conditional bail to young people rather than remanding them in custody. The President of the Children's Court is also pursuing whatever options lie within the control of the courts.

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v As this report was being finalised we became aware of a case at Bunbury where the Magistrate had remanded a young woman in custody on the express basis that she was to be transferred that day to Rangeview Remand Centre where she could access legal advice and apply for supervised bail. The Magistrate was taken by surprise when, contrary to her express wishes, the young woman appeared before her again the following morning.

vi In one well-publicised case a 12-year old boy was reportedly incarcerated in Kununurra police lockup for some nine days: Banks A, 'Police lockup no place for a child', *The West Australian*, (1 June 2011) (<http://au.news.yahoo.com/thewest/opinion/post/-/blog/talkingpoint/post/39/comment>); ABC: 'Boy spends nine days in WA lockup', (<http://www.abc.net.au/news/stories/2011/05/28/3229628.htm>).

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However, some children will still need to be transported and we have made two recommendations to promote improvements. First, the overriding need is to reduce to an absolute minimum the time spent by children in police lockups. We have therefore recommended potential changes to the service model. The options suggested include using regionally based Youth Justice Services Officers (if necessary, providing them with additional training) to conduct escorts and also greater use of air charters and the Police Airwing.<sup>vii</sup> The President of the Children's Court has expressed his support for this recommendation<sup>viii</sup> and WA Police have also expressed in principle support. Unfortunately, DCS has not supported this recommendation but does say that it will continue to refine its service delivery. We will continue to monitor the extent of delays in transport and hope to be able to report on improvements in future reviews.

We have also recommended that there be a review of support services to children in police lockups so that the regime can be improved for those who must stay there overnight or for more than one night. The aim of this recommendation is to better meet the State's duty of care to those children. It is pleasing to see that this recommendation is supported by WA Police and the President of the Children's Court, although DCS expressed only partial support. The recommendation is obviously relevant to a number of other government agencies as well as DCS and the police but DCS has stated that it will take the recommendation to an interagency steering group. Again, we hope to be able to report in future that there have been material improvements in the services provided to children in regional lockups.

More generally, it is time for a concerted discussion involving community members as well as relevant government departments about how youth and children are best managed in custody in regional areas before being transported. Even when all the regional youth justice initiatives are fully operational, some children will still be held in custody and appropriate and consistent standards should be developed with respect to accommodation, care and support services.

Neil Morgan  
Inspector of Custodial Services

30 August 2011

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vii See Appendix 1. Under the Service Level Agreement, the police agreed to provide 'on a best endeavours basis, priority access to the WA Police Airwing for the transport of DCS staff and young people to areas from Perth to regional Western Australia and return.' Our figures suggested that the Airwing had only been utilised on five occasions over the review period, four times from Kununurra and once from Mount Magnet.

viii Personal communication with the Inspector, 11 August 2011.





# Chapter 1

## INTRODUCTION

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### PURPOSE OF THE REVIEW

- 1.1 The Office of the Inspector of Custodial Services (OICS) has long expressed concerns about traditional arrangements for transportation of children and youth to and from police lockups and the time some spent in police lockups. Police in WA have always had responsibility for transfers of arrested young people from small towns or communities into regional centres where they may be held until an initial court appearance.<sup>1</sup> For many years police have also had sole responsibility for transport of those remanded in custody or sentenced to detention from such regional centres to Rangeview Remand Centre in Perth.<sup>2</sup> They have also been required to return young people from Perth for appearances in regional courts. While transfers between regional centres in the Kimberley and Pilbara region to Perth were done using commercial air transport, most intra-regional transport and inter-regional transport from the middle, east and southern parts of WA to the metropolitan area were undertaken in vehicles wholly unsuitable for passenger transport over any distance.
- 1.2 Arrangements for the transport of children and youth were discussed in the *Thematic Review of Custodial Transport Services in Western Australia* which recommended that the Department of Corrective Services (DCS) review arrangements for both intra-regional and inter-regional transport of young people.<sup>3</sup> After a period of extended discussion, WA Police and DCS entered a Memorandum of Understanding (MoU) for a 12-month trial of new transport arrangements, which commenced on 1 November 2010. Responsibility for regional transport services for young people from most regional lockups back to Perth, and back to regional courts if required, was transferred from police to DCS. Intraregional transport by police remains unaffected.
- 1.3 Naturally, in the course of this trial, a decision will have to be made whether to make the new arrangements permanent or revert to traditional arrangements. This Review is intended contribute to government decisions about continuation of the present arrangement and to provide a measure of public and parliamentary scrutiny of such a controversial area. It is limited to the new regional transport arrangements and does not include other aspects of youth custodial transport such as transfers to and from metropolitan courts, transfers between centres, medical escorts or funeral escorts which were addressed in another recent review.<sup>4</sup>

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1 Police in metropolitan Perth and adjacent country areas are also required to transfer arrested youth to Rangeview Remand Centre, if not released on bail.

2 Rangeview Remand Centre, at Murdoch in Perth was opened in 1994. It is the receival centre for all youth coming into detention, including those on remand, those newly sentence and those arrested and not bailed from the metropolitan and surrounding areas. In early 2012, Banksia Hill Detention Centre at CanningVale in Perth will take over this receival role.

3 Office of the Inspector of Custodial Services (OICS), *Thematic Review of Custodial Transport Services*, Report No. 43 (May 2007), Recommendation 38. See also Recommendations 14, 39.

4 OICS, *Thematic Review of Court Security and Custodial Services in Western Australia*, Report No. 65 (May 2010).

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### CONDUCT OF THE REVIEW

1.4 The Review was announced to the Department of Corrective Services on 14 February 2011 and subsequently to the WA Police. Certain documentation was requested of the Department of Corrective Services and duly received. Fieldwork commenced on 14 March 2011 and concluded on 11 April 2011 and included the following:

- An OICS officer accompanied an escort team from Rangeview to Kununurra and back. Another OICS officer accompanied an escort team on an air-charter to and from Meekatharra.
- As it was not practical for an OICS representative to join a road escort, a mock road escort was conducted with two OICS officers carried in the escort van for a brief period.
- OICS officers also visited Broome and Kununurra and consulted with Officers-in-Charge of Police, with Youth Justice Services staff, with Clerks of Court in both towns, and with the Magistrate based in Kununurra.<sup>5</sup> Officers also observed the transfer of a young person from the Kununurra Police Lockup to Youth Custodial Services officers escorting that person onto an Air North flight to Broome, as part of their transport to Perth.
- The Inspector and other team members consulted members of the Council of the Shire of Ngaanyatjarraku, the Shire President and the Officer-in-Charge of the Multifunction Police Facility at Warburton about regional transport arrangements for young people and related issues.<sup>6</sup>
- The Inspector and other team members also consulted with Youth Justice Services staff, with Magistrates and the Aboriginal Legal Service in Kalgoorlie.
- OICS also met with His Honour, Judge D. Reynolds, President of the Children's Court of WA to ascertain judicial views and policy on the question of regional youth transport arrangements.
- Thirty four young people were interviewed by Inspections and Research officers about their regional custodial transport experiences with Youth Custodial Services, time spent in custody awaiting transport and as a comparator, any experiences they had of transport experience with WA Police.

1.5 Following completion of the fieldwork, an email was circulated to staff of the Youth Custodial Services Transport unit inviting comment. None was provided. OICS representatives also met with the relevant Inspector and Senior Sergeant from WA Police involved in negotiating the MoU with DCS. Relevant documents such as the MoU, procedures, incidents, program reports and statistical data of transports undertaken were also examined and analysed.

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5 This fieldwork coincided with scheduled visits by OICS officers to Broome Regional Prison, Wyndham Work Camp and Court Security & Custodial Services operations in Broome and Kununurra.

6 The primary reason for the visit to Warburton was to consult the community about development by DCS of a Work Camp adjacent to the community.

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*Figure 1: Hyundai iMax van customised for youth custodial transport*

## BACKGROUND

- 1.6 Western Australia has never had a secure detention facility for young offenders outside metropolitan Perth. At least since responsibility for juvenile justice was handed over from the department responsible for welfare to that responsible for corrections in 1993, police have been solely responsible for escorting remanded or sentenced young people from regional areas to detention centres in Perth, and if required, back to a regional court.<sup>7</sup>
- 1.7 The Court Security and Custodial Services (CS&CS) contract which commenced on 31 July 2000 saw the private sector take on most aspects of adult prisoner transport. It was envisaged that the contractor would assume responsibility for regional transport of juveniles as part of Stage 2 of the contract.<sup>8</sup> Apart from difficulties costing and scoping such a service, it is understood that juvenile justice authorities within the former Ministry of Justice had argued that young people were safest in the hands of public officers.
- 1.8 This system, however, has not been without its critics. Many police, Justices of the Peace, families of offending youth and community members in the regions have long contended that children should not be sent so far away from their families or exposed to contact with sophisticated young offenders from the metropolitan area or elsewhere. It is often said that young people held in centres in Perth often carry a significant emotional burden from their

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7 It is understood that before July 1993, officers authorised under the *Child Welfare Act 1947* shared responsibility for transport of juveniles in custody. The Department responsible for welfare at the time was the Department for Community Development (becoming Family and Community Services) with the new Ministry of Justice having the corrections portfolio.

8 The transport of juvenile detainees within metropolitan Perth, and escorts to medicals and funerals (including in regions) was however, included in scope of the CS&CS contract from its commencement until 1 August 2004, when this service reverted to the former Juvenile Custodial Services Directorate in the Department of Justice.

## INTRODUCTION

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sense of cultural dislocation and their loss of connection with their parents, siblings and other close relatives.

- 1.9 Such views have sometimes coincided with public discourse in regional areas suggesting that local detention facilities would ensure that more young people were kept off the streets and prevented from offending in their towns and communities. Against this, many juvenile justice and welfare authorities have long contended that police and courts would quickly fill any regional facility that was built, and that many more young people would find themselves in custody as a result. They say there should be more investment in community-based programs not custodial facilities.
- 1.10 In its 2005 election campaign, the WA Labor Government committed itself to establishing juvenile detention facilities in Kalgoorlie and Geraldton. However, following the election the Department successfully persuaded Government to establish multi-pronged youth services in Geraldton and Kalgoorlie in lieu of youth detention centres.<sup>9</sup> This Regional Youth Justice Strategy included offending prevention and support services to young people cautioned by police and their families, bail support services including bail accommodation placements, the Juvenile Justice Team diversionary process, statutory youth justice services to supervise community based orders and the family intervention treatment program for more serious offenders.<sup>10</sup>
- 1.11 These services have certainly reduced demand to a significant degree for youth custodial accommodation of young people from Kalgoorlie and Geraldton although the numbers of escorts (reported in chapter 3) for Kalgoorlie in December 2010/January 2011 indicates they have not been entirely successful in this respect. Nevertheless, the present Government has committed to extending this multi-service Regional Youth Justice Strategy to the East and West Kimberley and the Pilbara regions in the period 2011–13. These resources are likely to make a major contribution to preventing and addressing through local means, offender behaviour in places they operate and to reducing demand for custodial transport to Perth.
- 1.12 Still, repeat offending by some young people and the serious nature of some of their charges which disqualifies them from family or bail accommodation options means that courts will always have a requirement for custodial remands and sentences for a proportion of regional youth or children. The issue of regional detention facilities or programs is therefore likely to arise again in the future.
- 1.13 Police have also complained that juvenile escorts to Perth were a very costly operational burden for them. While adults were able to be handed over to a remand facility at the regional prison, juveniles had to be escorted by air or road transport all the way to Perth. Airfares from the Pilbara and Kimberley regions were a major item in local police budgets and the loss of two officers from frontline operations for many hours and sometimes days had a considerable impact on frontline operations in affected communities.

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9 OICS, *Thematic Review of Custodial Transport Services*, Report No. 43 (May 2007) 113.

10 The Family Intensive Treatment program is no longer operative. Intervention is instead provided by psychologists and programs officers.

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- 1.14 Juvenile justice authorities and others were also at times critical of the extended time spent by young people in sub-standard regional police lockups waiting for police to arrange transport to Perth, often against considerable operational constraints. While transfers by commercial airline services were fairly straightforward, young people would normally be transported from places like Carnarvon, Meekatharra, Kalgoorlie, Geraldton and Albany by road, often using a daisy-chain process, with police handing the detainee onto police from the next major town half-way down the road until reaching Rangeview in Perth. Young people travelled in the rear end of paddy-wagons, troop-carriers or other vans wholly unsuited for human transport over any real distance.
- 1.15 The situation was compounded for young people from remote communities who first had to be brought in by road, for example from Balgo Aboriginal Community to Hall's Creek and from there to Kununurra. In the case of young people from Warburton and its sister communities, they were generally taken on a two day road journey to Kalgoorlie, followed by another day journey by road to Perth. This sometimes took longer if the police patrol had further business on the way, or they had to wait in Kalgoorlie for a further court appearance, or for their next transport to be arranged.
- 1.16 These issues were publicly raised in the *Thematic Review of Custodial Transport Services in Western Australia* by the Office of the Inspector of Custodial Services published in May 2007:
- JCS [Juvenile Custodial Services] have traditionally taken the position that the police provide an inherently better service than can be provided by a non-government provider. Field-work suggests that this is a questionable assumption. Police do not see custodial transport as core business and the conveyance of juveniles, often along the same routes as adults seems especially inefficient. Juveniles often resent police and are difficult and uncooperative. Police often cannot afford effective segregation of juveniles from adults either in police vehicles, or local lockups.<sup>11</sup>
- 1.17 The 2007 Thematic Review noted that police were exploring use of the private contractor as an alternative process for regional transport of juveniles and were also in discussion with Juvenile Custodial Services, who at that time indicated they were not in a position to assist with any transportation by the police.<sup>12</sup> The Review recommended that the Department of Corrective Services 'review arrangements for intra-regional transport of juveniles and transport of juveniles from remote regions to Perth with a view to service provision by the Court Security and Custodial Services (CS&CS) contractor and/or, where possible by the Juvenile Custodial Services Transport unit.'<sup>13</sup>
- 1.18 The Department of Corrective Services embarked on a range of reforms to custodial transport generally in the wake of the death of Mr Ward from heatstroke in the back of a state-owned van operated by its CS&CS contractor in January 2008. This included replacement of the custodial transport fleet, contractual reform and reforms to standards and procedures. These are documented and discussed in the *Thematic Review of Court Security*

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11 OICS, *Thematic Review of Custodial Transport Services in Western Australia*, Report No. 43 (May 2007) 113. See also 18, 33, 43-44 & 112-114.

12 Ibid, 113.

13 Ibid, 114.

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*and Custodial Services in Western Australia* published in May 2010.<sup>14</sup> Police also reconsidered how best to manage their risks relating to regional and remote area transport of both adults in custody and juveniles. The question of regional transport of juveniles was also revisited in the 2010 Review. It was reported that WA Police and DCS were in active negotiation over transfer of responsibility for aspects of regional transport from police to Juvenile Custodial Services (now known as Youth Custodial Services).<sup>15</sup>

### ESTABLISHMENT OF THE YCS REGIONAL TRANSPORT TRIAL

1.19 The negotiations between WA Police and DCS were productive and by early 2010, a set of agreed principles ('key points') had been determined to allow a 12 month trial of regional juvenile justice transport services by Youth Custodial Services. Development of a service model and operational policies and protocols was well advanced. A business case presented to the WA Government was successful, and on 24 May 2010 the following announcement was made by the Minister:

The Department of Corrective Services will take back responsibility from WA Police for the transportation of juvenile offenders in regional Western Australia next November... Corrective Services Minister Christian Porter said the decision would mean the police would no longer have to transport juveniles over long distances in vehicles not designed for long distance transportation.

"A transfer of funding from WA Police will allow DCS to employ additional custodial officers to manage the transportation of juveniles," Mr Porter said.

"They will be specially trained to be able to deal with juvenile offender issues, thereby enhancing the facilitation of a safe, secure and decent transportation system."<sup>16</sup>

1.20 On 11 June 2010, the Director, Youth Custodial Services for DCS sent a letter to the Director, Legal Services, Aboriginal Legal Services WA (ALSWA) outlining what was proposed and the key points on which the service would be established, inviting feedback. A detailed submission was provided by ALSWA welcoming the initiative, but raising a number of questions and issues, including in summary:

- The nature of the promised 'extensive specialised training' for transport staff and the need to recruit more Aboriginal staff, including those based in regional areas;
- That young people would still in many cases often be left as long as 24 hours in 'unsuitable' regional police lockups. It was questioned whether air charters were either sustainable or likely to be available within necessary timeframes;
- The location of 'hubs' from which young people would be collected by air transport and transport arrangements to these hubs;
- A request to see policies and protocols being developed;

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14 OICS, *Thematic Review of Court Security and Custodial Services in Western Australia*, Report No. 65 (May 2010).

15 Ibid, 89-90 (see also xiv).

16 The Hon Christian Porter, Attorney General Of Western Australia, *Changes to juvenile and adult prisoner transportation*, Ministerial Media Statements, 24 May 2010 (available at <http://www.mediastatements.wa.gov.au>).



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- Arrangements for assessing fitness to travel;
- Food and water should be provided on shorter as well as longer journeys;
- Whether police will make their facilities available for rest stops on road journeys and whether privacy for youth will be safeguarded when using public facilities;
- Vehicle design, including the ability of officers and young people to interact; it was suggested young people have blankets in case air conditioning was too strong;
- The need to complement increased use of court videolink systems which have the potential to reduce the need for custodial transport of regional youth with private videolink systems between youth and their lawyers and provision of an independent support person for the young person whilst appearing in court via videolink;
- The need for bail hostels and supervised bail in regional areas, and the importance of pursuing a justice reinvestment program in regions to reduce underlying incarceration rates;
- Adequacy of arrangements for repatriation of youth back to their homes with appropriate support;
- The need for care to maintain good relations over time between youth and those involved in the transport service.

- 1.21 A detailed reply was given to the ALSWA submission by the Director, Youth Custodial Services on 7 July 2010 providing more detail and answering the questions and issues raised. ALSWA also had the opportunity to see the transport vehicle under development and to talk further about the issues raised. While ALSWA would have been satisfied with many of these responses, the Department did not commit to engaging staff in the regions or to increasing Aboriginal staffing for this service. Furthermore, there was no real change in fitness to travel assessments – police are required to assess fitness to travel prior to any transport by DCS.
- 1.22 On the question of youth being left in police lockups for any period, DCS were confident that air charters would indeed be available to ensure timely transport, and established Key Performance Indicator 5.1.5 to monitor the length of time young people spend in lockup following notification the Department that that they have been remanded or sentenced and require transport to youth custodial centre.<sup>17</sup>
- 1.23 By August 2010 a Memorandum of Understanding (MoU) between WA Police and DCS was developed which ‘establishes the principles for the expansion of the existing metropolitan juvenile transportation services to ‘in house’ service provision in regional areas inclusively’. A Service Level Agreement was included as an attachment, and was signed by the two Commissioners after resource issues for the pilot were resolved.

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17 The text of this paragraph from third line is paraphrased from the response of DCS to the draft report. The response continued: ‘The Western Australia Police did not have this (KPI) before. The Department works towards minimising the length of time youths are held in police lockup/custody following notification to the Department. Regional Youth Transport is currently achieving a significant reduction in nights spent by young people in lock ups. Since commencing the transportation of young people in November 2010, young people have spent nine hours, on average, in lock up over the targets set out in Regional Youth Transport performance indicators.’

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- 1.24 The title of the MoU is interesting: *A pilot for the transportation of juvenile offenders within the State of Western Australia within the provisions of the Memorandum of Understanding between the Ministry of Justice and Western Australia Police Service for the “Continued Provision of Court Security and Custodial Services, February 01 2000”*.
- 1.25 The MoU of 2000, was based on a reading of the *Court Security and Custodial Services Act 1999* that the CEO of the responsible Department (then Justice, now Corrective Services) had statutory responsibility for all court security and court custody and prisoner transport services, some of which it delegated back to WA Police through the MoU and some of which it delegated to the CS&CS contractor. Police were supposed to report on their performance to the CEO of the Ministry of Justice as part of the CEO’s consolidated reporting of CS&CS activities. A set of performance measures for this was included in the MoU. This reporting by police to the Ministry of Justice never happened.
- 1.26 The MoU of 2011 delegates transport of juvenile offenders in the regional areas back to the Department responsible for CS&CS, namely the Department for Corrective Services. It includes a very different set of performance (‘output’) measures and reverses the reporting lines, requiring DCS to report to WA Police. A joint oversight committee is to meet quarterly.
- 1.27 This arrangement is convoluted but sufficient for the present trial. Police have indicated that they consider the original MoU with the Ministry of Justice will expire at the time new service provision is due to commence under a new CS&CS contract on 31 July 2011. Police are in negotiations with DCS over any continuing responsibilities they may assume under the CS&CS Act into the future.

## HOW THE SERVICE OPERATES

- 1.28 The Service Level Agreement states that the program involves two types of transport for young offenders:
- The provision of transport for young people who are in detention at a detention centre... to regional courts for scheduled appearances; and
- The transportation of juvenile offenders from country and regional locations in Western Australia who have appeared before a court and have been remanded in custody or sentenced to a period of detention or arrested on a bench warrant.
- 1.29 DCS is to respond on a 24 hour, seven day a week basis to requests from WA Police in relation to the second of these types of transport, with staff rostered on an 8:00 am to 8:00 pm basis with ‘a degree of flexibility’ to meet requirements. Young people are to be picked up from a designated ‘hub’ (or ‘collection point’) in country areas which are defined as being within a 450km radius of Perth within 12 hours of notification. Young people are to be picked up from hubs in regional areas (those outside the country region), within 24 hours. It is recognised that a number of factors beyond the control of DCS may impinge on this requirement, especially for those in ‘remote regional areas’.



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- 1.30 A staff complement of 10 experienced Youth Custodial Officers including two Level 3 officers (Unit Managers) was selected and trained for assignment to the service. A Transport Coordinator position was also established. The team reports to the Manager, Perth Children’s Court Holding Rooms who already manages the metropolitan youth custodial transport services.
- 1.31 Two customised Hyundai iMax vans were commissioned, each of which utilises the standard bench seat in the rear as seating for young people in custody. The seat is quite comfortable and has seat belts for three passengers, but would never be used for more than two detainees. The seating space has been fully enclosed using panels and industrial-strength transparent screens which allow excellent views out windows and forward into the staff cabin. Hooks on the sliding doors and door posts facilitate partial opening of doors for application or release of hand-cuffs when the young person is entering or alighting from the vehicle.
- 1.32 There are four cameras in the detainee compartment which afford excellent vision on a monitoring screen in the front cabin. A clearly marked button allows communication with staff and a similarly marked duress button is available if the young person has a serious problem. The passenger compartment appears to be efficiently air conditioned. It can be adjusted for temperature, and the temperature is monitored in the staff cabin, including an alarm if it reaches too high (33 degrees). There is a DVD screen which is used to show a 15 minute video about Rangeview, or commercial DVDs as a distraction in longer journeys. The vehicle carries appropriate communications and emergency equipment and is equipped with a refrigerated esky to hold food and drink.
- 1.33 Planning for an escort begins as soon as the Transport Coordinator receives notice from police, or detention centre, in the case of a court-return escort. Staff are assigned and a vehicle tasked to undertake the escort by road to or from any hub in the ‘country area’, or to assist with air transfers in ‘regional areas’. If timely commercial flights are available, then seats for the escort team and the young person will be booked through the government booking agency. If not, then approaches will be made to Police Airwing in the first instance, or to one of two preferred air charter suppliers. All escort teams include in their kits appropriate restraints and spare clothes for the young person.



*Figure 2:  
Refrigerated esky  
and equipment  
for security, safety  
and cleaning in  
iMax van*

# Chapter 2

## OPERATIONAL PERFORMANCE

### SUMMARY DATA ON TRANSPORT ACTIVITY

2.1 Information provided indicates that 193 escorts were scheduled by the Youth Custodial Services Regional Transport unit from commencement of their service on 1 November 2010 until 31 March 2011. The following information excludes data from November and therefore provides a four month perspective on the work of the service, which makes full-year projection somewhat simpler.<sup>18</sup>

#### Transfers to Perth

2.2 During these four months, there were 139 attempted escorts incoming from country and regional areas to Rangeview. One hundred and thirty eight of these escorts were successful (one escort party had to return on the return flight without the young person, as she had not been transported from the police lockup on time). Another escort was sent the following day. In addition, there were eighteen escorts of young people detained in Rangeview or Banksia Hill returning for court appearances in regional areas.

2.3 The following is a list of the numbers of incoming escorts showing where the young people were picked up and the main transport mode utilised for the journey. It should be remembered that a number of these young people were originally arrested elsewhere and transported to these locations by police. For example, most picked up from Karratha originally came from Roebourne, and those picked up from Kalgoorlie included young people originally arrested in Warburton and Leonora.

#### *Transfers to Perth by Location & Mode of Transport (Nov 2010 – Mar 2011)*

Pickup Location	Airline	Air Charter	Police Airwing	Road	Total
Albany	3	1		2	6
Broome	18				18
Bunbury				20	20
Carnarvon	1	2			3
Esperance	1	4			5
Geraldton	2	2		1	5
Kalgoorlie	13	6			19
Karratha	21	3			24
Kununurra	11		4		15
Meekatharra	1	2			3
Mt Magnet		1	1		2
Newman	3				3
Paraburdoo	1				1
Port Hedland	12	1			13
Roebourne	1				1
Warburton	1				1
<b>Total</b>	<b>89</b>	<b>22</b>	<b>5</b>	<b>23</b>	<b>139</b>
Percentages	64.0%	15.8%	3.6%	16.5%	100.0%

18 Another reason to exclude a longer period from analysis was the poor quality of the data which required considerable effort to clean up – see [2.12].

## OPERATIONAL PERFORMANCE

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- 2.4 As part of the Service Level Agreement, police agreed to provide ‘on a best endeavours basis, priority access to the WA Police Airwing for the transport of DCS staff and young people to areas from Perth to regional Western Australia and return’. The above figures indicate that the Airwing has only been utilised on five occasions, four times from Kununurra and once from Mt Magnet. Almost two thirds (64 per cent) of these escorts were undertaken by commercial airliner, 15.8 per cent by air charter and 16.5 per cent by road. The latter were all for escorts within the 450km radius of Perth which defines the limit of ‘country areas’ in the Service Level Agreement and includes Geraldton and Albany.
- 2.5 The Service Level Agreement indicates that road or air transport may be used for escorts from Geraldton and Albany, and we were informed they were ‘preferentially serviced by air’. The above figures showed that four out of five escorts from Geraldton were by air and three out of six from Albany were by air during the data period. Increased use of air transfers for young people from Geraldton and Albany is itself a significant reform as these five hour journeys were typically undertaken in uncomfortable conditions without stops, except perhaps if being passed on to another police vehicle half-way. And the use of air-transport to transfer young people from Kalgoorlie (over six hours by road) and Carnarvon (over 10 hours) is a particularly important reform.
- 2.6 Geraldton and Kalgoorlie have benefited in recent years from a Regional Youth Justice Services initiative which provides a range of services to young offenders, including bail and family support workers, and contracted beds for bail accommodation. On these figures, the impact of this scheme in terms of reduced secure remands is more evident in Geraldton than Kalgoorlie, although we were informed that there was an unusually high number of secure remands from Kalgoorlie in December/January during the period of the survey. At the time of our Review, Regional Youth Justice Services were being established in both the West and East Kimberley and also in the Pilbara, so one should anticipate a significant reduction in demand for transfers to secure remand from these areas in future years.



*Figure 3:  
Youth transferred  
from police to  
YCS custody at  
regional airport*

## OPERATIONAL PERFORMANCE

- 2.7 The following table summarises the number of transfers to Perth by region and the flight costs associated with these escorts as recorded in the data provided. High numbers came from the Kimberley and Pilbara regions which accounted for much of the resources of the program.

### *Transfers to Perth by Region & Cost of Flights (Nov 2010 – Mar 2011)*

<b>Region</b>	<b>No.</b>	<b>Flight Cost</b>
Southern	26	\$7,739.79
Eastern Goldfields	25	\$55,135.70
Gascoyne–Murchison	13	\$36,254.33
Pilbara	42	\$122,002.84
Kimberley	33	\$137,594.28
<b>Total</b>	<b>139</b>	<b>\$358,726.94</b>

- 2.8 The table below depicts the gender and ethnic background of the young people involved in transfers from country and regional areas and shows they were overwhelmingly of Aboriginal background. Almost all of the non-Aboriginal young people came from Bunbury or Albany.

### *Transfers to Perth by Gender & Ethnicity (Nov 2010 – Mar 2011)*

<b>Ethnicity</b>	<b>Female</b>	<b>Male</b>	<b>Total</b>
Aboriginal	17	105	122
Non Aboriginal		17	17
<b>Total</b>	<b>17</b>	<b>122</b>	<b>139</b>

## Returns to Country and Regional Courts

- 2.9 In addition to transfers to Perth from the regions, the service is responsible for returning young people in custody for appearances in regional areas. Most appearances of young people in custody in Perth back to their original court is by way of video-link, and some are transferred to the Perth Children's Court, especially if the nature of the charges and offending record warrant referral to the President of the Children's Court.
- 2.10 The following table shows escorts involving a return to a court in country or regional WA undertaken during the four months between December 2010 and March 2011. Thirteen of these escorts were within 300km of Perth, so were conducted by road. Only five were in regional WA and incurred flight costs. The President of the Children's Court indicated he was reviewing such instances and considering whether further direction was needed to restrict unnecessary conveyance of juveniles back to regional courts. The Review team did not encounter any other concerns about the conduct or performance of these escorts.

## OPERATIONAL PERFORMANCE

### *Returns to Country & Regional Courts (Nov 2010 – Mar 2011)*

<b>Court Location</b>	<b>No.</b>	<b>Flight costs</b>
Bunbury C.C.	9	-
Busselton C.C.	3	-
Collie C.C.	1	-
Geraldton C.C.	2	\$2,244.00
Karratha C.C.	2	\$2,912.44
Roebourne C.C.	1	\$2,739.60
<b>Total</b>	<b>18</b>	<b>\$7,896.04</b>

### PERFORMANCE ON TRANSFERS TO PERTH

- 2.11 The Service Level Agreement defines expectations about timeliness of transfers from country and regional areas to Perth. Escorts from within the 'country area' (defined as within 450 km of Perth) are expected to be completed within 12 hours of official notification being received. Escorts from 'regional' and 'remote regional' areas are expected to be completed within 24 hours of notification being received, although it is recognised that this will depend on the time notice is received, the availability of flight vacancies, air charter or Police Airwing services, and accommodation for officers in remote locations.
- 2.12 The following table shows the average time in hours for escorts from each location in the information provided, whether the escort was completed within 12 hours of notice of being received, within 24 hours or longer, and whether the young person stayed one or more nights in a police lockup before being transported to Perth. It should be cautioned that data was missing in some cases, and was not credible in one or two instances. A considerable effort was required to rework the data in a form which could be analysed. In general it should be commented that the design of the spreadsheet used for recording this information is poor which creates inconsistency in record-keeping and real difficulty in analysis.<sup>19</sup>

<sup>19</sup> The team had the opportunity to work with data from six months of operation (from November 2010 to April 2011) but in the end opted only to work with four months (from December 2010 to March 2011) due to the effort required to clean the data.

## OPERATIONAL PERFORMANCE

### *Transfers to Perth by Location, Time Taken & Nights in Lockup (Nov 2010 – Mar 2011)*

Location	No.	Ave. hours	<12 hours	8-24 hours	24-48 hours	>48 hours	1 Night	2 Nights	3 Nights
Albany	6	8.29	4		1		1		
Broome	18	21.84	2	9	7		16		
Bunbury	20	8.96	12	5	1		6		
Carnarvon	3	21.81		2	1				
Esperance	5	17.69	1	3			2		
Geraldton	5	8.48	3	2			2		
Kalgoorlie	19	15.53	8	4	7		11		
Karratha	24	18.91	5	17	3		19	1	
Kununurra	15	40.95	1	1	10	3	3	9	2
Meekatharra	3	16.68	1	3			3		
Mt. Magnet	2	19.63		2			1		
Newman	3	8.63	2	1					
Paraburdoo	1	6.67	1						
Pt. Hedland	13	21.49	1	10	1	1	12	1	
Roebourne	1	21.75		1			1		
Warburton	1	7.00	1				1		
<b>Total</b>	<b>139</b>	<b>19.05</b>	<b>42</b>	<b>60</b>	<b>31</b>	<b>4</b>	<b>78</b>	<b>11</b>	<b>2</b>

- 2.13 These results on the face of it are not all positive. Eight of the 31 escorts (29 per cent) from the country (namely Albany, Bunbury and Geraldton) were not completed within the 12-hour standard set in the Service Level Agreement. One young person had to stay overnight in the lockup at Albany before being transported and two stayed a night in the lockup at Geraldton. This is perhaps not surprising given logistical issues although it was recorded in the case of the young person who remained at Albany that an escort team attended Albany by air and had to return to Perth without the young person, as police had not brought the young person to airport on time. She had to be picked up the next day.
- 2.14 However, it seems odd that six young people (30 per cent of those from Bunbury) had to remain overnight in the Bunbury police lockup, less than two hours drive from Rangeview. Notifications for two of these were received at 12.38 pm, one at 4.52 pm, one at 4:06 pm, and two at 6:42 pm. The first two were received at 12:38 pm on New Year's Day, at a time when escorts were also required from Kalgoorlie and Kununurra so the escort was presumably delayed by issues of staff availability. While none of the other four could have been completed prior to the end of shift at 8.00 pm, one wonders why overtime was not applied at least in the case of the earlier two of these.
- 2.15 In the case of the major regional centres of Kalgoorlie, Karratha, Port Hedland and Broome, 25.7 per cent of 74 escorts were not completed within the 24-hour standard. More than 78 per cent of the youth or children had to stay in a police lockup and another 2.7 per cent (two individuals) had to stay for two nights before being picked up, one in Karratha and one in Port Hedland. It is understandable that a Perth-based transport service would rarely receive

## OPERATIONAL PERFORMANCE

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sufficiently early notice to mount a same-day pickup service to such locations, at least not without greater resort to air charter or the Police Airwing.

- 2.16 Police in Broome, Port Hedland and Karratha in the past often did manage to clear detainees from their lockups to Perth on the same day as their court appearance as it was possible for local police to make a booking on the next commercial airline flight. This is not to say this was always the case; for years juvenile justice authorities and others have complained that young people were too often held in police lockups awaiting removal to Perth for extended periods.
- 2.17 The site which posed most difficulty was of course Kununurra, classified as remote regional. An escort team can typically only be sent from Perth the day following receipt of the notification. It is rarely possible to get a return flight to and from Kununurra on the same day, and most escort teams have had to stay overnight in Kununurra. This means that most youth or children have had to stay in Kununurra for two nights after appearing in court, and during this period, two had to stay for three nights. As discussed later in this report, some of these young people may already have spent two or more nights in the lockup following their arrest and before appearing before a magistrate.
- 2.18 Of course, there were many successes and 69.3 per cent of escorts met the expectations established in the Service Level agreement. Police were by and large quite satisfied with the service and accepted that Youth Custodial provided the best possible service in picking up young people given practical constraints. There were many cases in which standards were exceeded, for example, same day flights were able to be arranged to pick up young people from Paraburdoo and Warburton and, in one instance, from Meekatharra. On these figures it can be said that the trial so far has been a qualified success.
- 2.19 Nevertheless, the figures do suggest there is further opportunity to improve performance outcomes for the service. This is not to find fault with responsiveness of the service coordinators. In almost every case an escort team was dispatched at the first practical opportunity. Nor do we have comparative performance information for earlier periods when police conducted the transfer to Perth.
- 2.20 The present dedicated transport services is doubtless more reliable than the ad hoc service provided by police in the past, but it does appear to entrench, for regional areas, a significant delay which often requires an extra night or two in the police lockup. These figures therefore raise questions about aspects of the business model, including a possible over-reliance on commercial air transport, limited access to the Police Airwing and the fact that no escort staff are pre-positioned in regional areas, so that they must first try from Perth. These issues will be further discussed in a later chapter.



# Chapter 3

## EXPERIENCES OF YOUNG PEOPLE

- 3.1 As part of this Review, it was decided to interview a number of young people in detention as to their experiences of a journey with the DCS service, and/or under previous arrangements.
- 3.2 A four page interview schedule was created which sought responses to a number of items in relation to four broad topics: a recent instance of a transport to Perth by Youth Custodial Services (YCS), any transport they may have experienced within their own region before being transferred to Perth; any time spent in a lockup prior to being transferred to Perth, and any previous instance of being transported to Perth by WA Police. Respondents were also invited to rate their experiences in each of these topic areas. There was only limited information about intraregional transfers, so this information has been folded into a single section below on experiences of journeys with WA Police.
- 3.3 The survey was administered by three Inspections and Research officers to 34 young people at Banksia Hill and Rangeview, although one only answered a couple of questions, and some were only able to answer one or two sections. Of the 34 young people, 32 identified as Aboriginal and five were female. Fifteen were aged 14–15 years and 19 were aged 16 years or more.

### JOURNEYS WITH YOUTH CUSTODIAL SERVICES

#### Origin of Transports of Young People Interviewed

- 3.4 The following table shows the locations from which young people interviewed were picked up by the Youth Custodial regional transport service. Thirteen of these had been arrested at another location and transferred by police to the pickup up location. Interestingly, seven of the young people picked up were not staying in their normal place of residence when arrested, generally visiting a relative or attending a funeral.

#### *Origins of Transfer Journeys of Young People Interviewed*

Place picked up by the YCS Service	No.	Place originally arrested by Police	Normal place of residence (if different)
Bunbury	3		Collie (1)
Broome	5	Derby (2)	
Esperance	1		
Geraldton	1		
Kalgoorlie	7	Leonora (1) Warburton (2)	Mt Magnet (1) Jamieson (1)
Karratha	7	Roebourne (6)	Wickham (1) Mullewa (1)
Kununurra	3	Kalumburu (1)	Warmun (1)
Newman	2	Jigalong (1)	Cotton Creek (1)
Port Hedland	4		
Warburton	1		



### Court Appearance Prior to Journey

- 3.5 Almost all young people reported having appeared before a court prior to being transported to Perth, including three who reported appearing by video link. Another three reported appearing only before one or more Justices of the Peace on a Saturday, apparently contrary to the Practice Direction of the President of the Children's Court that a Magistrate must rule on the question of bail before a young person is remanded in custody and removed to Perth.<sup>20</sup> A few did not remember having come before a court, and it was clear that a number of young people did not understand the legal processes to which they were subjected.

### Mode of Travel

- 3.6 Three young people, all from Bunbury, reported travelling in a white van for the main part of the journey, although a number of others reported being transferred from Perth or Jandakot airports in a white van. This vehicle, a customised Hyundai iMax van, was described in complimentary terms as having a standard bench seat with seat belts, air-conditioning and a DVD player, which was used to display the Rangeview video and movies for those on longer journeys. Young people said the seats were comfortable, just like a normal car seat, and that they were not cuffed inside the vehicle. They felt safe in these vehicles.
- 3.7 Twenty young people reported being brought to Perth by way of commercial airliner. Almost all felt comfortable and safe travelling this way, and were usually allowed to eat food provided and to use the toilet if needed, although these activities were made difficult as handcuffs were worn whilst on the aircraft. One young person however, said he felt shame, being treated in public as a prisoner, and another noted that airport security were not nice to him.
- 3.8 Eight young people were brought to Perth on a charter flight. A few of those transferred by police in the Kimberley and Goldfields regions were also transported by charter air. Most of these would have been on a fairly small aircraft such as a baron twin, and one reported flying in a single engine aircraft. Most young people interviewed found charter aircraft to be cramped, with uncomfortable seats and too much turbulence. Some felt quite safe and enjoyed the flight while others felt worried and not so happy about this type of flying. While a drink was often supplied during these flights, only one said they received food; a couple said they were hungry on these flights, which were sometimes four or more hours long. None of the young people interviewed were brought to Perth with Youth Custodial officers on a Police Airwing flight.

### Treatment by Youth Custodial Officers

- 3.9 Twenty young people reported meeting YCS officers at the airport for their transport, having been transferred from the lockup by police. Of course, YCS officers are dependent on police to provide secure transport of young people to air transport in regional and remote areas. Most air transports, whether commercial airliner, air charter or Police Airwing return after a short stay, so police are required to bring the young person to meet

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20 Judge DJ Reynolds, President, *Practice Direction No.2 of 2008* (8 April 2008) Children's Court of Western Australia (available at [www.childrenscourt.wa.gov.au](http://www.childrenscourt.wa.gov.au)).

the escort party coming in off the plane. However, on occasions, some hours can elapse before the escort party arrives, and in the case of young people in Kununurra, the escort party has often had to arrive the night before. In these cases, YCS officers make a practice of visiting the young person at the lockup soon after arrival to introduce themselves and explain how the transfer will occur. They also visit the lockup prior to the young person's transfer to the airport to receive paperwork from the police.



*Figure 4:  
Youth custodial officers  
brief a youth about his  
journey to Perth in a  
regional police lockup*

- 3.10 Seven of the young people interviewed specifically mentioned that they knew the YCS officers who picked them up and that they chatted with them on the way down. Others described them as nice, good to talk to, good or ok. One said they were 'not especially friendly' and another that they were 'just doing their job'. One complained that while he desperately needed go to the toilet after completing a flight in a charter aircraft, the officers would not allow him to use the facilities at the air-charter base at Jandakot.

#### Rating of Journeys with YCS

- 3.11 Young people interviewed were invited to give an overall rating from one to 10 for their regional transport experience, 10 being the best possible score. Their average rating was very positive at 7.5 (28 responded to this question).

#### JOURNEYS WITH WA POLICE

- 3.12 Prior to commencement of the present trial on 1 November 2010, all detainees were conveyed from country and regional areas by WA Police to Perth, and on occasion, from the centres in Perth back to country or regional areas for court appearances. Almost all respondents had been transported to Rangeview previously and in 23 cases, it was possible to identify a journey in which they had been transported by WA Police in the 12 months prior to commencement of the present trial. The young people were questioned about the last of these experiences to find out whether the conditions under which they had travelled were significantly different from those under current arrangements.

- 3.13 Eight of the 23 transfers from country and regional areas were undertaken using commercial airline and three by Police Airwing. The other 12 travelled by road including from centres now serviced by YCS officers by air such as Carnarvon, Meekatharra, Geraldton, Warburton and Kalgoorlie. Three of these described very long journeys by road. The first of these journeys was from Warburton to Perth, undertaken in four different vans over three days, as he was progressively handed over half way to Laverton, half way to Kalgoorlie and at Merredin, halfway to Perth.
- 3.14 A second young person described a long day's journey from Meekatharra to Perth, again involving three different vehicles as he was handed over to Cue police and at Payne's Find to police sent from Perth Watch House. This young person actually quite enjoyed the road trip despite the conditions and on balance preferred road transport to travelling in a light charter plane. The third young person described a two day journey from Carnarvon to Perth, again in three different vehicles by police from three different locations.

#### Mode of Travel

- 3.15 It appears a variety of vehicles were used for transfers of youth and children by police, both within and between regions. Older designs included panel-vans, troop carriers and tray-tops with cages covered only with a blue vinyl tarpaulin, all with hard, sideway bench seats. Five young people specifically mentioned they had journeys in a 'caged ute with blue tarp' or similar, which all found uncomfortable, not only due to the sideways metal seats, but because they were buffeted by wind, or found the flapping noise intolerable. For example, one said 'it was really cold, and noisy from the tarp banging, really uncomfortable!' Some also mentioned lack of effective air-conditioning, or feeling unsafe in the event of an accident due the seating arrangement and lack of seat belts.
- 3.16 Newer designs used by some included dual cabs with fibreglass prisoner pods which have forward facing seats and air-conditioning and a multi-cellular prisoner transport vehicle with forward facing moulded seats, based at East Perth Watch House. Young people were much more comfortable in these designs, and generally felt safer, but were still concerned about the lack of seatbelts.
- 3.17 There were no further issues with travel on airlines. The Police Airwing has somewhat larger and faster planes (turboprops) than the kind of charter aircraft currently used by YCS, so there were no complaints about being cramped or uncomfortable.

#### Treatment by Police

- 3.18 As described above, many journeys involved police crews from two or more locations, and young people had very different views on their treatment by police during these escorts. Views of their treatment by their local police on escorts were generally least favourable. Some complained that these police were 'cheeky', had a 'bad attitude', were 'impolite', or refused to allow them a stop to urinate during a road escort or to give them a drink. One youth complained that despite not having had breakfast at the lockup, the escorting officer would not allow him to eat the food and drink offered by the airline. The officer nevertheless had his own food and drink.

- 3.19 These views were no doubt coloured by their perceptions of their treatment by police at the time of arrest and whilst in the lockup. Some young people were much more positive about their treatment by police on escorts. For example, one youth transferred by air said he had a good talk to the officer seated alongside. A number of others also said their treatment was ok, but that the police officer did not communicate with them.
- 3.20 Young people were very positive about police crews sent to pick them up from Perth, very likely auxiliary officers from East Perth Watch House, and also about the rather more modern prisoner transport vehicle they brought. One said ‘they greeted me, told me their names’. Another said he was allowed to urinate by the side of the road and was given a drink only after the local police who had brought him halfway had driven over the horizon.

#### Rating of Journeys with Police

- 3.21 Young people interviewed were invited to give an overall rating from one to 10 for their regional transport experience with WA Police, 10 being the best possible score. Their average rating was 4.38 (16 responded to this question). This is significantly lower than the rating they gave to YCS transport.<sup>21</sup>

### EXPERIENCES OF YOUTH IN POLICE LOCKUPS WHILST AWAITING REMOVAL

#### Average Length of Stay

- 3.22 Following arrest, if not bailed by Police, young people are commonly held overnight before appearing before a court at which bail may be reconsidered. If the Magistrate is on circuit, or they are in a small town or community, a video or audio-link hearing can be arranged.
- 3.23 If it is a Saturday morning in a larger town, one or more Justices of the Peace (JPs) may preside. JPs have various constraints on their activities and in particular are under instruction from the region’s Magistrate. In particular, while JPs may grant bail to a youth or child newly accused of a crime, in the case of a breach of bail previously set by the Magistrate, they may be inhibited from renewing bail or from varying those bail conditions. In such cases, the young person remains in the lockup until appearing before a Magistrate on Monday morning, or in the case of a long weekend on Tuesday morning.
- 3.24 A Magistrate from Perth Children’s Court provides an arrest court either in person or by video-link to Rangeview Remand Centre on Saturday. Police at small centres had mixed success at accessing this court for bail to be considered for arrested youth or children. Some had to be transferred to their regional centre to be seen by the Magistrate after the weekend.<sup>22</sup> If remanded in custody by the Magistrate, or if bail could not be affected, police give notice to the YCS transport service which, as noted earlier, often meant a further night or so in custody before they could be removed to Perth (see [2.15] and following).

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21 That was 7.5 (see [3.11]).

22 A new Practice Direction by the President of the Children’s Court affirms the availability of the Saturday court for bail hearings for youth in regional areas if bail is refused by JPs or no other court is available. Judge DJ Reynolds, President, *Practice Direction No. 1 of 2011* (7 June 2011) Children’s Court of Western Australia (available at [www.childrenscourt.wa.gov.au](http://www.childrenscourt.wa.gov.au)).

- 3.25 According to their own recollection, the average length of stay in police lockups prior to their most recent transport by Youth Custodial Service on the part of young people interviewed was 2.2 nights. This figure includes the time between their arrest, or transfer from a another centre, and their first and any subsequent court appearance while bail matters are resolved.<sup>23</sup> One young person claimed he stayed for ‘a week’ in Roebourne and Karratha lockups.

#### Conditions in Lockup

- 3.26 A gym style matt and blanket was supplied at lockups, but no sheets, pillows or doonas were supplied.<sup>24</sup> The mattresses, typically placed on a concrete plinth, were described as thin and hard and blankets as ‘olden days’, ‘rag doona’, ‘spiky’ and sometimes insufficient. Mattresses and/or blankets were often described as dirty. One young person was given two blankets but used one to cover his mattress as no sheets are provided.



*Figure 5:  
A youth used a blanket  
to cover his mattress in  
a police lockup*

- 3.27 The state of some lockups distressed young people. They complained the lockup was cold, dirty, smelly, had rusted taps and covered with graffiti. One pointed out that the graffiti ‘says things’ which he found distressing. Many reported it was boring with nothing to do, except as one said ‘watch the stars’. Police cells typically have stainless steel toilets, and showers are accessible only by request to police. Only half the detainees reported having had a shower during their stay in the lockup, rarely more than once during their stay, and often only the morning they were due to be transported to Perth.
- 3.28 YCS transport staff say that when informing local police of transport arrangements, that they specifically request that young people are showered before being transported. One youth complained he was allowed to shower but no towel was supplied. There was

23 Hence this period is longer than that suggested in the data shown in chapter 2 (see table after [2.12]).

24 In one site we were told that pillows were in stock, but withheld for ‘security reasons’.

no evidence that clothes were washed during their stay in the lockup or that changes of clothing were supplied by police. In one case a parent was allowed to bring clothes, something that was apparently denied in another case. Youth Custodial Services officers also make it a practice to carry spare clothes in case it is needed, although given short turnaround times, there is rarely a chance to change before having to embark on their flight to Perth.

- 3.29 Most adults in lockups are allowed to spend time out of their cells and to socialise with others in the yard for much of the day. In some, this includes access to hot drinks, food facilities, laundry facilities or work duties. Children are generally only allowed to use yards when no adults are present in the lockup. In more ‘modern’ lockups, there are no yards at all. Broome, for example, has quite a large cell in which a young person is confined almost the whole time whilst in the lockup.
- 3.30 In general, the only mixing that was tolerated was with other juveniles, but often the young person was alone in the lockup. One claimed he was denied contact with his own father also held in the lockup, but some said they were allowed to have contact with adults they knew. It is uncertain if the contact was specifically considered appropriate by police. Most concerning was the case where a young person reported enduring the sound of an adult female in an adjacent cell causing herself great harm by hitting her head on the cell walls.

#### Meals

- 3.31 Breakfast consisted of toast without butter, perhaps with jam or vegemite, or cereal, and a hot drink; some reported being fed pies for breakfast or nothing at all. Almost all were given a pie or sausage roll for lunch, occasionally more than one; a few were offered a reheated meal, one was offered a sandwich and fruit, and a few had nothing at all.
- 3.32 Most young people were offered a meal provided by Hakea, Bunbury or Broome prisons; only those from Broome are supplied fresh, the others having been frozen and reheated. The frozen meals were not well received, with some suspicious of how long they had been stored and others not liking the particular food on offer, or getting the same food every night. While meals at Broome were served fresh, they had to be ordered on the day, and were not available for anyone newly arrested after the order was made.
- 3.33 Some young people were generally suspicious of food supplied by police and said they would not eat lockup food at all. Many young people said they were supplied only pies or sausage rolls for dinner, possibly though at their own request. From these reports by young people, our own observations and discussions with police during both present and previous fieldwork, it would appear that the quality and quantity of food supplied to youth and children in lockups is far below reasonable standards. One youth helpfully suggested: ‘change lockup food, my nanna’s a good cook’. Another wished his family could bring kangaroo stew.

### Police Care in Lockup

3.34 Most young people had no particular complaint about police supervising their detention, but that does not mean their experience of the lockup was a happy one. It was concerning that some young people complained they were not attended to when they pressed the buzzer in their cell, including some who were quite distressed or unhappy. For example, one said: they ‘just lock you and leave you, I was crying, the light was on all night, they never talked to me’. Another was troubled that a cousin had passed away in that lockup. Some others said that police were abusive, made fun of them or were otherwise unsupportive. On the other hand, some said that certain police stood out as being kind or helpful, one said for example: ‘the night shift officer was pretty good, we had a good chat’.

### Visits by Parents and Officials

3.35 Only seven young people said they saw a parent or close relative for a social visit at the lockup. A few in any case had been transferred away from their home town or community. Some could only see their parent or other relative during their police interview. A number reported that parents, and in one case a pregnant girlfriend who attempted to visit were turned away. In one case, a change of clothing brought by a mother was accepted but she was not allowed to visit her son. In another case not even the clothing was accepted. Another reported his mother making a 60 kilometre trip to visit him in the lockup and was allowed to give him a meal from a fast food restaurant. Another was only allowed to see their parent in a non-contact visit room.

3.36 Young people interviewed said they only saw their lawyer at or shortly before their court hearing, possibly for a court before Justices of the Peace on a Saturday. Likewise they first saw their Youth Justice officer (until recently known as Juvenile Justice Officer or JJO) at court. In days gone by, JJOs would visit arrested young people in the lockup after hours or on weekends to check their welfare and to promote bail. It was not clear from our interviews with young people that any had received a visit of that nature from a Youth Justice officer.

### Rating of Experience in the Police Lockup

3.37 Young people interviewed were invited to give an overall rating from one to 10 for their experience in the police lockup prior to being transferred to Perth. Their average rating was a very low 3.28 (25 responded to this question).

## YOUTH VIEWS ON THE NEW TRANSPORT ARRANGEMENTS

### General Views about Regional Transport

3.38 Young people were invited to make ‘any other comments about their journey experiences’, and in some cases were invited to express a view about the change in regional transport arrangements. One youth acknowledged he was ‘generally unhappy to be locked up’ which was reflected in a very low opinion of his treatment in the lockup and in his transfer to Rangeview. Many more had particular difficulty with being displaced from their home regions. They expressed strong feelings about their separation from family, feeling too cold in Perth and a dislike of the lifestyle in Perth.



- 3.39 On the journey itself, a couple took a philosophical approach saying ‘it was all ok, it just takes long time to go anywhere’ and others emphasised the privations of the journey saying they were cramped and uncomfortable. Young people clearly expressed a preference for air travel over road, but also for travel by commercial airliner over air-charter which they consider cramped and scary.



*Figure 6:  
A youth feeling  
poorly on an air  
charter*

#### Views on the New Arrangements for Regional Transport

- 3.40 Young people as a whole expressed a clear preference for the new arrangements. This of course is reflected in their comments about respective journeys with Youth Custodial and WA Police outlined above and the difference in ratings out of 10 given to escorts by YCS (7.5) versus Police (4.38).
- 3.41 In summary, they said that the Youth Custodial officers treat them better than police. One said: ‘YCS officers treat you as a human being, talk in a civil manner and treat you with decency’.



# Chapter 4

## DISCUSSION AND RECOMMENDATIONS

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### A SAFE, RELIABLE AND HUMANE TRANSPORT SERVICE

- 4.1 This Review has found that the Youth Custodial transport services, in partnership with police have established a custodial transport service to young people from country and regional areas which is safe, reliable and humane. In most respects the present service is a significant improvement on previous arrangements, both in removing a significant impediment to police in their own service provision to local communities, but also in the quality of the transport service provided for the young people and the respective agencies.
- 4.2 In the past, youth often had to be daisy-chained by local police crews considerable distances from their place of arrest by road largely in unsuitable vehicles to Perth, for example, from Meekatharra, Carnarvon and even Warburton. Under current arrangements, such places are all serviced by air transport, and even Geraldton and Albany are often also serviced by air transport.
- 4.3 A particular marker of the quality of the new arrangement is the nature of care provided by Youth Custodial officers. Most of the young people transported already knew the officers in a positive light and were at least accepting of their role. Officers visited young people in police lockups to introduce themselves if there was a delay before the escort could commence and habitually explained to young people what was happening to them and how the escort would be conducted. A number said the officers were friendly and that they had a good chat with them. One of the operational procedures aptly summarises the approach taken by the service:

Detainees will be managed in a manner which provides opportunities for continuing development of responsible citizenship and positive behaviour.

The OICs [Officers in Charge of the escort] shall ensure that all staff seek and provide an environment where detainees are able to be influenced into positive outcomes and learn from their actions even when sanctions are applied.

#### **Recommendation 1:**

*Youth Custodial Services should retain responsibility for custodial transport of young people between country and regional centres and detention facilities in Perth beyond the expiry of the current trial on 31 October 2011.*

### CARE IN REGIONAL POLICE LOCKUPS

- 4.4 The care provided by police in juvenile escorts was rather more mixed. A number were certainly attentive to young people in their care which was appreciated by the young people. Auxiliary police from Perth Watch House stood out in this regard. However, many young people found officers to be somewhat hostile or indifferent to them. This doubtless reflects, in many instances, the young person's own feelings about and attitudes towards police arising from their perceived treatment during their arrest, processing and time held in the lockup, or from previous contact they or their peers may have had with police.

## DISCUSSION AND RECOMMENDATIONS

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- 4.5 Young people also had mixed experiences in police lockups. It is concerning that youth and children can be accommodated in circumstances where they lack anything on which to lay their head, a sheet to cover a mattress used by other people, and daily access to a shower, a change of clothes, a place to exercise or fresh nutritious food. Nor is rip proof clothing available if needed; at one lockup visited, a young person had just attempted to harm himself by tearing up his t-shirt.
- 4.6 It is equally concerning that vulnerable young people do not appear to be allowed daily contact with family and that police are sometimes reportedly unresponsive to their distress. There are questions too whether Youth Justice Service staff or Department for Community Protection staff are visiting them daily. The Aboriginal Visitors Scheme is also absent, as we understand it, from police lockups; it only operates in prisons and juvenile facilities.
- 4.7 Based on interviews with a number of young people and contact with field officers or managers and police in some regional areas, we were unable to confirm that any young person was visited in the police lockup prior to the morning of their court appearance by a Youth Justice Services representative. In some cases, young people spent some days (commonly over a weekend) before coming to court. We were told by some DCS staff that they would visit if police indicated the young person was distressed, but not as a matter of routine. The Department of Corrective Services has assured that YJS staff do work with young people and their families when young people are detained in police lockups and that it is standard practice to visit young people in lockups throughout the weekend. While this Office cannot be definitive about the size of the problem, there would seem to be a gap between policy and practice on the ground which DCS needs to explore further. As the Department points out, their ability to provide such services will be significantly enhanced when youth bail and other youth justice services are progressively deployed in the Pilbara and East and West Kimberley regions.

### REDUCING LEGAL IMPEDIMENTS

- 4.8 A case in which a 12 year old boy involved with the Department for Community Protection (DCP) was reportedly incarcerated in Kununurra police lockup for some nine days, despite having been allowed bail by the court, highlights the role of that Department in bail placement and support services of youth and children with whom it is involved.<sup>25</sup> While one understands that DCP in this case was working unsuccessfully to secure an appropriate placement, it is concerning that he was held in the lockup for such a period without any early call being made to transport him to detention in Perth until a bail placement could be secured.

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25 ABC: *Boy spends nine days in WA lockup* (28 May 2011) (<http://www.abc.net.au/news/stories/2011/05/28/3229628.htm>); ABC: *Department had 'no choice' in boy's lockup* (29 May 2011) (<http://www.abc.net.au/news/stories/2011/05/29/3229883.htm>); Banks A, 'Police lockup no place for a child' *The West Australian* (1 June 2011) (<http://au.news.yahoo.com/thewest/opinion/post/-/blog/talkingpoint/post/39/comment/>).

## DISCUSSION AND RECOMMENDATIONS

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4.9 A practice direction issued by the President of the Children's Court in June 2011 seeks:

To ensure that young persons are not unnecessarily detained over the weekend in police lock-ups in country areas of Western Australia.

... [and],

To encourage local Police and Youth Justice and Child Protection Officers, local lawyers, local communities and families to work together generally to develop permanent bail placements and to also develop bail plans urgently and outside usual business hours for young persons on specific matters that come before the Court.<sup>26</sup>

4.10 The direction provides for the automatic relisting of matters in which a court presided over by one or more Justices of the Peace has denied bail for a young person, before a magistrate, including if appropriate a magistrate sitting in Perth on Saturday, or any other day where the circuit magistrate is unavailable. This reform will hopefully increase bails and reduce the number of young people transported to Perth. However, it is still the case that young persons may have to wait in police lockups awaiting their hearing before a magistrate and if successful, for bail to be affected. It is also the case that persons arrested after Saturday morning in Western Australia lack access to a court to challenge their detention until Monday morning, or Tuesday after a long weekend.

### REFORMING LOCKUP ARRANGEMENTS FOR YOUTH AND CHILDREN

4.11 Although it is outside the scope of this Review to make specific recommendations about police management of youth and children in custody, it nevertheless seems appropriate to suggest there should be changes in how youth and children are managed in police custody in regional settings in contemporary Western Australia. It would seem opportune for relevant departments, the Police, Corrective Services and Child Protection, to jointly review these arrangements, in consultation with other interested agencies such as the Commissioner for Children and Young People, the Office of the Inspector of Custodial Services, the Department for Indigenous Affairs, local governments, NGOs and other community representatives.

4.12 Any such review should include a consideration of the standards of the facilities, quality of care and supervision that should apply, including in the provision of bedding, clothing, showering and other ablution arrangements, at-risk management, quality of food, access to time out of cell, exercise or other activities and provisions for contact with family. Consideration should be given as to what role Corrective Services and the Child Protection departments should play in relation to youth or children in a police lockup. This should include not only the question of the nature of the support they provide, but for example, whether Corrective Services should provide care and supervision to

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26 Judge DJ Reynolds, President, *Practice Direction No. 1 of 2011* (7 June 2011) Children's Court of Western Australia (available at [www.childrenscourt.wa.gov.au](http://www.childrenscourt.wa.gov.au)). This builds on Practice Direction No. 2 of 2008, which had the purpose 'to expedite bail decisions and to also prevent such unnecessary transportations'.



Figure 7:  
A young man in the  
yard at Kununurra  
police lockup

young people held in a police lockup.<sup>27</sup> Finally, it should be an open question whether alternative facilities are required and how such facilities should be staffed.

- 4.13 Pending any such broader review, the following recommendation is provided for the consideration of DCS:

**Recommendation 2:**

*The Department for Corrective Services should review the nature of its support services to children and youth in regional lockups and define more precisely expectations of staff in particular roles for visiting such young people, facilitating caregiver visitation, ensuring that clean clothes are provided and that bail options are energetically explored. Recording systems should be developed to monitor and report on such activity.*

**REDUCING TIME IN LOCKUPS THROUGH EARLIER TRANSPORTS**

- 4.14 Concerns about the quality of care in lockups also raised the question whether young people were being removed at the earliest possible opportunity from regional police lockups under the new transport arrangements, another matter of concern expressed by the Aboriginal Legal Service in their submission. We were told that under previous arrangements, police were often able to remove a young person to Perth by air, or a road journey commenced, on the same day as their remand or sentence was ordered by the Court. More often though, we understand that the young person stayed one or more nights in the lockup before transport could be arranged.
- 4.15 The present Review does not have the information to hand to compare timing of escorts of current arrangements against previous arrangements and is therefore unable to conclude whether or not the present transport arrangement has reduced, on average, the time young

27 DCS currently tasks its contractor under the Court Security and Custodial Services Contract to provide care and supervision of adult prisoners held from time to time at the Carnarvon Police lockup facility, when returning from a prison for a hearing at the adjacent court house.

people spend in regional lockups prior to removal to Perth. However, it found that 30.7 per cent of escorts in the four month service period analysed were not completed within the performance outcome set for the trial. This level of under-performance applied not only for remote and regional sites for which a 24-hour target had been set, but also for country sites for which a 12-hour target had been set.

- 4.16 It may be argued that at least in some cases, the performance target was unrealistic for the current service model, but the crucial point is that of 138 escorts involving a transfer to Perth during the period, 91 (66 per cent) involved a night or more spent in a police lockup after DCS were notified of a requirement to transport a young person to detention in Perth.<sup>28</sup> Of these, 11 spent two nights and two spent three nights in a lockup. Few of these were avoidable under the current model of service in which the escort team have to be sent up from Perth to collect the young people.
- 4.17 If the current model is retained, and the number of nights spent by young people in lockups is to be reduced, there would need to be a much greater commitment to same-day transport at most sites, by increased use of air charters and increased access to the Police Airwing. This may well be achievable if as planned, one of the preferred charter suppliers obtains a turbo-prop aircraft able to undertake return flights to remote sites in good time, albeit at considerable extra expense. The Review was unable to determine the reason why Police Airwing was unable to be utilised more than five times during the data period, but it would seem that its increased availability would help prevent longer stays by youth and children at remote sites. There may also need to be an adjustment to rostering arrangements to ensure young people never have to be held overnight at Bunbury.
- 4.18 However, it seems likely that a greater improvement could be achieved by adjusting the service model in the manner proposed in the Aboriginal Legal Service submission, that is by pre-positioning officers in regional areas to conduct the escorts. This notion was rejected by DCS on the grounds it would be too expensive to station Youth Custodial officers in the regions. Yet the current expansion of Regional Youth Justice Strategy into three Northern sites (see [1.9]–[1.10] and [2.6]) offers another opportunity. These teams comprise statutory officers, after-hours bail officers, outreach youth and family support workers, dedicated Juvenile Justice Teams, psychologists and programs officers. With appropriate training, support and appropriate considerations, certain of these community-based officers could potentially respond much faster in escorting youth or children from the regional and remote areas in which they are based.

***Recommendation 3:***

*Adjust the service model for Regional Youth Transport to achieve a significant reduction in nights spent by youth in police lockups after notice for their removal to Perth has been given. Options include utilisation of regionally-based Youth Justice Services officers and greater use of air-charters and the Police Airwing.*

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28 The data-set included 139 attempted escorts, however, only 138 were actually completed.

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**ADDITIONAL MATTERS**

- 4.19 Some other less significant issues were identified by this Review which require attention. One was that while food and water is always carried in the escort van for escorts to or from country areas, food is generally only brought if the flight is during a meal time. Water and soft drink is provided by charter operator. Such flights are generally in the range of two to four hours with transfers adding an hour or so to the journey. YCS cannot take for granted that a young person has received a substantial meal at the lockup nor can it be sure there will not be significant delays in the journey, for example a diversion due to inclement weather. In response to feedback from the Inspectorate, the relevant manager assured this would be addressed.
- 4.20 The Review reported elsewhere that the form in which information about bookings and escorts was recorded does not readily lend itself to basic data analysis. This should be remedied.
- 4.21 Finally, we heard about and observed a number of troubling interactions involving YCS escorts and airline security staff, generally private contractors operating on behalf of the relevant airport, or the carrier in the context of federal aviation security frameworks. Youth Custodial Services officers are not afforded their proper status as a public officer as are police and tend to be subjected to extra attention in scanning, rather difficult when cuffed to a person in custody.



*Figure 8:  
Hiding restraints  
in public at the  
airport*

- 4.22 In one case, one of two escort officers was directed to stand back from the security screen at a regional airport while the other officer and young person to whom he was cuffed were processed through. The two officers were separated at one stage by at least seven metres, clearly inappropriate from a security perspective. Any restraints not in use cannot be placed in carry-on bags and must be booked into luggage causing additional delay on arrival, meaning the officers have to wait in the arrival hall with the person in custody in full view of the public, quite antipathetic to either security or dignity.

## DISCUSSION AND RECOMMENDATIONS

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- 4.23 Security on flights in the last analysis is the prerogative of the captain, but the exercise of that prerogative to deny food and drink to a person in custody as happened on one flight during the trial would seem counter to cooperation and safety. Perhaps the strangest example was an incident in June 2011 in which the captain had security remove a Youth Custodial officer travelling with a youth who was a free person having been released from Rangeview Remand Centre. However, the young person needed support and supervision to ensure his diabetes was managed safely and to assist his transfer to his placement at the other end. Seeing the uniform, airline staff had advised the captain it was an ‘unauthorised controlled escort’.
- 4.24 The question of airport and flight security is a complex one and there are no easy solutions. But DCS and WA Police will need to dialogue with relevant federal authorities, airlines and airport management to best manage security risks, safeguard the dignity of persons transport and minimise inefficiencies associated with secure air escorts.



# Appendix 1

## DEPARTMENT OF CORRECTIVE SERVICES RESPONSE TO RECOMMENDATIONS

<b>Recommendation</b>	<b>Acceptance Level/Response</b>
<b>Correctional value-for-money</b>	<b>Supported</b>
1. Youth Custodial Services should retain responsibility for custodial transport of young people between country and regional centres and detention facilities in Perth beyond the expiry of the current trial on 31 October 2011.	Youth Custodial Services is committed to retaining responsibility for the custodial transport of young people beyond expiry of the pilot on 31 October 2011 and had already commenced negotiations with Western Australia Police to formalise this transfer by the end of 2011.
<b>Care and wellbeing</b>	<b>Supported in part</b>
2. The Department for Corrective Services should review the nature of its support services to children and youth in regional lockups and define more precisely expectations of staff in particular roles for visiting such young people, facilitating caregiver visitation, ensuring that clean clothes are provided and that bail options are energetically explored. Recording systems should be developed to monitor and report on such activity.	This recommendation will be considered at the Youth Justice Services Interagency Steering Group to ensure that all agencies fulfil their responsibilities in the management and provision of service to young people in the police lock up. Aspects of this recommendation relate to other agencies and the Department is not able to comment on their behalf.
<b>Care and wellbeing</b>	<b>Not supported</b>
3. Adjust the service model for Regional Youth Transport to achieve a significant reduction in nights spent by youth in police lockups after notice for their removal to Perth has been given. Options include utilisation of regionally-based Youth Justice Services officers and greater use of air-charters and the Police Airwing.	Regional Youth Transport is already achieving a significant reduction in nights spent by young people in lock ups, and as this review acknowledges it is providing a far better service than when managed by Western Australia Police. The provision of the service is still in its early days and the Department will continue to refine service delivery to achieve realistic and sustainable outcomes, especially when considering the logistics, the size of jurisdiction and the many other external factors that can impact upon the timeframe and may be outside the Department's control.



WESTERN AUSTRALIA POLICE RESPONSE TO RECOMMENDATIONS

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I can advise that subject to further dialogue, WA Police provide in principle support for all three recommendations.

Karl O'Callaghan APM  
Commissioner of Police

17 August 2011

## Appendix 2

### THE INSPECTION TEAM

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Neil Morgan	Inspector of Custodial Services
Cliff Holdom	Inspections & Research Officer
Jim Bryden	Inspections & Research Officer
Elizabeth Re	Inspections & Research Officer

## Appendix 3

### KEY DATES

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Formal notification of announced review to Department of Corrective Services	14 February 2011
Formal notification of announced review to WA Police	22 February 2011
Start of fieldwork	11 March 2011
Completion of fieldwork	11 April 2011
Draft report sent to DCS and WA Police	18 July 2011
Response from Department of Corrective Services	2 August 2011
Response from WA Police	17 August 2011
Declaration of Prepared Report	30 August 2011



OFFICE OF THE INSPECTOR  
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