Annual Report 2017/18

**Department of Justice**

Court Security and Custodial Services Contract

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# Key Areas of Focus and Achievements 2017/18

This Annual Report of the Contract for the Provision of Court Security and Custodial Services (‘the Contract’) covers the period 1 July 2017 to 30 June 2018 inclusive. It is the first full year of service under the current Contract for Broadspectrum (Australia) Pty Ltd and the first year since the Departments of the Attorney General and Corrective Services officially amalgamated to form the Department of Justice on 1 July 2017.

# Contract Background & History

This Annual Report of the Contract for the Provision of Court Security and Custodial Services (‘the Contract’) covers the period 1 July 2017 to 30 June 2018 inclusive.

A contract for the Provision of Court Security and Custodial Services has been in existence since January 2000.

In 2008, the Department of Justice (formerly the Department of Corrective Services) became responsible for assisting the Minister for Corrective Services in administering the Court Services and Custodial Services Act 1999. As such, the Director General of the Department is the Principal to the Contract for the Provision of Court Security and Custodial Services.

Under the Contract, the Contractor is responsible for the provision, maintenance and replacement of the Secure Vehicle Fleet, as well as air and coach transportation of persons in custody across the State. Regional Police lock-ups are cleared within   
24 hours and air transport is also used for regional prisoner movements. Contract officers are required to be trained to a specified level of proficiency in order to secure an improved quality of service.

The Contractor’s performance is measured against Key Performance indicators (KPIs) and Service requirements. The Contract allows for application of an Abatement Regime consisting of Specified Events and KPIs.

The Contract also provides for a Performance Incentive Payment which is calculated as a percentage of the monthly service fee. The monthly Performance Incentive Payment is reduced based on the total Performance Assessment Points the Contractor accumulates each month for failing to meet a KPI.

The Department monitors and reviews the Contractor’s provision of court security and custodial services State-wide. This has resulted in greater scrutiny of service delivery which enables the Department to identify issues in a timely manner, and seek prompt remedy from the Contractor when issues of concern arise.

The Contract focuses on services being carried out with regard to the security of persons in custody, staff, and the general public at the highest levels, within set timeframes and with a high degree of duty of care. The monitoring processes developed, together with the Abatement Regime, support the provision of high levels of service delivery throughout the State.

# Overview of Contract Cost of Service

# In total, the cost of delivering the service during the period 1 July 2017 to 30 June 2018 was $50,440,300.

# A breakdown of the Contract costs associated with the Court Security and Custodial Services Contract is below (rounded to the nearest dollar).

|  |  |
| --- | --- |
| **Description** | **Payment** |
| Custody Movement Services (metropolitan and regional areas) | $27,716,117 |
| Court Custody and Court Security Services (metropolitan and regional courts) | $22,724,183 |
| **Gross Total** | **$50,440,300** |
| Abatements applied | $1,263,626 |
| **Net Total** | **$49,176,674** |

# Custody Movement Services

## Person in Custody Movement Services (Transport)

### **Description of Service**

The provision of movement services for persons in custody includes the transportation of such individuals between police lock-ups, courts, court custody centres, prisons and remand centres.

Movement services are also provided for persons in custody to attend medical appointments, funerals or other locations for approved purposes. The Contract also provides security services when a person in custody is admitted to a hospital.

**Table 1. Total Individual Custody Movements Performed**

|  |  |  |
| --- | --- | --- |
| **Services** | **Movements** | **Comments** |
| Inter-prison Transfers | 6,548 | Inter-prison movements include metropolitan to regional and vice versa, and within regional areas and the metropolitan area. Movements are conducted by coach, air or secure vehicle. |
| Court to Prison  Prison to Court | 6,939  8,189 | Court to Prison and Prison to Court movements are from court and prison locations specified in the Contract. |
| Medical Appointments | 6,461 | Medical appointments include scheduled and unscheduled appointments in the metropolitan and regional areas. |
| Funerals | 220 | Funeral movements include movements to funeral services locations as approved. |
| Day Admissions | 180 | These services are for prisoners who are admitted to hospital for surgical or other procedures. |
| Prison to Hospital    Hospital to Prison | 191  135 | These movements are undertaken to facilitate hospital admissions for longer than a day. |
| Lock-up Clearance (Metropolitan and Regional) | 11,448 | For regional areas, this service clears persons in custody from 24 WA Police Hub locations to local regional prisons. This service requires persons in custody to be cleared within 24 hours’ notice.  During this reporting period lock-up clearances from metropolitan areas for persons in custody were cleared from the Perth Police Complex (PPC) in Northbridge. |
| Visits | 50 | These services include visits to ill relatives and other approved escorts. |

A total number of 40,361 person in custody movements occurred by various means (air, coach, secure vehicle, or other vehicles) for the reporting period.

**Figure 1. Monthly Contracted Adult Transport Services**

**Figure 2. Annual Service Delivery of Adult Contracted Transport Service**

### **Total Expenditure: Custody Movement Services**

The cost of providing Custody Movement Services between 1 July 2017 and   
30 June 2018 for metropolitan and regional areas was $27,716,117.

The 2017/18 cost of Movement Services includes the provision of air charter, coach movements, Police Lock-up Hub Clearances within 24 hours, and the cost of maintaining and managing the Secure Vehicle Fleet.

## Person in Custody who died while in hospital

Eight deaths in custody occurred while the persons in custody were at hospital under guard between 1 July 2017 and 30 June 2018. The Coroner has yet to conduct inquests for the eight deaths in custody.

## Management of Persons in Custody

Broadspectrum utilises the electronic Prisoner Escort Management System (ePEMS), a data collection management system, which has been built on a simple Microsoft database platform and operates on Windows compatible computers.

ePEMS is an ‘off-the-shelf’ software solution that has been designed and developed to support the delivery of prisoner escort services. ePEMS draws information from the Department’s Total Offender Management System (TOMS). This enables transport requests and necessary information relating to a person in custody to be available to Broadspectrum for appropriate tasking.

Confidential and sensitive data and information created and held within the system is encrypted. Only authorised users with explicit permissions are able to enter, view or amend records.

## Secure Vehicle Fleet

The Secure Vehicle Fleet was transferred to Broadspectrum at service commencement as provided for under the Contract.

# Court Security and Court Custody

## Description of Service

The Contract provides for court security and court custody services at major metropolitan and regional courts throughout WA and in designated jurisdictions.

Court security is the provision of security services (excluding custody) and generally includes court orderlies, gallery guards, perimeter security to external premises and internal security of public areas within major courts.

Court custody is the provision of security services within the court custody centre and the secure circulation paths leading to and from courtrooms. This includes dock guards in courtrooms for the management of persons in custody, and the management of custody centres where one forms part of a court complex.

## Court Custody and Court Security Costs

The cost of providing court custody and court security services between 1 July 2017 and 30 June 2018, for metropolitan and regional courts was $22,724,183.

# Contract Compliance

The Contract operates under a defined governance framework that is overseen by the CS&CS Board. The purpose of the Board is to provide direction and advice on strategic and policy issues that affect the management and provision of services under the Contract. The Board is chaired by the Commissioner of Corrective Services and includes representatives from WA Police and Courts.

The objectives of the Board are to:

* Examine and resolve strategic issues that affect the Contract;
* Ensure compliance requirements are met;
* Facilitate improvements in the performance of the Contract;
* Review the ongoing relevance of aspects of the Contract;
* Provide a forum for co-ordination of relevant budget processes; and
* Ensure that planning priorities inform the budget process.

## Description of Service

Departmental staff monitor services provided by the Contractor through regular site visits as well as specific site reviews.

One Compliance Review was undertaken in the 2017/18 financial year. A review of Albany Court, inclusive of Transport, was conducted in November 2017.

Table 2 below, identifies the number of visits per location to undertake monitoring activities at both metropolitan and regional sites where Broadspectrum provide a service.

**Table 2. Schedule of Monitoring Visits Completed**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Monitoring Visits Completed** | | | | | |
| Airport - Maroomba | 33 | State Administrative Tribunal | 26 | St John of God Hospital | 8 |
| Armadale Court | 48 | Supreme Court AXA | 43 | Rockingham Hospital | 0 |
| District Court Building /Central Law Courts | 119 | Supreme Court & Stirling Gardens | 29 | Swan Districts Hospital | 0 |
| Fremantle Court | 51 | Fiona Stanley Hospital Secure Unit | 38 | Northbridge PPC | 65 |
| Joondalup Court | 39 | Funerals | 6 | Acacia Prison | 2 |
| David Malcolm Justice Centre | 3 | Bentley Hospital | 3 | Melaleuca Remand & Reintegration Facility | 7 |
| Cathedral Precinct | 19 | Joondalup Hospital | 1 | Wandoo reintegration Facility | 1 |
| Mandurah Court | 45 | Armadale Hospital | 0 | Bandyup Women’s Prison | 38 |
| Midland Court | 50 | Fiona Stanley Hospital | 243 | Casuarina Prison | 71 |
| Perth Children’s Court | 62 | Fremantle Hospital | 12 | Hakea Prison | 68 |
| Northbridge Court | 22 | King Edward Memorial Hospital | 6 | Banksia Hill Detention Centre | 2 |
| Family Court | 28 | Royal Perth Hospital | 16 | Albany Prison | 0 |
| Rockingham Court | 34 | Sir Charles Gairdner Hospital | 9 | Broadspectrum Base | 11 |
|  |  |  |  | **Total** | **1,258** |

## Specified Events and Key Performance Indicators (KPIs)

The Contract applies an Abatement Regime consisting of Specified Events and KPIs. Specific abatement amounts are provided for Specified Events referred to in the Contract. The Contract also provides for a Performance Incentive Payment which is calculated as a percentage of the monthly service fee. The monthly Performance Incentive Payment is reduced based on the total Performance Assessment Points the Contractor accumulates each month for failing to meet a KPI.

The Contract also provides an increase in Specified Event amounts and Performance Assessment Points for repeated occurrences of the same Specified Event or KPI failure.

The total value of abatements applied for the period 1 July 2017 to 30 June 2018 was $1,263,626.

The following incidents were subject to abatement during the reporting period with a total abatement amount of $409,432.

* 19 x Failure to provide a Service, each with a maximum abatement amount of $5,000.
* 8 x Unauthorised release of an unsecure person in custody, with a maximum abatement amount of $10,000.
* 5 x Failure to treat all persons fairly and with respect for inherent dignity, with a maximum abatement amount of $10,000.

In addition, 424 Performance Failures were abated to a total of $854,194.

## Performance Improvement Notices

The Contract provides for the issue of a Performance Improvement Notice (PIN) in the event the Contractor has breached an obligation specified in the Contract, or has not sustained any service element. This mechanism enables a specific performance issue to be addressed and promptly remedied.

Contract Management issued one PIN for the period 1 July 2017 to 30 June 2018. On 30 November 2017, a PIN was issued in relation to a failure to report intelligence information as required in the CS&CS Contract and Broadspectrum’s Standard Operating Procedures.

The Contractor responded to the PIN within the specified time and the Department continues to monitor Broadspectrum’s performance against this issue.

# Training

The Contract requires all Contract Workers to have successfully completed a Certificate III, or for Supervisors, Certificate IV in Correctional Services in their first year of employment.

A training review to examine and evaluate the training provided to Contractor Employees under the CS&CS Contract, and as stated in the Service Requirements at Schedule 5, 1.12 will be conducted in the next financial year.

# Contract Reviews

The Contractor’s performance is measured against Key Performance Indicators and comprehensive Service Requirements. The Contractor is expected to deliver 100% of all services in accordance with the contracted service requirements. An Abatement Regime applies if the Contractor fails to deliver services as required.

The Department monitors and reviews the Contractor’s provision of court security and custodial services State-wide. This has resulted in greater scrutiny of service delivery which enables the Department to identify issues in a timely manner, and seek prompt remedy from the Contractor when issues of concern arise.

The Contract focuses on services being carried out with regard to the security of persons in custody, staff, and the general public at the highest levels, within set timeframes and with a high degree of duty of care. The monitoring processes developed, together with the Abatement Regime, support the provision of high levels of service delivery throughout the State. The following reviews were conducted during the 2017/18 reporting period.

## Review of Contractor’s Operational Instructions

A review of selected Broadspectrum Operational Instructions (OIs) was undertaken. The Contractor and the Department reviewed the selected OIs in relation to issues and incidents as they occurred.

## Volume (Band) Changes

The Contract provides for service volume changes to Pricing Tables to occur. The Contractor must notify the Principal in writing on a monthly basis when the service volume for a Service exceeds seventy-five percent (75%) and one hundred percent (100%) of the Baseline Volume Band for each Pricing Table. The Principal determines the applicable Baseline Volume Band from the range of Volume Bands set out in the Pricing Tables.

No changes to the Volume Bands occurred for the period 1 July 2017 to   
30 June 2018.

# 2018/19: The Year Ahead

The Department will continue to closely monitor service deliverables throughout the second year of the Contract in order to quickly identify areas of concern as they arise.

The Contractor has advised the Department of its plan to concentrate on Fleet utilisation, optimisation, and future replacement in the next reporting period.