



Department of the Attorney General
Government of Western Australia

Annual Report 2005/2006 Contract for the Provision of Court Security and Custodial Services



30 September 2006

HON MARGARET M QUIRK MA LLB (Hons) MLA
Minister for Corrective Services

In accordance with section 45 of the *Court Security and Custodial Services Act 1999*, I hereby submit for your information and presentation to Parliament, the 2005/2006 Annual Report of the Court Security and Custodial Services Contract.

Under section 45 of the Act, the chief executive officer (Director General) of the Department of the Attorney General is required to prepare a report on services provided by the contractor for the 12 months ending the 30 September each year.

This report presents an overview of services provided under the contract by Australian Integration Management Services Corporation (AIMS Corporation).

Compliance information and statistical information in the report is presented for a contract year, which operated 31 July 2005 through 30 July 2006.

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A/Director General

30 September 2006

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EXECUTIVE SUMMARY

The 2005/2006 contract year was one of renewed stability, understanding and collaboration among the parties involved in the management and operation of the Court Security and Custodial Services Contract.

A new governance framework implemented in late 2005 allowed stakeholder input and feedback on the progress of the contract and ensured a focus on service delivery and demand management by the contractor. It also saw the Department of the Attorney General report quarterly to the Minister for Corrective Services.

The strengthened operational support and compliance was reflected in AIMS Corporation operating within the defined budget, despite demanding circumstances. For first time since it won the contract, AIMS Corporation did not incur any financial penalties for service breaches and was entitled to its full performance-linked fee. This is a marked improvement on previous years, where incidents such as prisoner escapes resulted in high-profile reports and inquiries.

The year also represented a time of significant changes in the structure of State Government services, particularly in the justice arena.

Following a recommendation of the Mahoney Inquiry into the management of offenders in custody, the Department of Justice was separated into two new agencies – the Department of the Attorney General and the Department of Corrective Services. The departments began operation on 1 February 2006.

The complexity of separating the delivery of some corporate services across both departments led to the decision to leave responsibility of the *Court Security and Custodial Services Act 1999* (the Act) with the Minister for Corrective Services (formerly the Minister for Justice). The Department of the Attorney General would administer the Act on behalf of the Minister, while the Department of Corrective Services would manage the contract on their behalf. The CEO referred to in the Act and the Contract is defined as the CEO of the Department of the Attorney General.

The year saw a greater level of responsibility for demand management taken by other stakeholders. Prisons and courts took on a greater role in managing demand and services in the contract. This included operational reviews and working directly with service recipients. Issues were dealt with directly between client agencies and the contractor, or escalated through the governance framework if they were unable to be resolved. This clearly benefited the working relationships between the contract parties and the overall delivery of services.

Court security and custodial services were expanded for the new Albany Justice Complex, which became operational in late 2005. The Department of the Attorney General also assisted the WA Police at several events, loaning secure vehicles with AIMS Corporation officers operating them as mobile police lock-ups at big events such as schoolies' week and the Australia Day Skyworks. These extra services in part, contributed to an overall 5.3% increase in service hours as compared to the previous year.

The measurement of service demand was also modified in line with the Department of Corrective Services' new management information systems. This has provided a more accurate view of the services by changing the 'counting rules'. Now, all the

route sections in a transport run are counted as one movement, rather than individual movements.

However, the year did not pass without challenge. AIMS Corporation did struggle to maintain adequate service levels in Roebourne and South Hedland, to which the Department of the Attorney General responded with a letter of advice requesting them to show cause as to why a contract default notice should not be issued. AIMS Corporation subsequently provided an action plan to address deficiencies in prisoner transport service provision, including ways to increase staffing levels and vehicle availability.

The introduction of a new secure vehicle fleet was delayed this year due to the closure of the company that was awarded the tender for the construction and supply. However, that challenge was quickly overcome by the Contract Management Branch and the delivery of new vehicle prototypes is now expected in early 2007.

Further changes to the contract are already foreseen for the 2006/2007 contract year. A recommendation of the Mahoney Inquiry will require the Departments of the Attorney General and Corrective Services to consider future service provision in remote areas. The Department of the Attorney General will also have to decide by 30 July 2007 on the form of new service provision. Due to the major changes in the contract, State Supply Commission policy will not allow for an extension of the contract.

The delivery of court security and custodial services remains in good stead to continue in 2006/2007, supported by sound organisational, monitoring and personnel resources across all parties.

Michelle Scott
A/DIRECTOR GENERAL
DEPARTMENT OF THE ATTORNEY GENERAL

BACKGROUND

In January 2000, the former Department of Justice entered into a five-year contract, with two three-year options, with the Corrections Corporation of Australia (CCA) to provide court security and custodial services under the *Court Security and Custodial Services Act 1999*.

Following the execution of the contract, Sodexho Alliance – a French corporation with a 50% shareholding in CCA – acquired the remaining 50% share holding held by Corrections Corporation of America. In December 2000, CCA was renamed Australian Integration Management Services Corporation (AIMS Corporation).

The Court Security and Custodial Services (CS&CS) Contract was executed pursuant to section 18 of the *Court Security and Custodial Services Act*. The full contract was tabled in both Houses of Parliament in compliance with statutory requirements.

The original intention of the contract was to create an improved, integrated service that released police and justice-based staff from non-core activities of court security and prisoner transport. The existing contract requires the contractor to provide in-court security and court custody services in all metropolitan courts and seven regional courts — Broome, South Hedland, Carnarvon, Geraldton, Kalgoorlie, Bunbury and Albany. The contract also incorporates the transport and escort of people in custody throughout the State.

In July 2005, the then Department of Justice executed the first three-year option to extend the contract with AIMS Corporation.

On 1 February 2006, the Department of Justice was separated into two new departments. Responsibility for administration of the *Court Security and Custodial Services Act 1999* fell to the Department of the Attorney General. The Department of the Attorney General continued to administer the Act on behalf of the Minister for Corrective Services (formerly Minister for Justice). For operational reasons, the Department of Corrective Services managed the contract on their behalf.

The Department of Corrective Services' Contract Management Branch is responsible for the quality management of the service. The Contract Management Branch undertakes formal auditing of the service in conjunction with relevant stakeholders.

The contract outcomes and guiding principles are included as appendices to this report (see pages 32 and 33).

OVERVIEW OF CONTRACT OPERATIONS

Following the separation of the Department of Justice on 1 February 2006 into the Department of the Attorney General and the Department of Corrective Services, responsibility for the administration of Court Security and Custodial Services Act 1999 fell to the Department of the Attorney General. The Department of the Attorney General administers the act on behalf of the Minister for Corrective Services (formerly the Minister for Justice), while the Department of Corrective Services manages the contract operations on their behalf.

The CEO referred to in the Court Security and Custodial Services Act 1999 and in the contract is defined as the CEO of the Department of the Attorney General.

SERVICE OPERATIONS

During 2005/2006, Australian Integration Management Services Corporation (AIMS Corporation) continued to maintain and deliver a satisfactory level and quality of court security, custodial and transport services under the Court Security and Custodial Services Contract.

AIMS Corporation was therefore assessed as entitled to receive the full performance-linked fee for the year, with the number of critical and reportable incidents falling within the acceptable level determined by the contract.

Recruitment and training

Ongoing staff attrition of approximately six people per month, and changing demand for services, meant that AIMS Corporation was required to continually recruit and train staff during the year. Recruitment in the regional areas in particular, continued to be a challenge due to labour shortages created by the resources boom.

To meet these challenges, AIMS Corporation changed its recruitment and training methods. They introduced a broad advertising strategy to target more potential recruits, which led to some 70 new recruits being enlisted during the year. This was a positive outcome given the highly competitive job market, labour shortages and competition from similar agencies, including the police, prisons and transit guards.

AIMS Corporation also reviewed the effectiveness of its recruit training and restructured its training framework to provide supervised training on-site, as well as self-paced learning. The self-paced format involved trainees completing modules on specific topics either in-class, on-site or in their own time. The fixed training schedule was also adapted to include more frequent intakes to meet changing service demands and to respond to changing staffing numbers.

The Chamber of Commerce and Industry conducted an independent assessment of the training in July 2006 and reported that the training framework met all Australian Quality Training Framework and Registered Training Organisation requirements.

Security and risk assessment

One serious incident was recorded during the year when a prisoner escaped custody in Geraldton while on a medical escort (see page 30 for further information). A further alleged escape occurred at Fremantle Hospital in September 2006, and was still under investigation at the end of this reporting period.

Minor incidents continued to be managed, mitigated or prevented through security and risk management throughout the year.

Security and risk management for several high-profile trials was also coordinated between AIMS Corporation, Department of Corrective Services, Department of the Attorney General and WA Police.

Security Support Group

The Security Support Group, established by AIMS Corporation in mid-2004 to manage high-risk prisoners and situations, was used extensively for court security and custodial services, and transport operations, throughout the State in 2005/2006.

The group's operational tasks included:

- escorting people in custody classified 'at-risk'
- undertaking custodial supervision of people in custody classified as high-security escort (HSE) attending court
- undertaking dock guard duties and additional security duties for high-profile trials
- removing individuals who refused to leave custodial cells
- assisting with the transportation of Indonesian fishermen held in custody in Broome to metropolitan and South-west prisons
- providing hospital and medical escorts of high-risk people in custody
- providing ongoing training for AIMS officers
- completing security audits of custodial operations.

The AIMS Security Support Group also maintained an ongoing training regime to ensure all officers were up to date with relevant procedures. Specialist officers were also rotated through operational assignments to ensure their skills were maintained.

In early 2006, AIMS Corporation conducted an additional Security Support Group course to bolster the number of security group back-up officers.

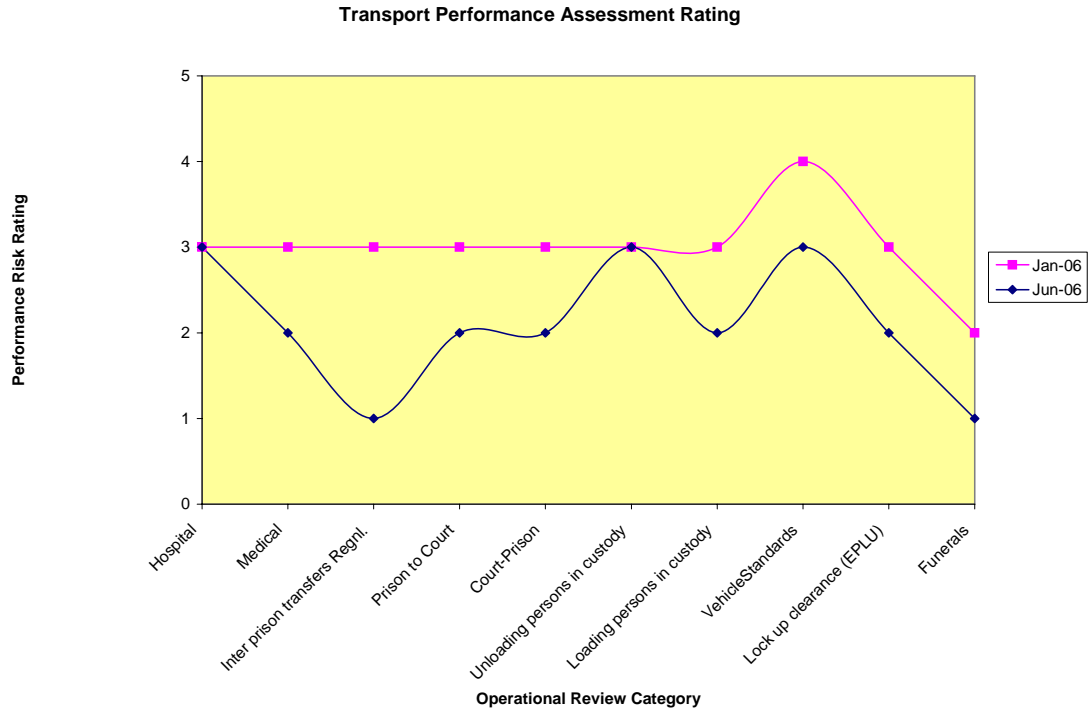
Operational review framework

As part of the operational review framework implemented in 2004/2005, the prisons, courts and police continued to undertake regular contract service delivery reviews, and seek ways to improve the efficiency of the service this year. Examples are identified in the 'Enhancement of Services' sections on pages 14 and 20.

The reviews included monitoring risk levels in a range of service areas by examining security, compliance and duty of care.

Graph 1 provides a snapshot of how risk levels were monitored and improvements made by AIMS Corporation in prisoner transport service delivery between January and June 2006. The performance risk rating is determined on a scale from 1 through 5. One (1) reflects least risk, that is, full and complete adherence to procedures with no security breaches identified including complete duty of care, and five (5) reflecting highest risk, resulting from non adherence to procedures within identified security breaches, such as breaches of statutory requirement and demonstrated absence of duty of care with immediate health care issues prevalent.

Graph 1: Performance assessment rating – Transport (January 2006 and June 2006)



SERVICE RESOURCES

Vehicles

At 30 July 2006, AIMS Corporation operated the Department of the Attorney General's fleet of 37 vehicles — comprising 19 in the metropolitan area and 18 in the regions.

The vehicles are now six years old and the cost of vehicle maintenance has increased with several vehicles requiring extensive refits, including new engines and gearboxes.

To address this issue, a vehicle fleet replacement strategy was developed by the former Department of Justice in early 2005, and tender documents prepared for the construction and supply of 40 secure vehicles.

Implementation of that strategy was delayed in January 2006, when company Herd Industries, was awarded preferred tenderer status but ceased trading before the contract could be finalised.

The State Supply Commission subsequently approved for sole supplier status to be awarded to SVM Queensland, which was the only other company identified as having the capability to supply the vehicles. SVM Queensland was awarded sole supplier status in June 2006.

Work has commenced with SVM to develop design specifications for the vehicles, including size, number of passengers and surveillance equipment to be installed. Once the specifications are agreed, the costs will be finalised and a contract to develop prototypes issued.

The first vehicles are expected to be available in early 2007, taking a further two to three years to replace the entire fleet.

In addition to using the fleet for prisoner transport services, the Department of the Attorney General continued to support WA Police by making its secure vehicles available for major events such as the Australia Day Skyworks. This cooperation will continue in 2006/2007.

Staff

At 30 July 2006, AIMS Corporation had 294 permanent, permanent flexi-time and casual employees delivering the contract services. Of these, 63 were based in regional areas. At the same time last year, the company had 265 permanent, permanent flexi-time and casual employees, with 59 based in regional areas. Staff numbers increased due to active recruitment and more staff being retained as casual employees.

AIMS Corporation also appointed additional staff to meet increased service demand in some regional areas, including Albany and Bunbury. However, their ability to recruit and retain staff continued to be an ongoing challenge, given the current economic climate. The greatest challenge was felt in the Pilbara and Eastern Goldfields areas.

SERVICE DIMENSION

During 2005/2006, the method for measuring service demand was modified in line with the Department of Corrective Services' new management information systems. By changing the 'counting rules' a more accurate view of the services could be provided. For example, all the route sections in a transport run are now counted as one movement, rather than individual movements.

In total, AIMS Corporation delivered 484,193 service hours in 2005/2006 – an increase of 24,357 hours (5.3%) from the previous contract year. The rise was due to factors such as increased demand at the new Albany Justice Complex and longer court opening times.

Table 1 shows the services provided for court security and custodial operations and prisoner transport from 2001 to 2006. The apparent decrease in court security and court custody hours and significant increase in prisoner movement hours in Year 6 (2005/2006) largely reflects a change in reporting – with hospital sit hours (hours spent guarding prisoners in hospitals) being recorded as court security hours in previous years.

Table 1: Service dimension 2001 to 2006

| Service Year | Court security and court custody hours | Prisoner movement hours | Total service delivery hours | No. prisoners in custody transported |
|---------------|--|-------------------------|------------------------------|--------------------------------------|
| Year 1 | 293,720 | 137,741 | 431,461 | 43,149 |
| Year 2 | 271,513 | 126,037 | 397,550 | 58,641 |
| Year 3 | 299,031 | 122,950 | 421,981 | 54,650 |
| Year 4 | 307,835 | 116,047 | 423,882 | 58,925 |
| Year 5 | 333,687 | 126,149 | 459,836 | 54,567 |
| Year 6 | 320,124 | 164,034 | 484,193 | 47,192 |

Notes:

1. *'Prisoners in custody transported' is the number of individuals transported from one place to another, rather than the number of vehicle movements.*
2. *Data for August, September and October 2000 (Year 1) was not collected because AIMS Corporation did not have the appropriate information systems in place.*
3. *Year two does not include hospital sit hours.*
4. *Hospital sit hours for years three, four and five are included in court security and custody hours.*
5. *Year 6 prisoner movement hours includes hospital sit resource hours.*

COURT SECURITY AND COURT CUSTODY SERVICES

Court security involves the provision of court orderlies in the Magistrate's courts, gallery guards in the Supreme and District courts and perimeter security to the external premises and internal public areas of major courts.

Court custody involves the deployment of dock guards in the Supreme, District and Magistrate's courts and the management of court custody centres attached to major courts.

DEMAND MANAGEMENT

As part of the new management information systems introduced in 2005/2006, data collection was modified to better record the contractor's resource hours. This included the separate reporting of management and supervision hours for court security and court custody.

Although Table 1 shows a net reduction in resource hours provided to the courts in 2005/2006, it should be noted that in previous years these hours incorporated hospital sit hours. If the total hospital sit hours were extracted from the 2004/2005 court resourcing hours tally, it would reveal there was actually a 4.9% increase of court resourcing hours in 2005/2006.

Tables 2 and 3 below indicate how the total court resourcing hours for 2004/2005 and 2005/2006 were broken down into various categories, as well as the number of adults managed in court custody centres.

The tables show there was a slight increase (2%) in the total number of court custody resourcing hours from 2004/2005 to 2005/2006, compared to a 16% decrease in the number of adults managed in court custody centres. This drop was caused by a range of factors, including increased use of video conferencing by WA courts.

Table 2: 2004/2005 breakdown of court resourcing hours and number of adults managed in court custody centres

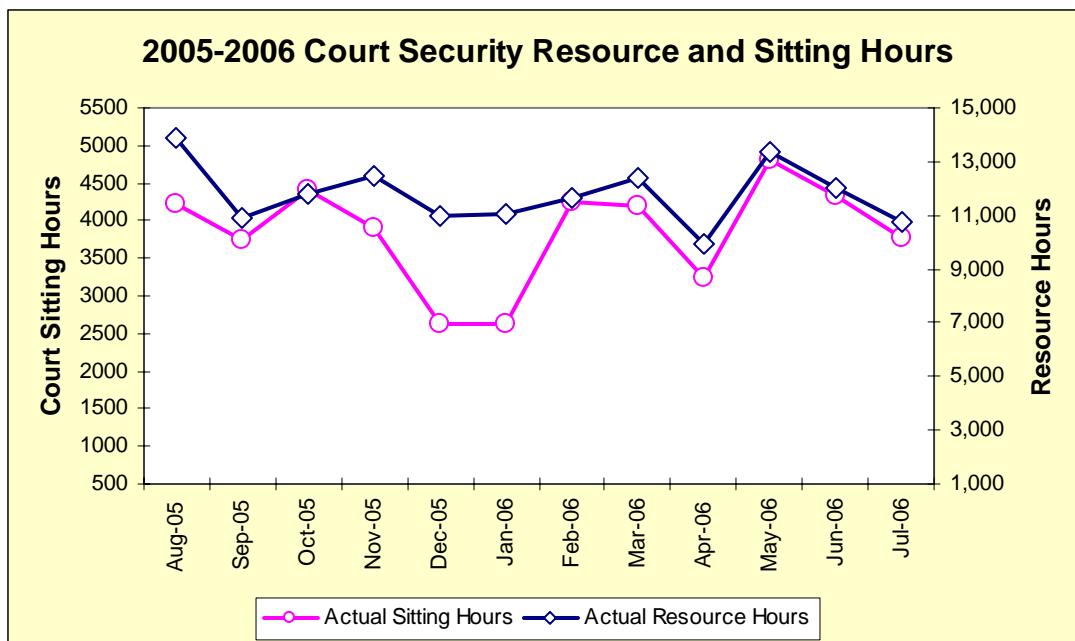
| Month | Number of adults managed in court custody centres | Court custody resourcing hours | Court security resourcing hours |
|--------------|---|--------------------------------|---------------------------------|
| August | 2,495 | 10,713 | 13,606 |
| September | 2,204 | 10,858 | 13,961 |
| October | 2,147 | 9,506 | 11,837 |
| November | 2,495 | 11,202 | 13,844 |
| December | 2,336 | 10,239 | 11,678 |
| January | 2,317 | 10,820 | 14,611 |
| February | 2,697 | 11,882 | 14,537 |
| March | 2,652 | 12,335 | 15,971 |
| April | 2,415 | 10,975 | 14,532 |
| May | 2,801 | 12,795 | 15,223 |
| June | 2,431 | 11,786 | 15,745 |
| July | 2,202 | 11,471 | 15,446 |
| Total | 29,192 | 134,584 | 170,722 |

Table 3: 2005/2006 breakdown of court resourcing hours and number of adults managed in court custody centres

| Month | Number of adults managed in court custody centres | Court custody resourcing hours | Court security resourcing hours | Management and other hours |
|--------------|---|--------------------------------|---------------------------------|----------------------------|
| August | 2,346 | 12,065 | 13,870 | 4273 |
| September | 2,095 | 10,149 | 10,918 | 3826 |
| October | 2,252 | 10,231 | 11,808 | 3727 |
| November | 2,173 | 11,671 | 12,463 | 3685 |
| December | 1,648 | 10,348 | 10,978 | 3255 |
| January | 1,694 | 10,597 | 11,041 | 3411 |
| February | 1,957 | 12,023 | 11,657 | 3574 |
| March | 2,345 | 13,329 | 12,372 | 3605 |
| April | 1,818 | 9,803 | 9,911 | 2606 |
| May | 2,325 | 13,665 | 13,370 | 3590 |
| June | 2,060 | 12,616 | 12,029 | 3076 |
| July | 1,907 | 10,547 | 10,115 | 3923 |
| Total | 24,620 | 137,043 | 140,531 | 42550 |

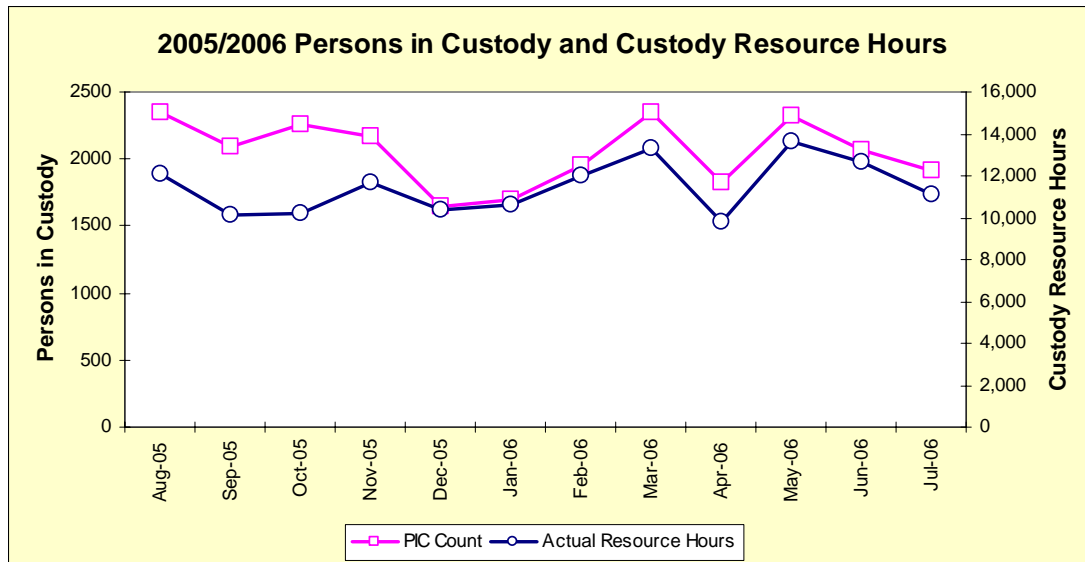
Graph 2 demonstrates the correlation between court security staff resource hours and court sitting hours in 2005/2006. The disproportionate fall in court sitting time compared to court resource hours during December/January is indicative of the relatively high proportion of fixed demand for services, such as perimeter security, in a period where superior courts have vacation.

Graph 2: 2005/2006 court security resource and sitting hours



Graph 3 demonstrates the correlation between the number of people managed in custody and court custody resource hours. The variations do not necessarily reflect inefficiencies because service delivery hours are influenced by the order of court listings and there is a fixed demand for some custodial services to meet safety and security requirements.

Graph 3: 2005/2006 court custody resource hours and persons in custody



IMPACT ON SERVICE DEMAND

There were no major events or incidents that significantly affected demand for court security and court custody services in 2005/2006.

Overall court sitting hours in WA courts increased during the year and included the move from a half-time to a full-time magistrate at Mandurah Court.

Additionally, AIMS Corporation resumed operations at the Supreme Court custody centre in September 2005 following upgrading of the centre.

ENHANCEMENT OF SERVICES

The Department of the Attorney General upgraded court custody centres across the State during the year to better secure people in custody.

The Department also opened the new \$20 million Albany Justice Complex, which included two new courtrooms and shared court-police custodial areas. To meet a police request for AIMS Corporation to take responsibility of the police lock-up, for people arrested as well as prisoners attending the court (during normal court opening hours), the lock-up was prescribed under part 2, section 5 of the Act in December 2005.

The Kalgoorlie police lock-up was also prescribed as a lock-up during the year, however AIMS Corporation services had not been used there during the reporting period.

The improvements made to Albany and other courts during the year resulted in additional AIMS Corporation officers being required to operate the upgraded custodial facilities effectively. This requirement, however, was to some extent offset by efficiencies gained in court security through improved building layout and technology.

To enhance the services provided by AIMS Corporation, court security reviews were undertaken by Department of the Attorney General staff during the year. The reviews involved a full inspection of every metropolitan court, at least once a fortnight, and inspections of regional courts as often as possible.

The courts were reviewed against a critical factors/functions performance checklist. The checklist and frequency of reviews meant issues arising could be dealt with immediately. It also allowed AIMS Corporation officers and Department of the Attorney General staff to work together to determine what procedures were necessary at each courthouse to ensure security, safety and contract compliance.

One outcome of the review included the development and implementation of new leg restraints (ankle ribbands), which is a more discreet but equally effective method than leg irons for restraining prisoners appearing in court.

Site manuals

In 2005/2006, the Department of the Attorney General completed new site manuals for Bunbury, Kalgoorlie, Mandurah and Midland courts and finalised the Supreme Court manual. Changes were also made to the Albany site manual following the opening of the new justice complex.

The site manuals detail the specific work routines of courts and prison sites, taking into account the variety of workplace-specific routines that constitute the services. The manuals allow AIMS Corporation officers to quickly assimilate the requirements of courts and prisons, and the duties of staff at each site. They are subject to ongoing review and updating.

FUTURE DEMAND

It is predicted that the demand for court security services will increase based on increasing demands on WA courts, as well as new planned projects.

The redevelopment of the Kalgoorlie courthouse, proposed to start in 2006/2007, will most likely result in the need for increased staff resourcing hours, while another project initiated by the Department of the Attorney General, to increase the number of family and domestic violence court sittings, is also expected to increase demand across the State.

Reports of security concerns in civil courts, and some requests from presiding officers for more security, are being reviewed by the Department of the Attorney General. While the existing contract does not require AIMS Corporation to provide services to civil courts unless requested, this may be considered as part of a variation of contract in the future.

The trend of increased court sitting hours is also expected to continue in 2006/2007, with more WA courts opening at 9am or 9.30am each day instead of the traditional 10am start. This will result in increased demand for court security and court custody officers to service the courts.

Table 4 shows a breakdown of the expected demand on WA courts. This total expected demand for 2006/2007 of 330,005 hours is a 3% increase on the actual 2005/2006 court resourcing hours.

Table 4: Expected courts demand 2006/2007 – Metropolitan and regional

| Courts demand – metropolitan and regional | |
|--|-------------------|
| Central Law Courts – total hours | 150,000.00 |
| Supreme Courts – total hours | 34,000.00 |
| All other courts | |
| Perth Children’s Court | 7,000.00 |
| Armadale | 11,500.00 |
| Fremantle | 15,000.00 |
| Joondalup | 11,000.00 |
| Mandurah | 9,500.00 |
| Midland | 12,000.00 |
| Rockingham | 11,500.00 |
| Albany | 10,000.00 |
| Broome | 10,500.00 |
| Bunbury/Busselton | 13,000.00 |
| Carnarvon | 4,500.00 |
| Geraldton | 9,500.00 |
| Kalgoorlie | 13,000.00 |
| Karratha | 500.00 |
| South Hedland | 7,500.00 |
| OTHER TOTAL | 146,000.00 |
| GRAND TOTAL HOURS | 330,000.00 |

PRISONER TRANSPORT SERVICES

AIMS Corporation provides transport services for people in custody to and from prisons and courts and to medical appointments, funerals and other approved locations. Transport services also include moving remand and sentenced people in custody from police lock-ups in regional and remote locations serviced by AIMS Corporation. AIMS officers also escort and supervise prisoners attending hospital, funerals or visiting ill relatives.

DEMAND MANAGEMENT

Medical appointments, inter-prison transfers and total hospital sit hours increased by 22%, 16% and 31.5% respectively this year, while prison to-from court movements, funerals and lock-up clearances fell by 21%, 10% and 54% respectively.

The drop in prison to-from court movements reflected a change in the way these movements were measured. The change, made in accordance with variations to the contract, means a total prisoner transport journey is measured once rather than two or three times as individual legs of a journey.

Additionally, the figure for lock-up clearances dropped by more than half this year because of the reclassification of East Perth watch house movements to the prison to court and return tally. This was done to better manage demand by distinguishing between police lock-up to prison transfers and police lock-up to court movements.

Table 5: 2005/2006 service demand for movement of offenders

| Service | Number of prisoner movements | | Service variation |
|-----------------------------|------------------------------|-----------|-------------------|
| | 2004/2005 | 2005/2006 | |
| Medical appointments | 5,543 | 6,782 | 22% |
| Inter-prison transfers | 7,347 | 8,525 | 16% |
| Prisons to court and return | 38,931 | 30,519 | -21% |
| Funerals | 649 | 583 | -10% |
| Lock-up clearances | 1,625 | 744 | -54% |
| Total hospital sit hours | 28,389 | 37,326 | 31.5% |

Graph 4: 2005/2006 service demand for movement of offenders

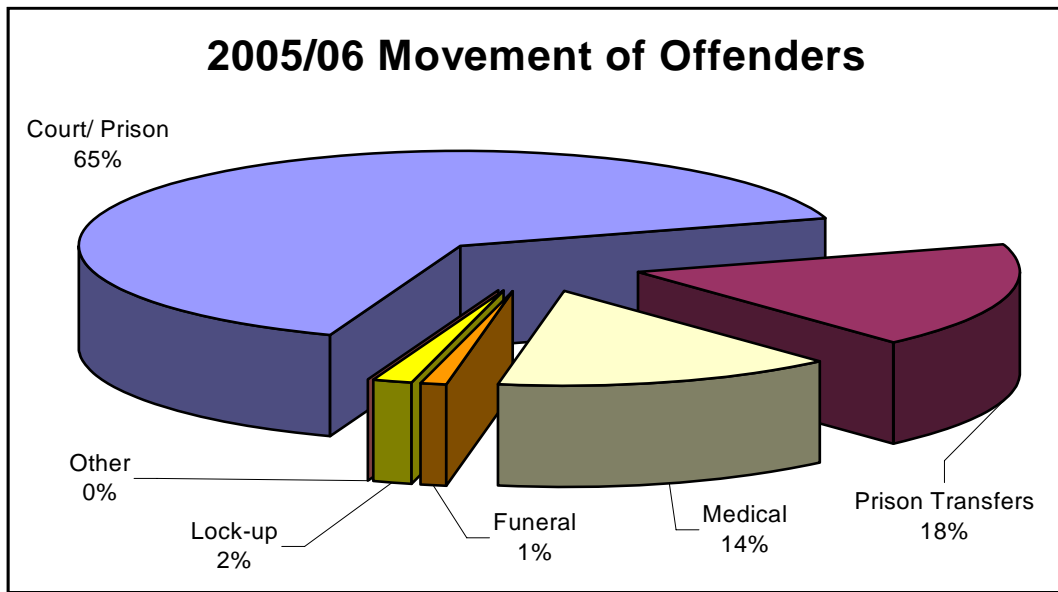


Table 6: 2005/2006 prisoner movements and resourcing hours by month

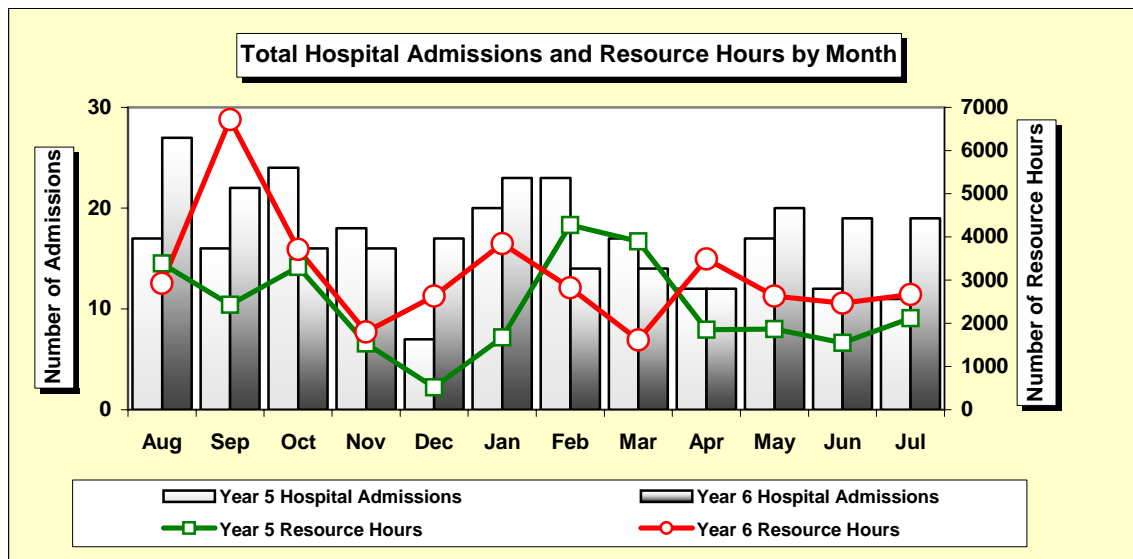
| Service | Service Year | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Total |
|-------------------|--------------------|------|------|------|------|------|------|------|------|------|------|------|------|-------|
| Court / Prison | 2005 / 2006 | 2836 | 2528 | 2555 | 2686 | 2231 | 2484 | 2497 | 2763 | 2206 | 2766 | 2669 | 2300 | 30519 |
| | 2004 / 2005 | 3681 | 3463 | 3184 | 3700 | 3577 | 3370 | 3505 | 3013 | 3369 | 3386 | 2436 | 2397 | 38931 |
| Prison Transfers | 2005 / 2006 | 735 | 627 | 840 | 731 | 622 | 793 | 711 | 698 | 687 | 749 | 699 | 633 | 8525 |
| | 2004 / 2005 | 677 | 553 | 543 | 593 | 630 | 530 | 700 | 644 | 645 | 627 | 610 | 595 | 7347 |
| Medical Appt | 2005 / 2006 | 642 | 536 | 506 | 554 | 578 | 478 | 640 | 650 | 493 | 639 | 563 | 503 | 6782 |
| | 2004 / 2005 | 522 | 539 | 501 | 547 | 504 | 486 | 421 | 388 | 437 | 448 | 393 | 357 | 5543 |
| Funeral Escorts | 2005 / 2006 | 41 | 40 | 35 | 42 | 77 | 53 | 47 | 52 | 48 | 49 | 49 | 50 | 583 |
| | 2004 / 2005 | 76 | 54 | 65 | 60 | 53 | 44 | 77 | 34 | 41 | 92 | 27 | 26 | 649 |
| Lock-up Transfers | 2005 / 2006 | 64 | 75 | 55 | 78 | 69 | 56 | 33 | 49 | 81 | 61 | 82 | 41 | 744 |
| | 2004 / 2005 | 94 | 144 | 110 | 118 | 151 | 110 | 143 | 179 | 115 | 68 | 258 | 137 | 1625 |
| Other | 2005 / 2006 | 3 | 3 | 2 | 3 | 14 | 2 | 8 | 4 | 0 | 0 | 0 | 0 | 39 |
| | 2004 / 2005 | 14 | 9 | 16 | 5 | 27 | 18 | 51 | 306 | 18 | 8 | 0 | 0 | 472 |

Table 7: Number of hospital admissions, resource hours by month and average resource hours per incident of admission

| Month | Hospital admissions 2004/05 | Hospital admissions 2005/06 | Resource hours 2004/2005 | Resource hours 2005/06 | Average resource hours per admission 2004/05 | Average resource hours per admission 2005/06 |
|--------------|-----------------------------|-----------------------------|--------------------------|------------------------|--|--|
| August | 17 | 27 | 3,383 | 2,924 | 282 | 108 |
| September | 15 | 22 | 2,433 | 6,720 | 162 | 305 |
| October | 24 | 16 | 3,300 | 3,711 | 137 | 232 |
| November | 18 | 16 | 1,531 | 1,803 | 85 | 113 |
| December | 7 | 17 | 515 | 2,633 | 74 | 155 |
| January | 20 | 23 | 1,674 | 3,844 | 84 | 167 |
| February | 23 | 14 | 4,271 | 2,821 | 186 | 202 |
| March | 17 | 14 | 3,894 | 1,615 | 229 | 115 |
| April | 12 | 12 | 1,854 | 3,488 | 154 | 291 |
| May | 17 | 20 | 1,868 | 2,632 | 110 | 132 |
| June | 12 | 19 | 1,545 | 2,465 | 129 | 130 |
| July | 11 | 19 | 2,121 | 2,670 | 193 | 141 |
| Total | 193 | 219 | 28,389 | 37,326 | 147 | 170 |

Note: Resourcing hours are taken from AIMS Corporation data (Source: Monthly Contractor Operational Report).

Graph 5: Total hospital admissions and resource hours, by month



IMPACT ON SERVICE DEMAND

The prosecution of Indonesian people fishing illegally off the northern coast of WA during the year required special runs to be made to transport the prisoners from Broome to Perth. In addition, the high number of prisoners in WA custodial facilities, which peaked at the highest ever level of 3594 prisoners on 11 September 2006, necessitated more unscheduled inter-prison transport to assist prisoner management.

Demand for funeral attendances continued to decrease in 2005/2006 due to a reduction in applications, as well as adherence to a new policy with stringent assessment and approval for a funeral where more than four prisoners are attending and/or it is expected to cost more than \$1500 per prisoner.

ENHANCEMENT OF SERVICES

As part of the operational review framework (see page 8), the Department of Corrective Services Contracted Transport section continued to manage AIMS Corporations' prisoner transport services through regular reviews and monitoring. Reviews were usually conducted daily and, as a result, the service ran more efficiently, with Contracted Transport officers being able to identify and deal with issues when they occurred.

The introduction of a triage system during the year also allowed the contractor to better deliver services for medical escorts. The triage system involves prison health services prioritising critical, urgent and non-urgent conditions. AIMS Corporations' success rate in meeting prisoner medical appointments on time was about 94% compared with about 82% in the previous year.

FUTURE DEMAND

Several scheduled Government projects are expected to impact on the delivery of prisoner transport services in 2006/2007.

A project is underway to determine the costs and logistics of extending the service to incorporate the transport of sentenced prisoners from multi-functional police facilities in remote areas of the State. The facilities, which combine police, court and Department for Community Development services, were implemented by Government in response to the Gordon Inquiry, which made recommendations to address abuse and violence in Aboriginal communities.

Service locations targeted for operation in 2006/2007 include Kalumburu in the North Kimberley, Warburton in the Central Lands, Warakurna and Kintore near the WA/NT border and Bidyadanga in the West Kimberley.

Services to these locations would relieve the WA Police of the task and responsibility of transporting sentenced prisoners and ensure contemporary prisoner transport practices were employed, while releasing police officers for frontline duties. It is proposed that the existing Court Security and Custodial Services Contract could be extended to fulfil the requirements.

A second project, initiated by the Department of Corrective Services, is underway to develop a secure facility to provide outpatient services for prisoners. This facility, situated next to Royal Perth Hospital, is expected to be used by about 65% of metropolitan prisoners requiring medical treatment. It would provide a more secure environment for prisoners requiring outpatient services, protecting both hospital staff and the public.

Vehicle service costs are also expected to increase in 2006/2007, until a new secure vehicle fleet can be introduced. These costs are due to the requirements to maintain the ageing fleet. In addition, there will be increased operational costs, largely for fuel and oil.

Table 8a shows the expected demand for transport services for 2006/2007 across the State, against identified categories. Table 8b shows the total expected demand for each transport service in 2006/2007.

Table 8a: Projected transport demand 2006/2007 – metropolitan and regional

| TRANSPORT DEMAND – METROPOLITAN | | | | | | | | |
|---------------------------------|--------|---------|---------|-----------|--------------------|-----------|-----------|--------------|
| | Acacia | Bandyup | Boronia | Casuarina | Hakea | Karnet | Wooroloo | TOTAL |
| Hospital sit hours | 4863 | 5701 | 0 | 15593 | 8719 | 0 | 0 | 34874 |
| Medicals | 1344 | 722 | 0 | 1183 | 1408 | 0 | 0 | 4658 |
| Prison/Court | 4391 | 3504 | 239 | 2938 | 14960 | 242 | 433 | 26708 |
| Funerals | 72 | 29 | 0 | 33 | 59 | 0 | 0 | 193 |
| Transfers | 829 | 387 | 146 | 1401 | 2885 | 160 | 301 | 6109 |
| TRANSPORT DEMAND – REGIONAL | | | | | | | | |
| | | Albany | Broome | Bunbury | Eastern Goldfields | Greenough | Roebourne | TOTAL |
| Hospital sit hours | | 2181 | 545 | 390 | 1013 | 467 | 467 | 5064 |
| Medicals | | 386 | 307 | 469 | 544 | 458 | 434 | 2598 |
| Prison/Court | | 747 | 1286 | 1332 | 1319 | 659 | 605 | 5947 |
| Funerals | | 13 | 114 | 29 | 82 | 64 | 128 | 431 |
| Transfers | | 205 | 416 | 209 | 615 | 847 | 721 | 3012 |
| Lock-up Clearances | | 0 | 458 | 0 | 338 | 0 | 0 | 796 |

Table 8b: Projected transport demand 2006/2007 – Totals

| TRANSPORT DEMAND – TOTALS | | | | |
|---------------------------|----------|----------|--------------------------|---------------|
| Hospital sits (hours) | Medicals | Funerals | Other prisoner movements | Totals |
| 39,938 | 7,256 | 624 | 42,572 | 50,452 |

OFFICE OF THE INSPECTOR OF CUSTODIAL SERVICES THEMATIC REVIEW OF CUSTODIAL TRANSPORT SERVICES

On 15 March 2006, the Office of the Inspector of Custodial Services requested a submission from the Department of Corrective Services relevant to the Inspector's *Thematic Review of Custodial Transport Services*.

The Department provided its submission in April 2006. The Inspector's report is expected to be tabled in Parliament in 2006/2007.

CONTRACTUAL MATTERS

LETTER OF ADVICE - SERVICE LEVELS IN ROEBOURNE AND SOUTH HEDLAND

Following a review of services provided in Roebourne and South Hedland in November 2005, the level of AIMS Corporation's service provision was deemed well below that required under the Court Security and Custodial Services Contract. In particular, there was an inability by AIMS Corporation to meet the prisoner transport demands for the region due to lack of staff and resourcing.

A meeting was held between the Contract Manager, transport representatives and AIMS Corporation to discuss possible solutions to the problem. These included reorganising the management of the region and offering financial incentives, such as assistance with housing costs, to attract more staff. Following this, AIMS Corporation's General Manager visited the region to assess the situation.

A letter of advice to AIMS Corporation to show cause as to why a default notice should not be issued, in accordance with section 24 of the contract, was sent to AIMS Corporation on 30 November 2005. Section 24 of the contract provides for the State to require the contractor to remedy a breach within a certain period of time.

AIMS Corporation responded with an action plan to address the service deficiencies, including ways to increase staffing levels. This was assessed as having met the stipulation of the 'show cause' letter. The plan and its target completion dates were monitored by the Contract Manager. Service and levels improved. However, AIMS Corporation's resilience in the area remains an issue of concern and the Contract Manager continues to work with them to provide a more robust solution for the region.

CHANGES TO REQUIREMENTS

There were two changes to Court Security and Custodial Services Contract requirements in 2005/2006. The first was to prescribe the Albany and Kalgoorlie lock-ups to allow AIMS Corporation officers to maintain control over people in police custody. The second was to register the ankle ribband as a new form of prisoner restraint.

Prescribed lock-ups

Both the Albany and Kalgoorlie lock-ups were prescribed under the Act in 2005/2006 to allow AIMS Corporation to manage the lock-up on behalf of WA Police.

A custody centre/lock-up must be prescribed if prisoners are held there other than for the purpose of appearing in court. Under these circumstances, the contractor can be responsible for prisoners held at these lock-ups, including any people in custody already held by the police in that lock-up at that time.

In Kalgoorlie, the Department of the Attorney General had the lock-up prescribed for service reasons. It is anticipated the lock-up may be used to accommodate prisoners being transported from Perth to Kalgoorlie at times when Eastern Goldfields Regional Prison is at capacity. To date, the contractor has not had to use the lock-up.

New prisoner restraint

In December 2005, the contract requirements were changed to allow for the use of ankle ribbands (nylon straps) instead of leg irons to restrain prisoners appearing in court. The ankle ribbands are considered to be functionally less obtrusive than the leg irons in a court setting.

CONTRACT EXTENSION

The departments of the Attorney General and Corrective Services will need to decide on the new form of service provision by 30 July 2007. This will provide compliance with clause 3.3 (c) of the Court Security and Custodial Services Contract, where AIMS need to be given 12 months notice on the future service provision.

CONTRACT MANAGEMENT

OPERATIONAL REVIEWS

As part of an ongoing contract management framework, services provided under the contract are monitored to ensure they meet contractual requirements. Reviews are conducted in the areas of security, compliance and duty of care and are based on a priority schedule of service provision and high-risk areas identified through intelligence reports, as well as previous audits, reviews and reports. The schedule is updated regularly to incorporate new high-risk areas and those requiring further review since the previous review.

A snapshot of how the operational reviews improved service delivery in the area of transport is provided on page 9 with examples of how the all services have been enhanced are featured on pages 14 and 20.

GOVERNANCE FRAMEWORK

A new governance framework was developed in August 2005 to allow stakeholder input and feedback on the progress of the contract. The framework was ratified at the November 2005 meeting of the Court Security and Custodial Services Board and ensures a focus on service delivery and demand management by the contractor.

The core membership of the Court Security and Custodial Services Board comprises:

- Director General of the Department of the Attorney General (Chairperson)
- Commissioner of the Department of Corrective Services
- Executive Director of Courts
- Assistant Commissioner of Support and Reform
- Assistant Commissioner of the WA Police
- Deputy Commissioner of Adult Custodial Services
- Court Security and Custodial Services Contract Manager
- CEO of AIMS Corporation
- Court Security and Custodial Services General Manager of AIMS Corporation.

Table 9 highlights the various forums that continued to support the examination of service provision matters by a cross-section of relevant stakeholders and groups this year. These forums were a way to provide clear direction for the operation of the contract.

Under the new framework, the CEO of the Department of the Attorney General reports quarterly to the Minister for Corrective Services.

Table 9: Governance framework and reporting schedule

| | |
|---|---|
| <p>TREND ANALYSIS – QUARTERLY</p> <p>COURT SECURITY AND CUSTODIAL SERVICES BOARD Reviews contractor performance and issues of note.</p> | |
| <p>REPORT TO THE MINISTER FOR CORRECTIVE SERVICES Report on services and issues</p> | |
| <p>DEMAND REPORTING – MONTHLY</p> | |
| <p>CLIENT AGENCY GROUP Operational representatives — DotAG (courts), DCS (prisons), WA Police and AIMS</p> <ul style="list-style-type: none"> Examines and tables issues concerning quality and level of service provided by the contractor. | <p>CONTRACT MANAGEMENT GROUP Contract Manager and AIMS</p> <ul style="list-style-type: none"> Ensures effective management and provision of services under the CS&CS contract. Focuses on matters of contractual compliance. |
| <p>EXCEPTION REPORTING – WEEKLY</p> <p>COORDINATION GROUP – TRANSPORT/COURTS Examines ongoing operations of the service within the transport and courts sections of the contract.</p> | |

VARIATION TO SERVICE DELIVERY - DEED OF VARIATION

During the year, the Department of the Attorney General began to prepare a deed of variation to consolidate changes made to the Court Security and Custodial Services Contract with AIMS Corporation.

Throughout its six-year term, the contract has been subject to change to ensure service provision meets the changing requirements for court security and custodial services across the State. While a number of mechanisms have been used to change the scope and volume of services, these have not resulted in formal amendment of the contract and tabling in Parliament.

AIMS Corporation has agreed to the list of contract variations to date, as detailed in the Deed of Variation. Through the Deed of Variation, the Department will meet the necessary legislative requirements and allow the Minister for Corrective Services to advise Parliament of the full content of the contract in its amended form. The deed will be tabled in late 2006.

PERFORMANCE-LINKED FEE

AIMS Corporation was entitled to the full performance-linked fee for the first time this year after the number of critical and reportable incidents was kept to an acceptable level and service levels were maintained within prescribed performance standards. The improved performance was reflected in increased staffing numbers, better ongoing training, as well as closer interaction with the Contract Management Branch and self-monitoring of service provision. (See Contract Payments, page 29, for details about payments made for 2005/2006.)

Background

The Court Security and Custodial Services Contract provides a performance standard for the provision of services. The ability to meet this requirement is the basis of the performance-linked fee payable to AIMS Corporation.

AIMS Corporation must report all incidents to the Contract Manager in the agreed format and timeframe.

Incidents are classified as either critical or reportable:

- **Critical incidents** — are of a higher risk category when the safety and wellbeing of a person in custody, member of the public or employee is threatened or, serious disruption to the service has occurred.
- **Reportable incidents** — are in areas of minimal or reduced risk.

The performance-linked fee forms part of AIMS Corporations' total remuneration and is calculated and payable as follows:

1. The maximum fee payable in any service year is 4.5% of the total cost of services
2. The fee is calculated based on performance standards, as stipulated in the contract
3. The fee is paid in six monthly instalments.

Performance measures for the performance-linked fee are calculated with reference to the associated risk. They are listed in Table 10.

Table 10: Performance-linked fee

| Performance measure | Maximum allowable before PLF penalty applied | 1 st year PLF | 2 nd year PLF | 3 rd year PLF | 4 th year PLF | 5 th year PLF | 6 th year PLF |
|---|--|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Death in custody | 0 | 0 | 0 | 1 | 0 | 0 | 0 |
| Escape | 2 | 6 | 2 | 4 | 13 | 2 | 1 |
| Self-harm | 0 | 0 | 1 | 0 | 1 | 1 | 0 |
| Assault upon a judicial officer | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Loss of control | 1 | 1 | 0 | 0 | 0 | 0 | 0 |
| Unlawful release | 0 | 5 | 2 | 4 | 1 | 1 | 0 |
| Failure to accurately report contractually required information | 2 | 3 | 1 | 0 | 2 | 0 | 0 |
| Assault on a member of the public | 2 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assault on client agency staff | 2 | 1 | 0 | 0 | 0 | 0 | 0 |
| Assault on a person in custody | 1 | 2 | 0 | 0 | 0 | 0 | 0 |
| Breach of legislation | 4 | 0 | 2 | 0 | 0 | 0 | 0 |
| Breach of a service requirement | 5 | 37 | 4 | 3 | 1 | 0 | 0 |
| Disruption to court proceedings | 1 | 1 | 0 | 1 | 0 | 0 | 0 |
| Traffic accident | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Assault on a person in custody by a person in custody | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Substantiated complaint | 10 | 3 | 2 | 2 | 0 | 0 | 0 |
| Untimely prisoner movements | 900 | 171 | 75 | 46 | 2 | 0 | 3 |
| Inappropriate use of powers | 1 | 0 | 0 | 0 | 0 | 0 | 0 |
| Loss of property of a person in custody | 1 | 2 | 0 | 1 | 3 | 3 | 0 |

Note: PLF refers to performance-linked fee.

CONTRACT PAYMENTS

A clear understanding of the Department's court security and custodial service requirements was demonstrated this year, and reflected in AIMS Corporation meeting all performance standards and being entitled to the full performance-linked fee.

Service levels were met within the agreed 2005/2006 budget, despite some high-profile and high-expense requirements, such as transporting more than 30 Indonesian fishermen from Broome to Perth.

Additional services were also commissioned by the Department of the Attorney General to provide services for WA Police at special events. Remuneration for these services is included in the total contract payments (see Table 11).

The total amount paid to AIMS Corporation under the contract in 2005/2006 was \$20,672,111.

Table 11: Payments to AIMS Corporation

Note: PLF refers to performance-linked fee.

| Service Year | | Total Cost |
|------------------------------------|--|---------------|
| First | | \$16,170,010 |
| Second | | \$17,409,990 |
| Third | | \$17,852,587 |
| Fourth | | \$18,661,675 |
| Fifth | | \$20,971,714 |
| Sixth | | \$20,672,111 |
| Sixth Service Year Payments | Contract Payment (inc 1.5% Margin) | \$ 19,841,868 |
| | Quarterly review | \$ 4,632 |
| | Quarterly review | \$ nil |
| | Quarterly review | \$ nil |
| | PLF 1st six months March 06 | \$ 440,053 |
| | Final payment including PLF 2nd six months | \$ 385,558 |

CONTRACTUAL REPORTING

INCIDENTS

A total of 157 incidents were reported in the contract year ending 30 July 2006. This is the lowest number of incidents reported during a service year in the contract's history.

Eighty-five of the incidents were recorded as critical but only four of did not meet the required performance standards. However, these four cases fell within the acceptable number of critical incidents allowed against their respective performance measures (see Table 10), meaning AIMS did not incur any financial penalty.

Following is a summary of the incidents that impacted on performance measures.

Escape

- On 18 September 2005, a prisoner escaped custody in Geraldton while on a medical escort. After the prisoner received treatment at Geraldton Hospital, officers removed his leg restraints to help get him back into the van, as it appeared the prisoner was unable to walk. The prisoner then evaded the officers but was recaptured a short time later by police.

Untimely prisoner movements

- A prisoner was delivered late to Karratha Court on 31 August 2005. The officer transporting the prisoner from Roebourne Prison was unaware of the requirement of the early court start for that prisoner.
- On 11 April 2006, the contractor was unable to complete a medical escort and did not attempt to provide an alternative arrangement.
- Two prisoners from Acacia Prison missed a funeral in Moora on 7 July 2006 after the driver of the vehicle transporting the prisoners took a wrong turn. By the time the officer realised the error, it was too late to get the funeral in time.

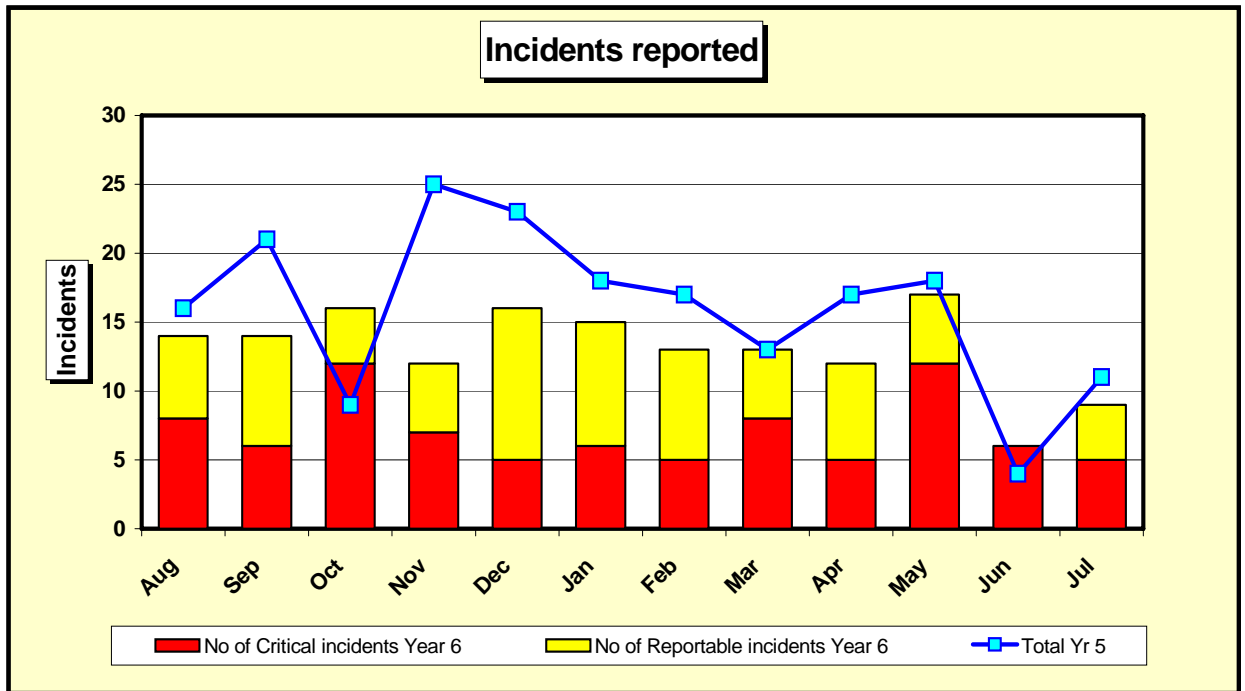
Table 12: Incidents

| Critical Incidents | Service Year | Aug | Sept | Oct | Nov | Dec | Jan | Feb | Mar | Apr | May | Jun | Jul | Total |
|----------------------|--------------|-----|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-------|
| | 2005 / 2006 | 8 | 6 | 12 | 7 | 5 | 6 | 5 | 8 | 5 | 12 | 6 | 5 | 85 |
| 2004 / 2005 | 4 | 9 | 6 | 14 | 13 | 9 | 10 | 7 | 8 | 9 | 0 | 8 | 97 | |
| Reportable Incidents | 2005 / 2006 | 6 | 8 | 4 | 5 | 11 | 9 | 8 | 5 | 7 | 5 | 0 | 4 | 72 |
| | 2004 / 2005 | 12 | 12 | 3 | 11 | 10 | 9 | 7 | 6 | 9 | 9 | 4 | 3 | 95 |

Table 12b: Total incidents reported – Year 1 to Year 5

| | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 |
|---------------------------|--------|--------|--------|--------|--------|--------|
| Incidents reported | 254 | 313 | 449 | 224 | 192 | 157 |

Graph 6: Comparison of incidents reported



CONTRACT COMPLIANCE

The contract compliance schedule, developed in 2004, continued to be monitored on a regular basis in 2005/2006.

Significant gains were made in contract compliance during the year with AIMS Corporation responding in a timely manner to compliance requirements.

AIMS Corporation met its contract obligations by providing:

- public and products liability insurance
- industrial special risks insurance
- workers compensation renewals
- monthly reports
- draft annual budgets
- risk management, operational and equipment reviews
- variations to its assets register
- reviews of its occupational health and safety policy statement and emergency plans.

APPENDIX I

CONTRACT OUTCOMES

The outcomes to be realised by the Court Security and Court Services Contract are:

1. specified levels of safety and security of the public, people in custody, judicial officers, staff, court premises and custodial places involved in the provision of the services.
2. appropriate duty of care for all categories of people in custody.
3. improved service efficiency and effectiveness for the overall service delivery, including interfacing components provided by WA Police and the departments, as measured against previously agreed performance measures.
4. appropriate use of powers and compliance with client direction by the contractor.
5. contractor compliance with the terms and conditions of the contract.
6. ongoing improvement to the services based on strategic service planning by the contractor.
7. minimum risk of disruption to the judicial process.
8. minimum risk of damage to State facilities and the property of people within custodial places.

APPENDIX II

GUIDING PRINCIPLES

The *Request for Proposal* for the delivery of court security and custodial services expressed that the power to detain people in lawful custody must be exercised properly, responsibly and in accordance with the relevant legislative provisions. It further stated that the decision to outsource justice-related functions to a private provider did not diminish the State's responsibility to ensure that services were delivered in a compliant manner for which the State remains accountable.

In managing the Contract, the Department of the Attorney General seeks to fully satisfy its duty of care obligations to people in custody and to maintain community confidence in the delivery of the services. Accordingly, the following guiding principles apply to the operation of court custody centres:

- all defendants are entitled to presumption of innocence
- an obligation exists to ensure a duty of care to all persons in custody
- provision is to be made to accommodate the needs of people from diverse cultural backgrounds
- provision is to be made for persons with special needs
- the human dignity, privacy, care and well being of every person is to be safeguarded
- people in custody are entitled to be detained in a safe and secure environment.

Major benefits arising from the contract included:

- the release of police officers, prison officers and juvenile group workers to other duties, making better use of their training, particularly in regional areas, where resources are limited
- the creation of new private sector jobs, including approximately 70 in regional areas
- significantly improved security and safety in courts; and improved accountability and transparency in the delivery of court security and custodial services, and prisoner transport services.