



Report No.

55

July 2008

OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES

REPORT OF AN ANNOUNCED INSPECTION OF  
THE DISTRICT COURT CUSTODY CENTRE



Report of an Announced Inspection of the  
District Court Custody Centre

Office of the Inspector of Custodial Services  
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# Chapter 1

## AN ANNOUNCED INSPECTION OF THE DISTRICT COURT CUSTODY CENTRE

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### THE CONTEXT FOR THIS INSPECTION

- 1.1 The jurisdiction of the Office of the Inspector of Custodial Services includes that of inspecting all Court Custody Centres in the State. The objective of such inspections is to evaluate the security and the amenities of such Centres. For convenience the Inspector has bundled up the jurisdiction into metropolitan and non-metropolitan court custody centres.
- 1.2 In relation to Metropolitan Court Custody Centres there have been two full inspections, in 2001 and 2006 respectively, and likewise in relation to Non-Metropolitan Court Custody Centres, in 2003/04 and 2006/07 respectively. In addition, following the escape of nine prisoners from the Supreme Court Custody Centre in June 2004, the Inspector carried out an inspection of the interim arrangements at that place: see Report 25, December 2004. In January/February 2005 at the request of the then Minister an inspection of Rockingham and Fremantle Court Custody Centres and Court premises was also carried out, and the advice given to the Minister at that time was subsequently published by way of an appendix to Report 31 (the 2006 Report into Metropolitan Court Custody Centres).
- 1.3 In the normal course of events Metropolitan Court Custody Centres would be re-inspected as a group in mid-2009. However, in the light of the situation where the Inspector had previously identified security issues at the Supreme Court and the Department had failed to address those issues thus resulting in the June 2004 escape, the Chief Justice sought some independent reassurance as to the security and amenity of the new District Court building before it became fully operational. At his request, therefore, it was decided to carry out an inspection of the District Court facilities prior to their being commissioned.
- 1.4 As this is such a specialised task, the Inspector retained Mr Lin Kilpatrick, a Security Architect, to assist. Mr Kilpatrick has been involved in several of the Office's previous inspections, including the one that identified the defects in the security arrangements at the Supreme Court. Two Inspectorate staff, Mr Jim Bryden and Mr Cliff Holdom, assisted Mr Kilpatrick. The Inspector himself was also directly involved in the inspection process.
- 1.5 Although the brief to Mr Kilpatrick and the Inspector's team was to assess the building before it became operational, follow-up visits highlighted in a working environment some of the matters that had been identified in the abstract earlier. Reference will be made to these as appropriate. However, the intensive inspection of the facility as an operational site will take place as part of the broader inspection of Metropolitan Court Custody Centres which is scheduled for mid-2009.

## THE STATUTORY PROCESSES

- 1.6 Under Section 37 of the *Inspector of Custodial Services Act 2003*, the Inspector must not in any report make a statement setting out an opinion that is, either expressly or impliedly, critical of the Department or a Contractor unless he has first afforded such persons the opportunity to make submissions, either orally or in writing in relation to that matter. Normally the process for meeting the requirements of that section are quite formal, with the exchange of detailed correspondence between the Inspector's Office and the other parties.
- 1.7 On this occasion, both the Department of the Attorney General and the WA Manager of the Contractor, G4S,<sup>1</sup> were furnished with the 14 Key Findings identified in Mr Lin Kilpatrick's report (attached as Appendix 1) and long discussions held about those Findings. In relation to the Department of the Attorney General this occurred on 11 June 2008 and in relation to G4S on 23 June 2008. Each party was invited to respond in writing to those recommendations.
- 1.8 Discussions with both the Department and the Contractor separately and follow-up tripartite discussions involving the Inspector himself, the Department of the Attorney General and the Manager G4S (27 June 2008) confirmed the substantial or indeed virtually unanimous agreement of the Department and the Contractor about appropriate responses to those Key Findings. The formal response of the Department, received 2 July 2008, is attached as Appendix 2. The points where G4S (letter of 11 July) have put a slightly different slant on a Key Finding or have contributed some additional information are noted at appropriate points in the text. In addition, some further points emerged which will be separately discussed.

## KEY FINDINGS

- 1.9 The Key Findings are set out as paragraph 2.1 of Appendix 1.
- 1.10 Key Finding 1 relates to the changed floor levels at the threshold of the doors leading into the accused person's dock of the Ceremonial and the High-Risk Courtrooms. This problem is illustrated in the photos in paragraphs 4.1.1 and 4.1.3 of Appendix 1. The basic problem is that a door which opens directly onto a stair is a hazard and as such breaches the applicable Building Codes. An attempt to address this by providing a removable ramp has been unsuccessful. On one of the first occasions on which it was actually utilised, the ramp collapsed. In any case, the logistics of storing it in an accessible place are awkward and time consuming.
- 1.11 In discussion, both the Department and the Contractor accepted that this problem must be solved. There are ways that this could be done by means of a permanent modification to the construction. However, in its formal reply the Department has moved to the point of

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<sup>1</sup> GSL which took over the contract from AIMS in 2007 has subsequently been reincorporated as part of G4S.

suggesting that an acceptable solution would be “policy amendments for dock-guards”. This does not seem to be a satisfactory approach, being dependent for the indefinite future on the application and reinforcement of human processes. G4S would prefer a built solution.

- 1.12 Key Finding 2 relates to an adjustable table in the entry area to the dock: see the photo in 4.1.4 of Appendix 1. This projects into the movement pathway and appears to have no functional purpose. It was agreed that this would be removed.
- 1.13 Key Finding 3 relates to the limited observation of the holding rooms at all courtroom levels. This is illustrated in paragraph 4.1.5 of Appendix 1. In discussion, we suggested the use of curved mirrors. The Department in its formal reply has suggested that Master Control has adequate coverage of these areas. There are technical problems with the Master Control System which will be referred to later. However, simply at the level of workload and complexity, it is preferable not to use the Master Control facilities as a primary means of dealing with this problem. G4S would prefer curved unbreakable mirrors.
- 1.14 Key Finding 4 relates to the working conditions of G4S staff and their ability to have a toilet break or a drink whilst on duty. It was agreed that this matter must be dealt with procedurally by means of staff deployment processes.
- 1.15 Key Finding 5 relates to the substandard fitting of the front screens to courtyards 1, 2 and 3. These courtyards have been designed to provide a relatively open “time-out” or assembly areas for persons in custody. They are larger, more airy and higher than the standard holding cells: see the illustration in paragraph 4.2.1 of Appendix 1. However, the screens at the front of each courtyard could probably have been smashed outwards from within by a determined person in custody. Both the Department and the Contractor conceded that this was a fault, and at the time of the Inspector’s own visit this problem had already been addressed by strengthening the fittings. To this point, however, these courtyards have not been utilised as they have not been subjected to the commissioning test which the Department of Corrective Services’ ESG team apply to such matters. G4S have subsequently sought approval to utilise these courtyards for no more than two prisoners per courtyard at a time prior to their transport back to prison.
- 1.16 Key Finding 6 relates to the design of the non-contact interview rooms. The fixed pedestal seats are uncomfortably low, particularly for a normal sized or shorter person, with the result that the interviewer and the interviewee may simply be looking over the screen at the top of each other’s heads: see the photograph accompanying paragraph 4.3.1 of Appendix 1. The Department’s response in terms of seeking “at least one seat to be modified” is not entirely satisfactory. The Inspector’s own observation was that virtually all of the seats on the visitor side are too low for comfort.

- 1.17 Key Finding 7 relates to the secure document hatch. There is only one such hatch, which is used to enable documents to be passed between lawyers and clients, and this is situated within the non-contact area set aside for disabled persons in custody. Consequently, if that cubicle is in use there would be disruption or delay involved in passing the documents. The Department does not intend to modify this. The observation of G4S to date is that the document hatch is very seldom utilised so that the problem can be addressed as required by one-off processes involving the staff.
- 1.18 Key Finding 8 relates to the opaque film across the glazed screens between the secure bail holding rooms and the non-secure publicly accessible, bail waiting room: see the photo and discussion in paragraph 4.4.1 of Appendix 1. The perceived problem was that when a person who has been in the publicly accessible part of the bail holding room has to be moved to the secure area, his or her family or supporters may still be aware of the movements and shadow of that person through the opaque glass. That being so, there is a risk that the opaque film may be scratched clear, and this indeed has already started to happen. Obviously, a clear screen is not desirable as it would tend to add to attempted communication efforts, possible distress and even conceivably occasional disorder. The opaque film needs to be replaced by a scratch proof substance or a solid cover of some kind. This has been accepted by the Department and the Contractor.
- 1.19 Key Finding 9 relates to movement patterns within the custody area. The identified problem is best understood by reference to the diagram in paragraph 3.2 of Appendix 1. The area described as “central movement” includes a space (identified by the number 2) where persons in custody may be out of sight of the control room or officers physically present in the main central movement area. The suggestion is that an additional door should be fitted so as to break the central movement area into two segments.
- 1.20 Both the Department and the Contractor agreed that security and safe-handling would be enhanced by taking this course and the Contractor will press for this to be done. The Department’s official position, however, is that it believes the potential problem can be adequately addressed by enhanced or changed processes. G4S does not agree and suggests that one fewer airlock and one more door would assist the security and the operator convenience of the area.
- 1.21 Key Finding 10 relates to a line of sight between Holding Area 1 and Holding Area 2. This point is best understood by reference to the schematic diagram in paragraph 3.3 of Appendix 1. The line of sight goes from the cells on the right hand edge of Holding Area 1 through the control room to the cells on the left hand top edge of Holding Area 2. It was anticipated that this could provide opportunity for disorderly conduct, and indeed since the opening of the area this has occurred. A female prisoner in the Holding Area 2 stripped off various layers of clothing and was thus visible to the prisoners in Holding Area 1.



The matter is simply addressed by installation of a curtain on the Holding Area 2 side of the control room, and this has been done.

- 1.22 Key Finding 11 is concerned that movement patterns may develop for Contractor convenience along the area identified as Area 4 in the security format diagram found in paragraph 3.2 of Appendix 1. Both the Department and the Contractor concede the theoretical possibility of this. However, the Contractor has not opened any of the doors from Holding Area 5A in paragraph 3.2 to Area 4 and does not intend to do so. Indeed, G4S goes as far as to say that “any use of the rear doors requires senior operational authority.”
- 1.23 Key Finding 12 relates to the impropriety of persons being subject to CCTV surveillance whilst using the toilet within the holding cells. This point has been conceded, and investigations are proceeding from the point of view of either pixelating the area or blacking out the relevant bit altogether.
- 1.24 Key Finding 13 refers to the absence of duress alarms in the vehicle sally port. This issue is conceded and will be addressed.
- 1.25 Key Finding 14 refers to the possible contraband and security risk that could arise in the use of the contact interview/visits area: see Area 4 in Overlay 5 of paragraph 3.2 of Appendix 1. To this point the contact interview/visits area has not been utilised at all. The Department and the Contractor state that the risk, if and when the area is eventually utilised, will be managed by strip searching persons in custody at the end of any such contact visit and searching the visitor as he or she enters the visits area. This process would then be monitored and assessed.
- 1.26 In summary, the Key Findings have not been seriously challenged by either the Department or the Contractor. The Department’s reported solutions mainly revolve around suggested amendments to process or moving the matter to the defects list for the attention of the Western Liberty Group (WLG) as owner and constructor of the site. The Contractor’s understandably puts more emphasis on structural solutions.
- 1.27 As the Department’s preferred approach of dealing with or through WLG does not involve direct and immediate rectification of the identified problems but rather a further period of negotiation with a third party, these matters will be kept under review. To the extent that the solutions to the Key Findings involve changes of process, there are potential staffing implications.

## ADDITIONAL ISSUES AND PROBLEMS

### Contractual Arrangements and the Role of the Western Liberty Group

- 1.28 A source of concern and potential future conflict arises from the fact that the Department and the Contractor are not in a direct legal relationship. The Contract for the operation of the Court Custody Centre is between the Department and WLG, and WLG in turn has

sub-contracted the task of running part of the building and the services to G4S.<sup>2</sup> It is for this reason that the Department in its responses has several times referred to the need to raise a matter involving infrastructure expenditure with WLG. If WLG in fact expend money on these requirements without prior agreement by the Department to reimburse them, they are by definition reducing their own commercial profit margin. Yet if they do not do so, the operational risk remains with G4S.

- 1.29 This convoluted contracting arrangement mirrors the confusion found in relation to the Acacia Prison Maintenance Contract: see generally Report 53, Chapter 2. The State seems to have painted itself into the corner of a defective contractual model by separating operational responsibility from legal responsibility. This is bound to cause further stress as the contract runs through its 25 year duration.
- 1.30 A further closely related complexity arises out of the fact that the original staffing model was negotiated between WLG and its originally agreed sub-contractor, AIMS. As has been seen in the first two Inspection Reports of Acacia, carried out at a time when AIMS was the Contractor for that prison, and also in the earlier Court Custody Centre Reports mentioned above, AIMS tended to under-specify staffing needs.
- 1.31 The new operators, G4S, have thus initially been stuck with what is undoubtedly from our observation an inadequate staffing model. Whilst it is not the job of the Inspector to precisely quantify this, it is evident that this is the case and neither side was inclined to dispute this observation. Moreover, the sheer volume of work with greater court hours in relation to a larger number of courts has further distorted the staffing need. This pressure point will, once more, create great stress unless it is realistically addressed. Technically, the Department must negotiate with WLG about this and that Group in turn must pass on any changed contractual benefits to G4S. The fact that on the ground G4S and the Department talk directly to each other about such matters does not obviate the legal and logical awkwardness of this arrangement.<sup>3</sup>

#### Inverse Configuration of the Screens in the Control Rooms

- 1.32 There are two Control Rooms: Master Control which controls the whole building including the sally port and which also can control the Court Custody Centre itself, and the Custody Centre Control Room. In each of these Control Rooms, the images that are projected onto the screens in relation to the holding area have been installed incorrectly. As one looks into the custody area, what is on one's right in real vision is on one's left in screen vision. This is counter-intuitive and counter-cognitive; some staff agreed with the Inspector's own observation that after quite a short while this "does one's head in". More importantly, it poses risk in that in an emergency situation the wrong door on the wrong

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2 This is further complicated by the fact that the original subcontract was between WLG and AIMS which then on-sold the contractual arrangement to G4S.

3 There are three levels of management meeting: the Department and WLG; the Department and G4S; and less often a tripartite meeting.

side of the area could be opened. It is understood that in non-emergency situations and admittedly without any risk, this has already in fact occurred.

- 1.33 It appears to the Inspector that this is a major defect and should be rectified as a matter of urgency at the expense of whichever entity installed it in such a foolish manner. It contravenes normal industry practice, and it is difficult to understand why it was not rectified as soon as the mistake had been recognised and before the building was commissioned. When pressed in discussion, the Department did not dispute that this was a serious defect.

#### Firearms Carriage within the Building

- 1.34 During the course of the Inspection of the Interim Arrangements at the Supreme Court (Report 25), it became apparent that there were some ambiguities and uncertainties as to the circumstances in which firearms could be carried by either Police personnel or Corrective Services' ESG personnel within the Supreme Court Complex. The details of these matters were blacked out in the Report itself for security reasons.
- 1.35 Suffice to say that there have been comprehensive negotiations involving the Chief Justice on this matter, and the Inspector is satisfied that there should be no further ambiguities.
- 1.36 A parallel issue and one which had become much more touchy previously exists with the use of restraints upon prisoners whilst being moved through the building or, more particularly, in the dock itself. Once more this has now been thoroughly discussed and negotiated, and it is considered unlikely that there will be further difficulties in this regard.

#### Prisoner Searches

- 1.37 The Inspector has always been concerned both in the prison context and at the Court Custody Centres with multiple strip searches of prisoners or persons in custody. The Department and G4S subscribe to the principle that as far as possible multiple strip searches should be avoided or minimised. A day before the Inspector's own follow-up visit to the Centre, a prisoner self-harmed with a razor blade whilst in the dock of one of the courts. This prisoner had been strip searched before leaving Hakea Prison that same morning, but evidently had secreted a small razor blade upon his person in some way. Because he had been strip searched before leaving, he had only been pat searched upon arrival.
- 1.38 This procedure at the Court Custody Centre seems appropriate and justifiable. G4S are entitled to proceed on the basis that an effective strip search has been carried out at the Prison. It is hoped that the Department and the Contractor will not be panicked back into an unquestioning routine of multiple strip searching of prisoners who have been strip searched at the relevant prison before coming to court. The question that should be asked is whether the quality of the strip searching at the prison was adequate.

## OVERALL ASSESSMENT

- 1.39 The design of both the security and the amenity of the District Court Custody Centre far exceeds anything that has previously been achieved in Western Australia. With regard to prisoners, the number and type of holding cells enables proper separation to be achieved in tolerable conditions and consistent with reasonable dignity for persons in custody. Arrangements for contact with lawyers are adequate. Amenities for persons reporting in off the street from bail are dignified and decent. The movement arrangements within the building, through corridors and up lifts, are good. The facilities for staff are reasonable and certainly far better than in the regional and most metropolitan Court Custody Centres, where we have frequently commented that they are unacceptable from an employment and occupational health and safety point of view.
- 1.40 There have of course been practical problems as is inevitable with any new building. These include the frequent failures of the lifts – an engineering problem which presumably is readily fixable in principle.
- 1.41 The roles of the Department of Corrective Services and G4S as the Prisoner Transport Provider cease after movement of vehicles into the sally port and the unloading of prisoners at that point. We have not inspected these beyond the most obvious level. A new electronic data-base system within the sally port and the reception area appears to have facilitated processes considerably.
- 1.42 With some of the infrastructure adaptations that we have proposed and some fine-tuning of processes, plus a reconsideration of some of the contractual issues identified, the new District Court Building promises to meet the reasonable needs of all the users, including the persons in custody for many years to come.

## RECOMMENDATIONS

### *Recommendation 1*

*The Department of the Attorney General should, as indicated, accept the 14 Key Findings set out in Appendix 1 of this Report. Remedial actions should be taken promptly, as agreed. The Department should take due account of the perspectives put forward by the Contractor, as described above. Where the Department's preferred remedial mode falls short of the approach set out in the Key Findings, the success of that approach must be monitored with a view to implementing the recommended remedial action in full.*

### *Recommendation 2*

*The configuration of the Control Rooms' screens should be re-set so that the screen vision equates with natural vision.*

Each of these matters will be reviewed by ongoing visits by the Inspector's officers and again at the mid-2009 full inspection of Metropolitan Court Custody Centres. At that time the contractual arrangements between the parties will also be assessed.

Professor Richard Harding  
Inspector of Custodial Services

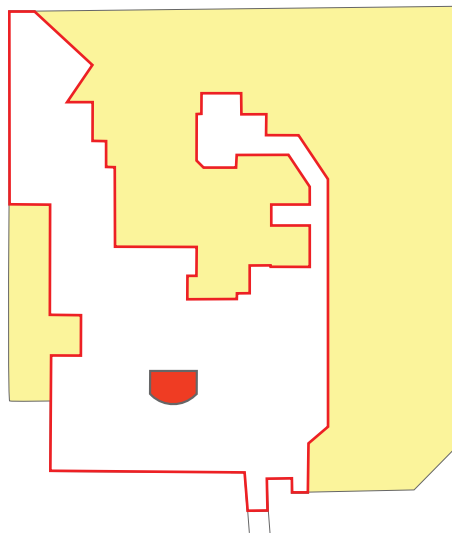
15 July 2008

# Appendix 1

## REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO COMMISSIONING – JUNE 2008

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### REVIEW OF THE PERTH DISTRICT COURT CUSTODY FACILITIES PRIOR TO COMMISSIONING

June 2008

Prepared for The Office of The Inspector of Custodial Services - Western Australia

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**Reference Documents:**

*Courts Standard Design Brief 11 April 2007*

*The Law Reform Commission of Western Australia - Courts Perspectives: Architecture, Psychology and Law Reform in Western Australia - Louise St John Kennedy and Dr.David Tait.*

*Reports of The Inspector of Custodial Services Numbers 3, 7, 20, 25, 31, 40 and 43.*

# REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO COMMISSIONING – JUNE 2008

## 1.0 Overview

This report responds to a request from The Office of The Inspector of Custodial Services, to conduct a pre-operational review of the planning and design of the Custody Centre at the new District Court Building in Perth. It is not a review of the technology and security systems, nor of the values and protocols of the operator or the qualifications of their staff. The amount and size of the facilities to accommodate the scale of the required custodial service was also not part of this review.

The task was to examine the potential of the newly constructed custody facilities to support a humane, safe and secure custodial service and to identify areas of possible risk. It was also to identify where further assessment could improve support from the building.

A diagrammatic analysis was undertaken (as overlays on the construction plans) to gain an understanding of how the facilities have been laid out to support the custodial activities.

The inspection of the facilities was carried out on the following dates:

- 3 May, 2008      controlled operational activity day.
  - attendees - Pieter Holwerda OICS / Lin Kilpatrick Architect
  - facilitator - Steve Fewster Courts Security Director.
- 20 May, 2008      inspection of the overall vacant custody facilities.
  - attendees - Pieter Holwerda OICS / Cliff Holdom OICS / Jim Bryden OICS / Lin Kilpatrick Architect
  - facilitator - Clive Walker - Courts Directorate Operations.
- 21 May, 2008      revisit by Lin Kilpatrick Architect to examine the public accessible bail waiting room.
  - facilitator - Clive Walker - Courts Directorate Operations.

The following areas of the new building were inspected:

- basement 2      - custody centre.
- basement 1      - primary control room and support areas / staff offices and facilities.
- level 4          - as representative of typical courtrooms.
- level 7          - high risk and ceremonial courtrooms

At the time of this review the status of commissioning the custody component was as follows:

- the majority of the building contract had been completed.
- defects had been identified and were in the process of being rectified.
- a 'fit for purpose' review had been undertaken by the Courts Directorate and a number of items identified as needing to be upgraded and/or changed prior to operating the facility.

In principle, it is considered that the overall physical environment is well set up to support the range of activities needed to deliver a quality custodial service, provided:

- a. sufficient funding is available to implement appropriate operational procedures by well trained and adequate staff.
- b. further assessment is undertaken to address the issues raised by the findings noted in section 2.0 on page 2.

The decision makers and project team responsible for the planning, design and construction of the facilities to support custodial services should be commended for achieving the following:

1. High level of planning flexibility to separately accommodate and to move the range of persons-in-custody categories around the Custody Centre and to and from the courtrooms - in particular, arrestees by Police to appear in the Magistrates Courts, persons-in-custody at high risk, protected witnesses, vulnerable persons, females and if needed, juveniles.
2. High level of flexibility to move escort and emergency response vehicles into and out of the building potentially from, or to, either Irwin or Hay Streets.
3. High quality of facilities to accommodate bailees - believed to be benchmark across Australia.
4. Respectful selection of finishes to the accused dock.
5. Potential to accommodate and manage contact visiting.
6. High level of integrated technology - in particular the computerised persons-in-custody registration and tracking system.
7. Provision of high quality finishes to primary movement spaces and to support facilities - in particular the carpets.
8. Provision of wheelchair accessible facilities eg. non-contact interview and holding facilities.



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## 2.0 Summary of Key Findings

(read in conjunction with section 4.0 Review of the Accommodation)

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### 2.1 The following issues have been identified :

1. A change in level at the threshold of the doors leading into the accused dock of the Ceremonial and High-Risk Courtrooms. The stair at these thresholds poses risk of injury to staff and to persons-in-custody. The nosings to the stairs leading into the accused dock seating area whilst effective as a non-slip treatment, may pose risk of injury as they are of aluminium construction and have sharp pointed corners. A similar problem occurs at the stairs leading out of the staff observation base in basement 2.
2. An extendable table projects into the entry and exit pathway at the accused dock servicing typical courtrooms.
3. The greater area of the Holding Rooms 02 at all courtroom levels is out of view from the door observation panel .
4. There is a lack of facilities for staff managing persons-in-custody at holding rooms on courtroom levels eg. toilet, drinking water.
5. The front screens to courtyards 1, 2, and 3 are less secure than the door fronts to typical holding rooms.
6. There is potential uncomfortable visual connection between a seated visitor and a seated person-in-custody in all non-contact visiting rooms due to the relative height of seat vs height of communication screen.
7. There is only one-off secure document transfer hatch provided in the non-contact visiting arera. It is located in the wheelchair accessible non-contact booth.
8. There is opaque film across the glazed screens between the secure bail holding rooms and the non-secure (public accessible) bail waiting room.
9. There is potential conflict of movement activity between each wing forming the central corridor within the secure custody zone.
10. There is a potential sight line available to persons-in-custody between holding rooms 1 and 21 ie. across the staff base.
11. There are rear doors to holding spaces in holding zone 2 which could generate default movement into and out of the movement corridor leading to the Magistrates Courts.
12. There appears to be direct CCTV surveillance directly onto toilet areas in all holding spaces which would impact on privacy.
13. There are no wall mounted duress alarms in the vehicle sally port.
14. There appears to be concern about security risk associated with use of the contact visiting facilities ie. introduction of contraband by visitors.

### 2.2 Suggestions to be considered in the design of future Courts Custody Centres to support both staff and persons-in-custody :

1. Configure holding room fronts so that the integration of ventilation elements and technological componentry does not override the value of maintaining maximum visual access for staff to directly interact with detainees in the holding rooms.
2. Design interior decor to soften the ambience of the overall Custodial environment - eg. introduction of strategically placed panels of colour and organise less visually dominating security signage on the walls of holding and other spaces.
3. Provide comfortable, safe and secure seating in the holding rooms eg. appropriately designed and robustly fabricated inflammable cushions.
4. Provide controlled (albeit limited) views to the outdoors from exercise courtyards, so that at the least a good sense of the prevailing weather can be experienced.
5. Provide a staff base which is open to the custody hall and encourages direct engagement between staff and person-in-custody.



typical holding room fronts



holding room signage / seating

REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO  
COMMISSIONING – JUNE 2008

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holding courtyard external screen



view out of the staff observation base

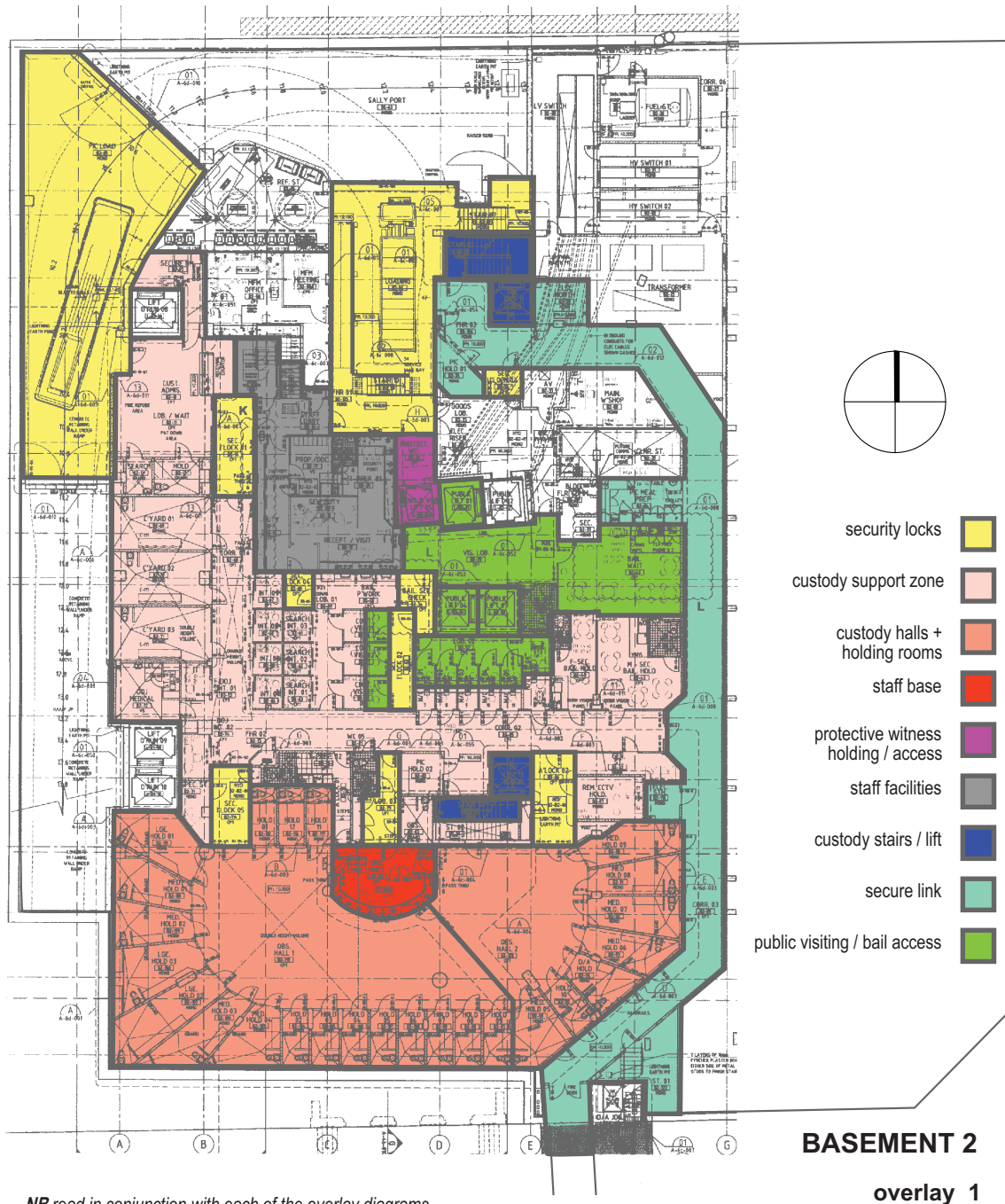
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3.0 Layout

3.1 Functional spaces

The location and arrangement of key activities are identified on the following overlays 1 to 4.

These overlays were developed to gain an understanding of how the various primary functions are laid out to form the overall Custody zone.



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REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO COMMISSIONING – JUNE 2008

3.1 Functional spaces



TYPICAL COURTROOMS LEVEL

NB read in conjunction with each of the overlay diagrams.

overlay 3

REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO COMMISSIONING – JUNE 2008

3.1 Functional spaces



**HIGH RISK AND CEREMONIAL COURTROOMS**

*NB read in conjunction with each of the overlay diagrams.*

**diagram 4**

REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO COMMISSIONING – JUNE 2008

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**control rooms**



view down from the primary control room



primary control room



view up to the primary control room



view out of the staff observation base

## 3.0 Layout

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### 3.2 Security Format

Rings of security.

The arrangement of security rings are identified on the following overlays 5 and 6.

These overlays were developed to gain an understanding of how the security barriers and security locks are laid out and integrated to provide physical security to the overall Custodial zone.

The line defining the 'ultimate' security barrier is indicated to terminate at the entry to secure stairways and lift cars. The reason for documenting this, is that whilst in reality these stairways and liftcars are secure through to the courtroom levels, and provide access into the courtrooms, they also ultimately provide access into public space (no different to the arrangements in other contemporary courts building). Overall safety and security will therefore rely on effective and direct management of persons-in-custody within the courtrooms.

Access was unavailable to inspect the security perimeter where the tunnel connects to the Magistrates Court facilities due to a temporary construction staging barrier.

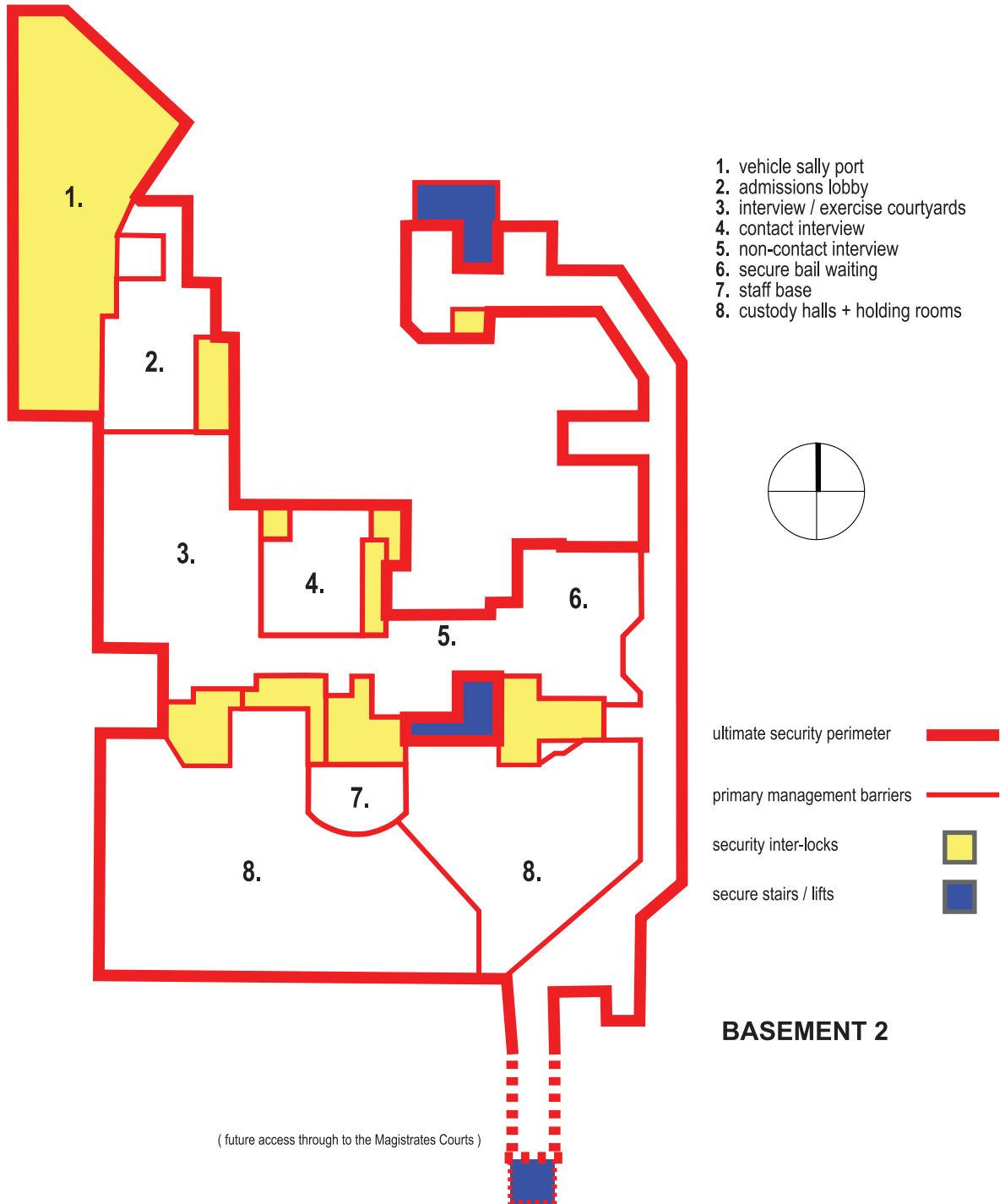
Management zones.

Overlay 7 identifies the arrangement of the primary management zones.



REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO COMMISSIONING – JUNE 2008

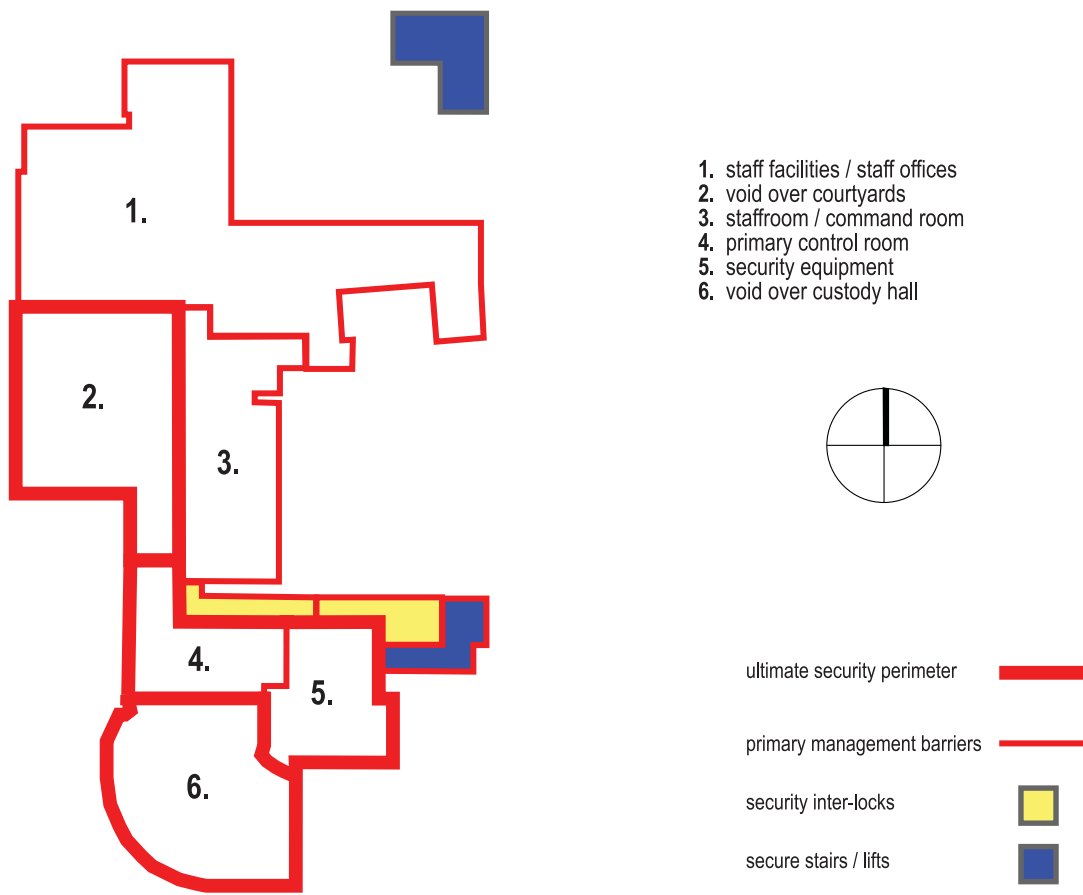
3.2 Security Format



*NB read in conjunction with each of the overlay diagrams.*

**RINGS OF SECURITY overlay 5**

3.2 Security Format

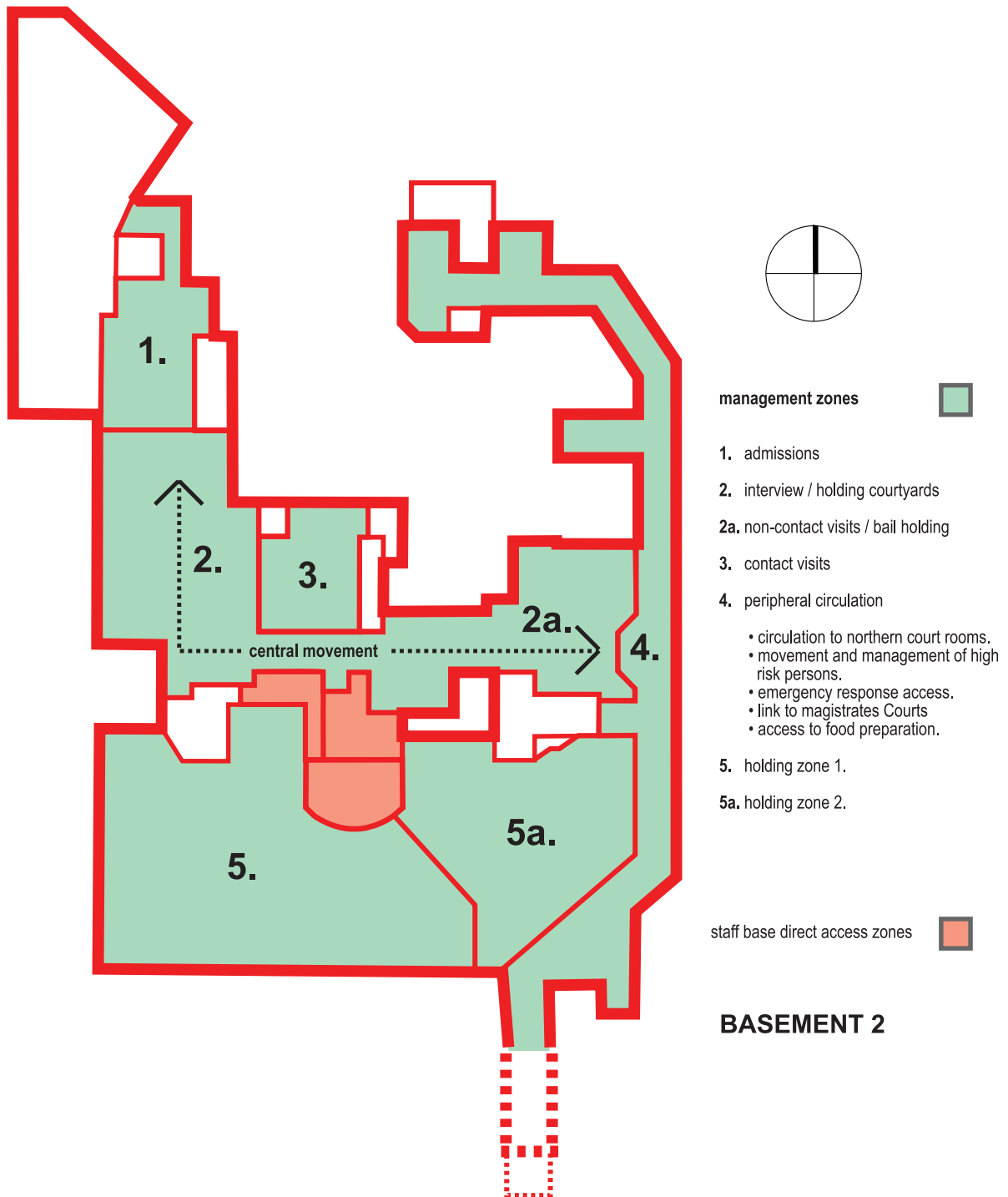


**BASEMENT 1**

*NB read in conjunction with each of the overlay diagrams.*

**overlay 6**

3.2 Security Format



*NB read in conjunction with each of the overlay diagrams.*

**PRIMARY MANAGEMENT ZONES overlay 7**

REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO  
COMMISSIONING – JUNE 2008

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the accused dock



high risk courtroom



security enclosure typical dock 1.



security enclosure typical dock 2.



remote video dock

## 3.0 Layout

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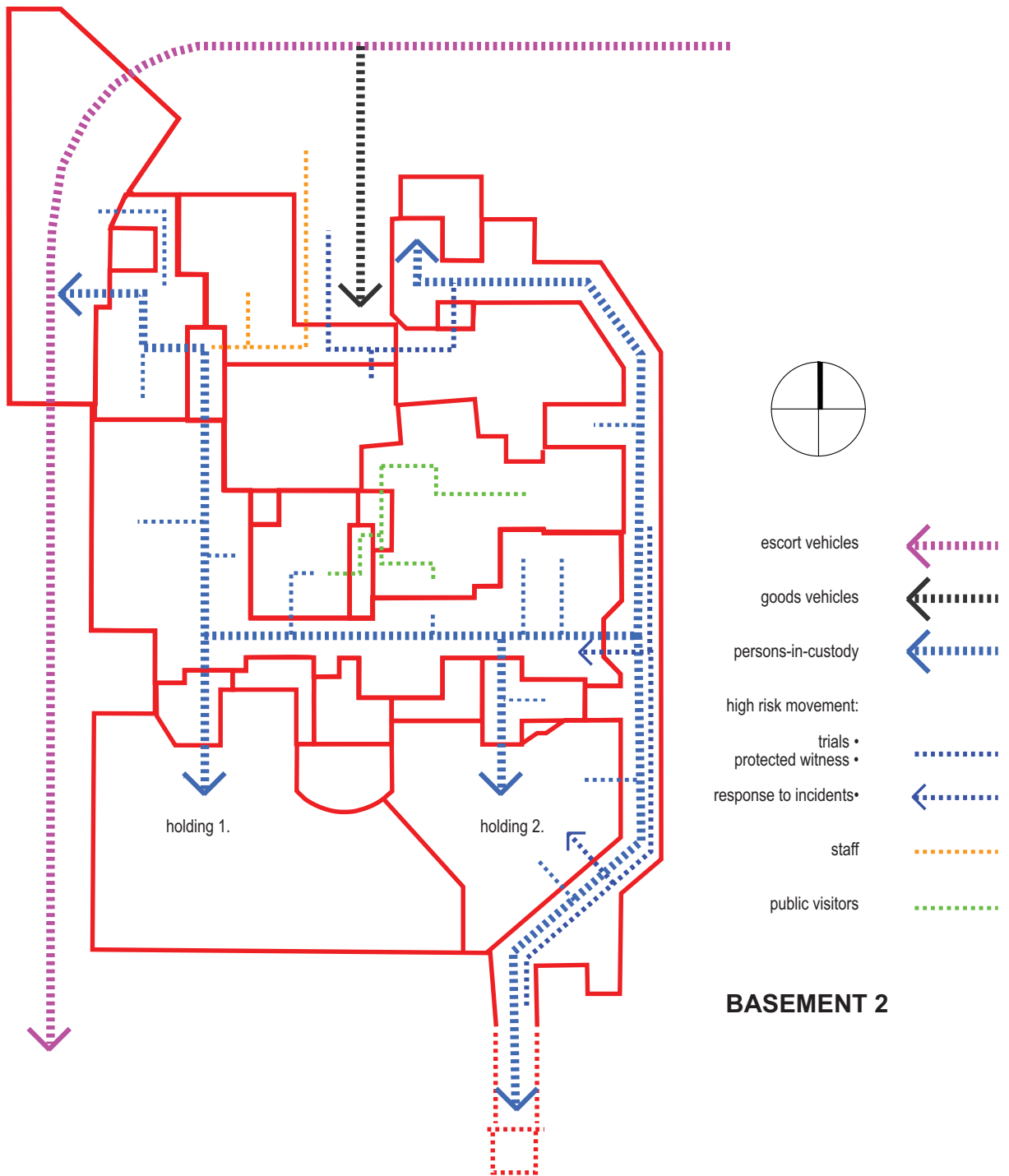
### 3.3 Movement

The following overlay 8 depicts the primary movement patterns.

The following activities were examined in terms of how the building has been set up to support movement:

- Arrival and departure of the escort vehicle.
- Arrival and processing of persons-in-custody to holding spaces:
  - from prisons
  - from public entry as bailees into the custody of the court.
- Processing and departure of persons-in-custody.
  - to prisons
  - to bail
  - freed from custody
- Persons-in-custody to and from the District Court courtrooms.
- Persons-in-custody to and from the Magistrates courtrooms.
- Persons-in-custody to and from interview facilities and exercise yards.
- Management of protective witnesses in custody and other high risk persons-in-custody.
- Emergency
  - fire egress.
  - emergency response group.
- Staff arrival and departure.
- Officials to and from the secure custodial zones.
- Public eg. legal counsel.
- Maintenance.
- Food.

3.3 Movement



*NB read in conjunction with each of the overlay diagrams.*

REVIEW OF THE PERTH DISTRICT COURT FACILITIES PRIOR TO  
COMMISSIONING – JUNE 2008

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**3.3 Movement**

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escort vehicle entry to sally port



secure lift to courtroom



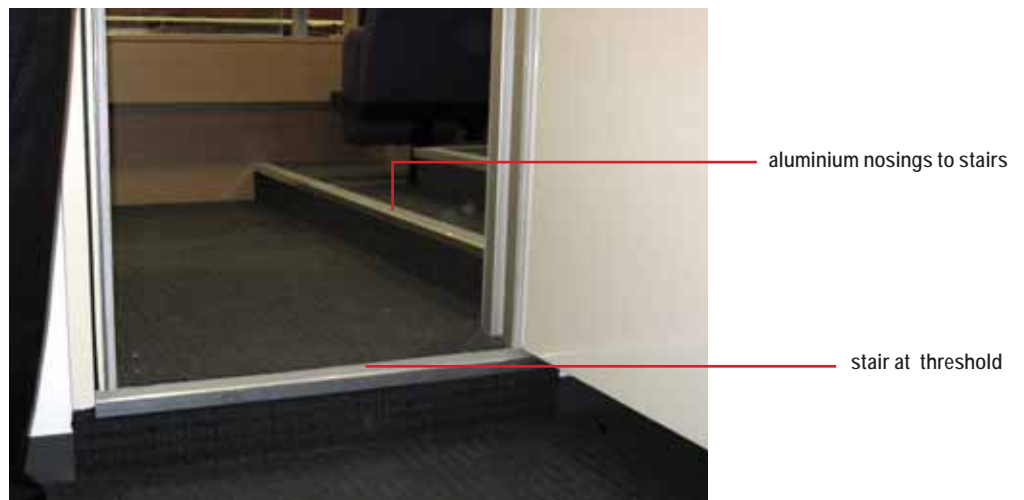
tunnel link to Magistrates Courts

## 4.0 Review of the Accommodation

A review was undertaken of all custodial zones and facilities. Issues were identified in the following areas:

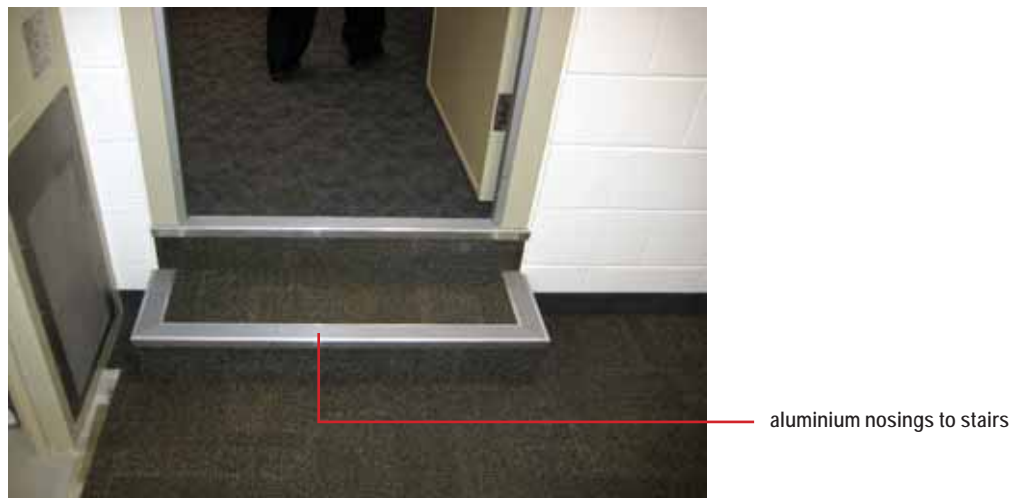
### 4.1 Accused dock and holding at the courtrooms.

- 4.1.1 The stair at the thresholds to the doors leading into the accused dock of the Ceremonial and High-Risk Courtrooms when not set up with the ramp for wheelchair access may cause injury to staff and/or to accused persons which in turn could escalate and generate risk within the courtroom.



door into accused dock at high risk and ceremonial courtrooms

- 4.1.2 The management of persons into and out of the accused dock of the Ceremonial and High-Risk Courtrooms may prove to be difficult at times having to negotiate stairs in a relatively confined space. The nosings to these stairs, whilst effective as a non-slip treatment, may cause injury to staff and/or to accused persons which in turn could escalate and generate risk within the courtroom.
- 4.1.3 The nosings to the stairs leading out of the staff observation base at basement 2 pose a similar risk to that mentioned in 4.1.2.



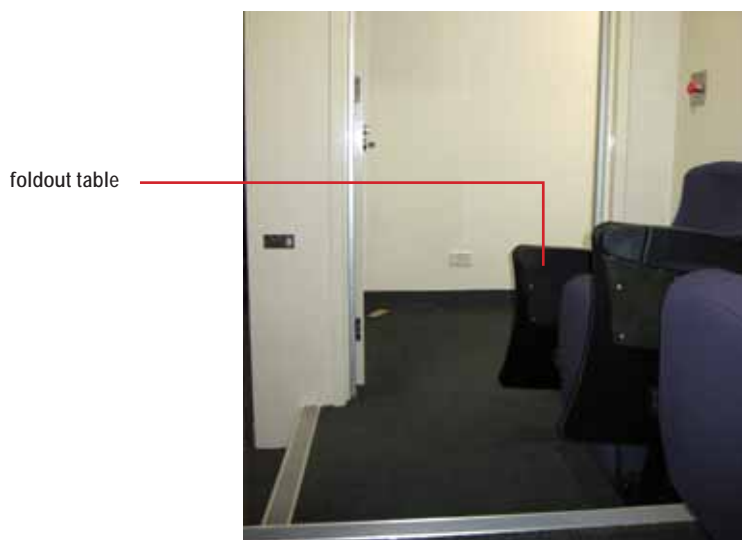
stairs leading into the staff observation base



## 4.0 Review of the Accommodation

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- 4.1.4 The adjustable table to the first seat (staff position) on entry to the accused dock projects into the movement pathway. This may cause injury to staff and/or to accused persons which in turn could escalate and generate risk within the courtroom.



seating in accused dock

- 4.1.5 There is a significant out of view area within the Holding Rooms 02 at all courtroom levels for custodial staff to view accused persons waiting to attend a hearing or waiting during adjournments. These are likely to be stressful times and both staff and accused persons could benefit by having better direct visual contact with one another.



holding rooms 02 at court room levels

- 4.1.6 There are no facilities for staff managing accused person at holding rooms on courtroom levels eg. toilet, drinking water. This may place custodial staff under stress during lengthy hearings, having to call and wait for a replacement when the need arises.

## 4.0 Review of the Accommodation

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### 4.2 Holding courtyards

- 4.2.1 The front screens to courtyards 1, 2 and 3, when measured against the strength of the fronts to the main holding rooms, are less secure. If they are to be occupied by persons deemed to be at risk, the screens would need to be strengthened. In any event, these spaces may need to be continuously and directly managed by dedicated staff, as they are remote from the custody halls.



view out from holding courtyards

### 4.3 Non-contact interview

- 4.3.1 The visual connection between a seated visitor and a seated person-in-custody in all of the non-contact visiting rooms may be difficult for persons of small stature due to the relative height of seat vs height of communication screen. This may lead to frustration and therefore add stress within the Custody Centre.



non-contact visiting - secure side

## 4.0 Review of the Accommodation

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- 4.3.2 The restricted management of secure document transfer in non-contact visiting booths to the one-off secure document transfer hatch provided in the wheelchair accessible non-contact booth - this may lead to time delays and frustration for persons-in-custody and their visitors during busy times needing to exchange documents prior to commencement of their hearing.



wheelchair non-contact visiting - secure side

### 4.4 Bail waiting and holding

- 4.4.1 The opaque film which has been added to the viewing windows between the public accessible bail waiting room and the secure bail waiting rooms to prevent sight lines into the custody centre continue to provide a sense of movement which could generate anxiety between bailees and separated families.



public accessible bail waiting room

## 4.0 Review of the Accommodation

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### 4.5 Movement corridors

- 4.5.1 Potential conflict of movement may occur between activity in each wing forming the central corridor within the secure custody zone.



wing A of central movement corridor

- 4.5.2 The rear doors to holding spaces in holding zone 2 could become the easy default to regular access into and out of the holding zone away from the staff observation base.



corridor link to Magistrates Courts - rear doors to holding rooms

## 4.0 Review of the Accommodation

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### 4.6 Sight lines

- 4.6.1 Potential sight lines available to persons-in-custody between holding rooms 1 and 21 across the staff observation base.



view towards staff observation base from custody hall 2

### 4.7 Privacy in the holding spaces

- 4.7.1 There are direct views by CCTV over toilet areas in all holding spaces.

### 4.8 Duress alarms

- 4.8.1 There are no staff duress alarms in the vehicle sally port.



vehicle sally port

### 4.9 Contact visiting

- 4.9.1 It is unclear how contact interview and visiting facilities will be utilised and managed ie. search/interview rooms vs contact visit rooms. Separate access is provided to the contact visit rooms, and common access is provided to the search/interview rooms. Will public visitors be allowed to meet with detainees in the search/interview rooms?

## Appendix 2

### THE DEPARTMENT OF THE ATTORNEY GENERAL'S RESPONSE TO THE 2008 KEY FINDINGS

No.	Summary of Key Findings	Level of Acceptance	Risk Rating	Response Summary	Action Plan
1.	Change in level at the threshold of the doors leading into the accused dock of the Ceremonial and High-Risk Courtrooms. The stair at these thresholds poses risk of injury to staff and to persons-in-custody. The nosings to the stairs leading into the accused dock seating whilst effective as a non-slip treatment, may pose risk of injury as they are of aluminium and have a pointed corner.	Agreed	Low	This matter should be raised again with WLG to ascertain if there is an available remedy. Given space constraints Policy amendments for dock guards to manage this situation may be the only remedy.	Court Security to add to facility defect list.
2.	An extendable table projects into the entry and exit pathway at the accused dock in the typical courtrooms.	Agreed	Low	This refers to the tables that swing off the dock and dock guard chairs.	Court Security to add to facility defect list.
3.	The greater area of the Holding Rooms 02 at all courtroom levels is out of view from the door observation panel.	Agreed	Low	WLG/GSL state that the area is covered by the CCTV and monitored by Master Control.	Court Security to review master control activity. Report in Dec 08
4.	There is a lack of facilities for staff managing persons-in-custody at holding rooms on courtroom levels eg. toilet, drinking water.	Agreed	Low	This is for the Service Provider to manage via staff rotation as they would a gallery guard requiring an ablution break.	No action required

THE DEPARTMENT OF THE ATTORNEY GENERAL'S RESPONSE TO THE 2008  
KEY FINDINGS

No.	Summary of Key Findings	Level of Acceptance	Risk Rating	Response Summary	Action Plan
5.	The front screens to courtyards 1, 2, and 3 are less secure than the door fronts to typical holding rooms.	Agreed	High	This is currently being addressed by the builder and the modification will allow areas to be used as an assembly area for movements. Procedure to be amended to reflect modified use.	Rectification work to be subjected to destructive testing during the week 30 June – 4 July 08
6.	There is potential uncomfortable visual connection between a seated visitor and a seated person-in-custody in all non-contact visiting rooms due to the relative height of seat vs height of communication screen.	Agreed	Moderate	To be registered with WLJ to allow at least one seat to be modified to increase its height to cater for smaller persons.	Court Security to add to facility defect list.
7.	There is only one-off secure document transfer hatch provided in the non-contact visiting area. It is located in the wheelchair accessible non-contact booth.	Agreed	Low	The service provider stated that this was their preferred option with appropriate procedures in place to cover any instance when the wheelchair accessible room is in use.	Standard design brief has hatch outside NCI rooms.
8.	There is opaque film across the glazed screens between the secure bail holding rooms and the non-secure (public accessible) bail waiting room.	Agreed	Moderate	This was the remedy applied to stop members of the public viewing persons in custody walking past the doors to the bail holding areas. This remedy allows the officers to see in clearly to monitor the occupants of the bail	Court Security to add to facility defect list.

THE DEPARTMENT OF THE ATTORNEY GENERAL'S RESPONSE TO THE 2008  
KEY FINDINGS

No.	Summary of Key Findings	Level of Acceptance	Risk Rating	Response Summary	Action Plan
				holding rooms, the option of film across the door would have reduced this vision to an unacceptable level – building design fault.	
9.	There is potential conflict of movement activity between each wing forming the central corridor within the secure custody zone.	Agreed	Moderate	Policies and correct movement management/ training mitigate this possibility to an acceptable level.	We understand GSL will seek to have an additional door installed.
10.	There is a potential sight line available to persons-in-custody between holding rooms 1 and 21 ie. across the staff base.	Agreed	Low	Blinds were to be installed and set on an angle that would allow the custody control officers to monitor the custody floors without the Persons in custody being able to see across the control room.	Matter to be raised with WLG/GSL.
11.	There are rear doors to holding spaces in holding zone 2 which could generate default movement into and out of the movement corridor leading to the magistrates Courts.	Agreed	Moderate	Movements through the rear doors to the cells in this area are covered and strictly controlled via procedures.	Managed through Tier 2 monitoring.
12.	There appears to be direct CCTV surveillance directly onto toilet areas in all holding spaces which would impact on privacy.	Agreed	Low	Review to be conducted to ascertain whether pixilation or camera spots required or best managed through policies.	Matter to be raised with WLG.



THE DEPARTMENT OF THE ATTORNEY GENERAL'S RESPONSE TO THE 2008  
KEY FINDINGS

No.	Summary of Key Findings	Level of Acceptance	Risk Rating	Response Summary	Action Plan
13.	There are no wall mounted duress alarms in the vehicle sally port. Elsewhere, there appears to be an inconsistency of height in their location.	Agreed	Moderate	Standard design brief to specify optimum position.	Court Security to add to facility defect list.
14.	There appears to be concern about security risk associated with the use of the contact visiting facilities ie. introduction of contraband by visitors.	Agreed	Moderate	This is mitigated through policies which require all persons in custody attending this area to be strip searched at end of visit, with visitor searched prior to entry.	Managed through Tier 2 monitoring

# Appendix 3

## G4S'S RESPONSE TO THE 2008 KEY FINDINGS

Ref: 1302/3.21

11 July 2008

Dr. Richard Harding  
Inspector of Custodial Services  
L27, 197 St George's Tce  
Perth W.A 6000



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Fax: 61 8 9479 9850  
www.gslpl.com.au

Dear Dr. Harding,

### Re: Inspection of District Court Building

Thank you for forwarding to us a copy of Section 2.0 Summary of Findings of the report on your recent inspection of the District Court Building, which you were commissioned to carry out.

As you are aware, GSL did not contribute to the building design as we acquired this contract through the purchase of the AIMS business in August 2007. However, we appreciate being asked to comment on your findings as providers of the Court Security and Custodial Services within the Facility.

In general we agree with the report's findings as they pertain or impact on the services we provide within the Facility. The following are our comments, from an operator's perspective, to the points made:

#### 2.1 The following issues have been identified:

1. Our concern with the step to the Dock at the Dock door is that when action needs to be taken quickly either from the holding area or the dock the step will be unseen and a fall may eventuate, creating a less than controlled environment. The aluminium strip lining the step edge may exaggerate any injury.
2. Extendable table in Docks are an obstacle to entry and egress - No comment.
3. Restricted view into holding cells at Court Room level – We agree with the observation, but believe the only fix would be a mirror like object providing a reflected view of the cell.
4. No staff amenities at Court Holding room level - This issue exists at most of the facilities we operate in.
5. The strength of the cell front of the Courtyard holding cells in Custody is less than normal cells - The PIC actor test proved this correct and currently they are not used due to the associated risk, however, we have sort approval for limited use for no more than two prisoners to be held pending immediate departure back to prison.



6. The level of visual contact between non-contact visitors and Persons in Custody is inconsistent with the window, providing visual obstacle to good communication – We agree.
7. There is only one non-contact visit with document hatch - There has not as yet been a great demand for the document hatch.
8. There is an opaque film glazed screen between bail holding and bail waiting room - The opaque film has already been scratched to gain a view between the rooms. This should be made scratch proof and provide no view at all to discourage attempts to communicate between rooms.
9. Potential conflict between Persons in Custody moving in corridor one and two at the same time, no physical restriction to movement - This requires a mirror view around the corner to observe any other PIC movement or a restriction in the movement between corridor 1 and 2. We suggest one less airlock door and an addition corridor door.
10. Line of sight issues between Custody hall 1 and 2 - This has been identified and needs a means to prevent a PIC viewing from one Custody hall or the other.
11. Rear doors to cells in Custody 2, generating default movement to CLC - It is not the intention of GSL to use the rear doors for routine movement. Any use of the rear doors requires senior operational authority.
12. Direct CCTV into holding cell toilets impacting on privacy – We agree.
13. No wall mounted Duress Button in Sally Port - Custody officers have radio duress, however this does not provide the location of duress in Mater Control merely a radio number. A duress button in the sally port would offer a better response, however there is one in the reception hall.
14. Concern about contraband being passed in the use of contact visits - The demand for contact visits is minimal, hence GSL currently view the risk as low but must be monitored.

In regard to your suggestions for consideration in future designs, we agree that these points would bring about a more friendly environment for both Persons in Custody and the staff operating in the custody centre, which would help to reduce stress levels for both parties.

Please accept our apologies for the tardiness of our response. Should you wish to discuss our comments please contact the undersigned at your convenience.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rob McCarthy', is written over a circular stamp or seal.

**Rob McCarthy**  
**State Manager GSL WA**

# Appendix 4

## INSPECTION TEAM

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Professor Richard Harding	Inspector of Custodial Services
Lin Kilpartick	Expert Consultant – Architect
Jim Bryden	Inspections and Research Officer
Cliff Holdom	Inspections and Research Officer
Pieter Holwerda	Inspections and Research Officer



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