



Department of the Attorney General  
Government of Western Australia

# Annual Report 2006/2007 Contract for the Provision of Court Security and Custodial Services



**30 September 2007**

**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 2006/2007 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 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 from 31 July 2006 through to 30 July 2007.

Cheryl Gwilliam  
DIRECTOR GENERAL  
DEPARTMENT OF THE ATTORNEY GENERAL

27 September 2007



Department of the Attorney General  
141 St Georges Terrace  
PERTH WA 6000  
Telephone 9264 1600 or 13 67 57  
[www.justice.wa.gov.au](http://www.justice.wa.gov.au)

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## **EXECUTIVE SUMMARY**

The 2006/2007 contract year was one of consolidation regarding the management and operation of the *Court Security and Custodial Services Contract*.

Several changes have been made to the contract over the past seven years in order to meet the changing needs of the State. In November 2006, these changes were formalised in a Deed of Variation. This allowed the Minister for Corrective Services to inform Parliament officially of the amended contract.

### ***Court Security and Custodial Services Contract Changes***

In March 2007, the contractor, Sodexo Corporation, approached the State with a view to selling the contract to Global Solutions Limited (GSL) Corporation. The State, after conducting due diligence agreed to the arrangement. On 30 July 2007, the State approved the novation of the contract from Sodexo Corporation to Global Solutions Limited (GSL) custodial services, with a subsidiary deed being included to protect the State's interests.

After undertaking a separate decision making process, the State exercised its option under the *Court Security and Custodial Services Contract*, on 22 August 2007, to extend the term for a further period of three years. The contract will therefore expire on 30 July 2011.

### ***Central Business District (CBD) Courts Contract Variation***

A new CBD Courts building, is expected to become operational in May 2008. At this time, about 40% of the services in the *Court Security and Custodial Services Contract* (for the Central Law Courts, May Holman Centre and part of the Supreme Court) will be excised from the contract and placed instead under a contract held by the Western Liberty Group.

### ***Service Operations***

AIMS Corporation complied with the terms of the contract and worked within the agreed budget in 2006/2007. AIMS Corporation did not incur any significant financial penalties for service breaches and was, therefore, entitled to almost all of the performance-linked fee.

### ***Staffing Problems***

However, AIMS was unable to meet full demand, particularly for court security and court custody services, due to staff shortages. While demand increased to 339,000 hours, AIMS provided 313,000 hours.

Recognising this issue, the Contract Manager formally recommended that AIMS Corporation develop a strategic human resources management plan to address these persistent staffing issues. This plan was developed during 2007, and staffing levels are being monitored, with some improvements already being noted.

### ***Service Resources – Secure Transport***

Improvements began to the secure vehicle fleet in 2006/2007. New prototypes were introduced, in line with the State's comprehensive fleet replacement program. Vehicles designed to cope with both long-range and short-range prisoner transport were introduced to the fleet.

***Summary***

In summary, in most cases the delivery of court security and custodial services has been satisfactorily met during this reporting period of 2006/2007. However, demand for court security and court custody services remains an issue. With sound organisational practices being put in place, the contractor has begun to address issues of staff shortages.

## 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*.

The contract requires the contractor to provide in-court security and court custody services in all city and metropolitan courts, and in the regional courts of Broome, Busselton, South Hedland, Carnarvon, Geraldton, Kalgoorlie, Bunbury and Albany. The contract also incorporates the movement of people in custody throughout the State to and from court and prisons, inter-prison, medical and funeral escorts, the guarding of prisoners in hospitals, and lock-up clearances in certain locations. The intention of the contract continues to be to provide an integrated service that releases staff from non-core activities of court security and prisoner transport.

Following the execution of the contract, Sodexo Alliance (a French corporation with a 50% shareholding in CCA) acquired the remaining 50% shareholding held by Corrections Corporation of America. CCA was re-named Australian Integration Management Services Corporation (AIMS Corporation).

In July 2005, the then Department of Justice executed the first three-year option to extend the contract with AIMS Corporation. This option was to expire on 30 July, 2008.

### Administration of the Contract

The Department of Justice was separated into two departments in February 2006. Responsibility for administration of the *Court Security and Custodial Services Act 1999* on behalf of the Minister for Corrective Services fell to the Department of the Attorney General. However, the Department of Corrective Services has primary responsibility for managing the contract. Corrective Services:

- oversees quality management of the service
- provides a business analysis function
- undertakes formal auditing of the service in conjunction with relevant stakeholders.

The Department of the Attorney General and the Department of Corrective Services manage the following aspects of the contract for the court security and custody and prisoner transport aspects respectively. They:

- manage service demand
- monitor and audit standards
- co-ordinate the response to incidents.

The Contract Outcomes and Guiding Principles are included at the end of this report as Appendix I and Appendix II respectively.

## OVERVIEW OF CONTRACT OPERATIONS

*Responsibility for the administration of the Court Security and Custodial Services Act 1999, rests with the Department of the Attorney General. This Department 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 Act, and in the contract, is defined as the CEO (Director General) of the Department of the Attorney General.*

## SERVICE OPERATIONS

During 2006/2007, AIMS Corporation continued to maintain and deliver an adequate level of court security, custodial and transport services under the *Court Security and Custodial Services Contract*.

AIMS Corporation was therefore assessed as entitled to receive most of the performance-linked fee for the year, with all but two of the critical and reportable incidents falling within the acceptable level determined under the contract (see Table 12, page 33), and resulted in a minimal fee reduction. As a result, AIMS Corporation received 99.825% of the performance-linked fee for the year.

### **Recruitment and Training**

Ongoing staff attrition of approximately eight 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. However, AIMS Corporation successfully recruited a full complement of staff in Broome, Kalgoorlie, Albany and Bunbury. It continued to be a challenge, however, to recruit an adequate amount of staff for courts and transport services in South Hedland and transport services in Roebourne.

The Contract Principal (Director General of the Department of the Attorney General) expressed concern that AIMS had insufficient staff to meet service requirements during the 2006/2007 period. This was formally communicated to the AIMS CEO. As a result, AIMS Corporation was required to develop a formal strategic human resources management plan, within a designated time period,

### *Positive Outcomes*

The AIMS Corporation developed and implemented a strategic management plan and an improvement in staffing levels has been evident.

Initiatives occurring as a result of the implementation plan include:

- a focus on continual recruitment and training to boost staff numbers to required levels
- interim arrangement of fly-in, fly-out for the north of the State, where AIMS has been unable to recruit local officers
- use of State accommodation for AIMS officers in selected northern locations.
- increased incentives for AIMS officers, including location allowances
- introduction of a range of enhanced benefits and retention strategies.

AIMS Corporation has continued its strong recruitment drive, delivering more than 70 new recruits in the metropolitan area over the year. Continuous improvement to the induction training course has delivered a higher quality recruitment, which should result in an increase in the quality of service delivery and staff retention.

### **Security and Risk Assessment**

One serious incident was recorded during the year when a prisoner threatened a doctor at Armadale Hospital with a 'shiv' (a man-made weapon that functions like a knife). This matter is still being investigated by the police.

Security and risk management for several high profile trials was co-ordinated between AIMS Corporation, Department of Corrective Services, Department of the Attorney General and WA Police throughout the 2006/2007 reporting period.

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

### **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 2006/2007.

The Security Support Group's operational tasks included:

- escorting people in custody classified as 'at-risk'
- supervising people in custody classified as 'high security escort' 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 individuals held in custody (for example, the Indonesian fisherman originally held in custody in Broome, were transported to metropolitan and South-West prisons)
- providing hospital and medical escorts of high risk people in custody
- completing security audits of custodial operations.

The AIMS Security Support Group also carried out 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 at the requisite levels.

### **Operational Review Framework**

As part of the operational review framework implemented in 2004/2005, the departments continue to undertake regular contract service delivery reviews and to seek ways to improve the efficiency of the service.

The reviews carried out during 2006/2007 included monitoring risk levels in a range of service areas by examining security, compliance and duty of care.

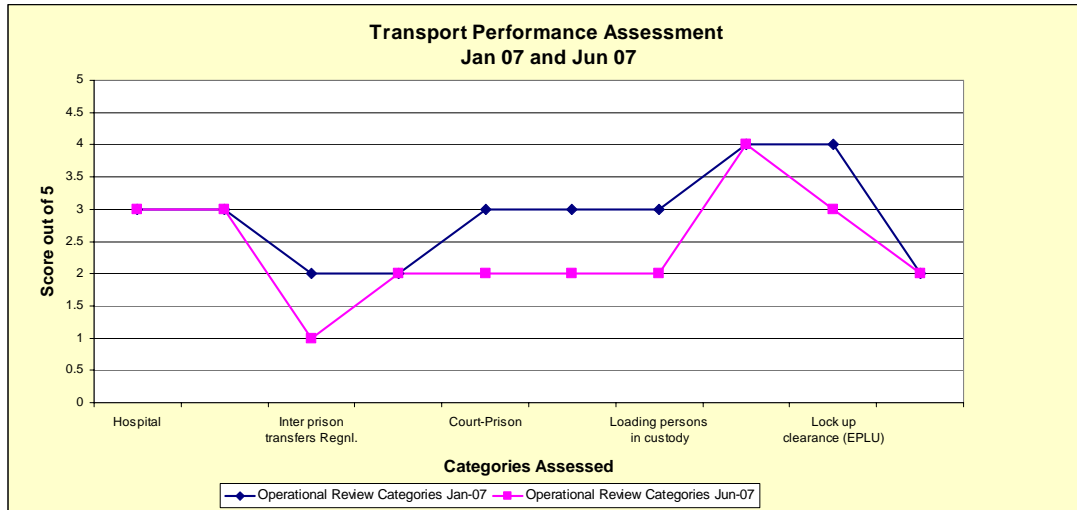
Graph 1 provides a snapshot of how risk levels were monitored and improvements made by AIMS Corporation in prisoner transport service delivery between January and June 2007. The performance risk rating is determined on a scale of 1 to 5 in which:

- one (1) reflects least risk, that is, full and complete adherence to procedures with no security breaches identified including complete duty of care



- five (5) reflects highest risk, resulting from non-adherence to procedures within identified security breaches, such as breaches of statutory requirements and demonstrated absence of duty of care with immediate health care issues prevalent.

**Graph 1: Performance Assessment Rating – Transport (January 2007 and June 2007)**



## SERVICE RESOURCES

### Vehicles

At 30 July 2007, the contractor operated 37 secure transport vehicles to provide the services required by the *Court Security and Custodial Services Contract*.

Since 2004, the State has held ownership of the secure vehicle fleet ensuring access to the fleet irrespective of the status of the contractor. A replacement program began soon after ownership was transferred to the State, with public tenders invited. Only one conforming bid was received, and negotiations with Herd Industries commenced. Design and price were finalised in March 2006. Unfortunately, prior to awarding the contract, Herd Industries ceased trading. Application was made to the State Supply Commission to waiver the need to go back to public tender. Approval was received in April 2006, and negotiations commenced with SVM Queensland on a 'preferred provider status' basis for provision of the large inter-prison transfer vehicles required.

A new prototype inter-prison vehicle is being constructed by SVM Queensland. The new design will include all contemporary needs. The first inter-prison vehicle of this type is expected to be delivered in mid-October 2007.

The first new secure van prototype (short-haul) was delivered at the end of March, 2007. A final inspection and evaluation was undertaken in April, following which the vehicle became fully operational. In addition, representatives of vehicle body builders were invited to attend a demonstration of the vehicle, with a view to ensuring potential tenderers were aware of the particular secure vehicle requirements that would need to be met. It is anticipated that approximately six new vehicles will be in operation by the end of 2007/2008.

In the interim, and because of the high kilometre usage of the inter-prison vehicles, two new chassis were attached to existing pods<sup>1</sup>. One vehicle became operational in late December 2006, and the second was delivered in mid-January 2007. These acquisitions have proven successful and breakdowns on the long-haul routes are now negligible.



### Staff

<sup>1</sup> Secure Cell Pods are individual cells in an escort vehicle. They are called 'pods' because they are manufactured independently of the vehicle and then either fitted into the existing vehicle (as with the Mercedes Sprinters), or attached to a cab chassis (as is the case with the Inter-Prison Transfer (IPT) vehicles).

At 30 July 2007, AIMS Corporation had 307 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 294 employees, with 63 based in regional areas. Staff numbers in the metropolitan area increased due to active recruitment and greater retention of casual staff employees.

AIMS Corporation also appointed additional staff to meet increased service demand in some regional areas including Albany and Bunbury. As mentioned previously, their ability to recruit and retain staff continued to be an ongoing challenge in the Pilbara and Eastern Goldfields.

### **Carnarvon Lock-up**

In April 2007, the Office of the Inspector of Custodial Services (OICS) raised concerns regarding conditions for prisoners at the Carnarvon Lock-up. As a result, in May 2007, Department of Corrective Services management inspected the lock-up in conjunction with the WA Police. Many of the issues raised by OICS have now been addressed and a detailed inspection regime is in place.

### **SERVICE DIMENSION**

During 2006/2007, the method for measuring service demand was modified. 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 as individual movements.

In total, AIMS Corporation delivered 420,673 service hours in 2006/2007.

Table 1 shows the services provided for court security and custodial operations and prisoner transport from 2001 to 2007. 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 reported as court security hours in previous years.

**Table 1: Service Dimension 2001 to 2007**

<b>Service Year</b>	<b>Court Security and Court Custody Hours</b>	<b>Prisoner Movement Hours</b>	<b>Total Service Delivery Hours</b>	<b>No. of Prisoners in Custody Transported</b>
<b>2000/2001</b>	<b>293,720</b>	<b>137,741</b>	<b>431,461</b>	<b>43,149</b>
<b>2001/2002</b>	<b>271,513</b>	<b>126,037</b>	<b>397,550</b>	<b>58,641</b>
<b>2002/2003</b>	<b>299,031</b>	<b>122,950</b>	<b>421,981</b>	<b>54,650</b>
<b>2003/2004</b>	<b>307,835</b>	<b>116,047</b>	<b>423,882</b>	<b>58,925</b>
<b>2004/2005</b>	<b>333,687</b>	<b>126,149</b>	<b>459,836</b>	<b>54,567</b>
<b>2005/2006</b>	<b>320,124</b>	<b>164,034</b>	<b>484,193</b>	<b>47,192</b>
<b>2006/2007</b>	<b>313,877</b>	<b>119,252</b>	<b>433,129</b>	<b>40,148</b>

Notes to Table 1:

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 2 does not include hospital sit hours.
4. Hospital sit hours for Years 3, 4 and 5 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 Magistrates Court, gallery guards in the Supreme and District courts, and perimeter security to the external premises and internal public areas of major courts.*

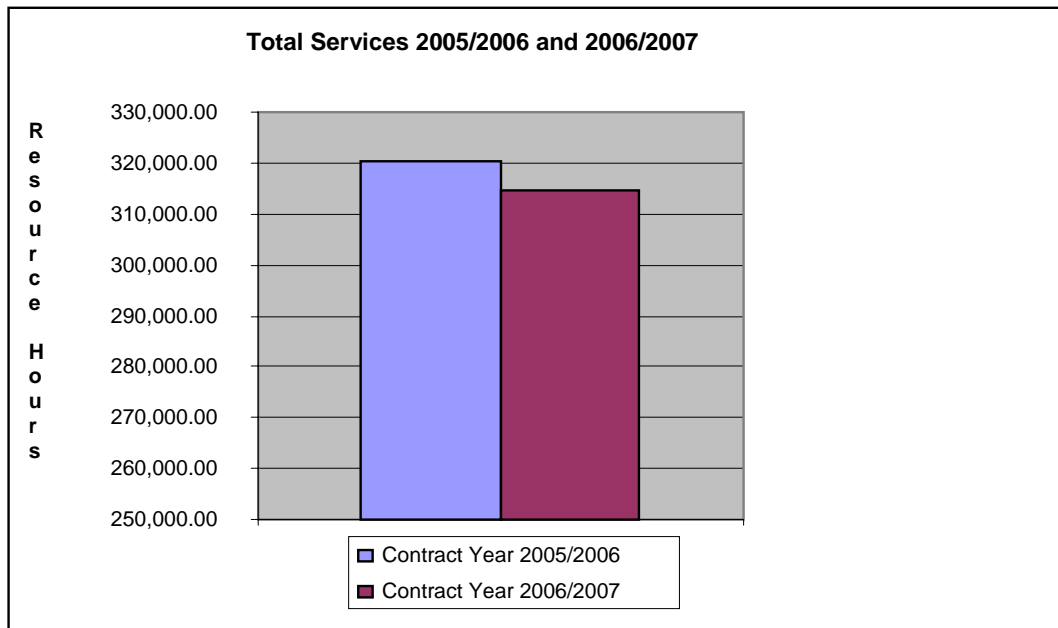
*Court custody involves the deployment of dock guards in the Supreme, District and Magistrates courts and the management of court custody centres attached to major courts.*

### 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.

There was a net reduction in resource hours provided to the courts by AIMS in 2006/2007. This was largely due to difficulties experienced by AIMS Corporation in recruiting staff to meet demand for services.

**Graph 2 - Total Services 2005/2006 and 2006/2007.**



Tables 2 and 3 below, indicate the shift in resource usage between Year 6 (2005/2006) and Year 7 (2006/2007) of the contract. It demonstrates that while the number of adults managed in custody rose from 24,519 in 2005/2006 to 26,004 in 2006/2007, an increase of approximately 6%, court custody, court security and management hours fell by around 2%.

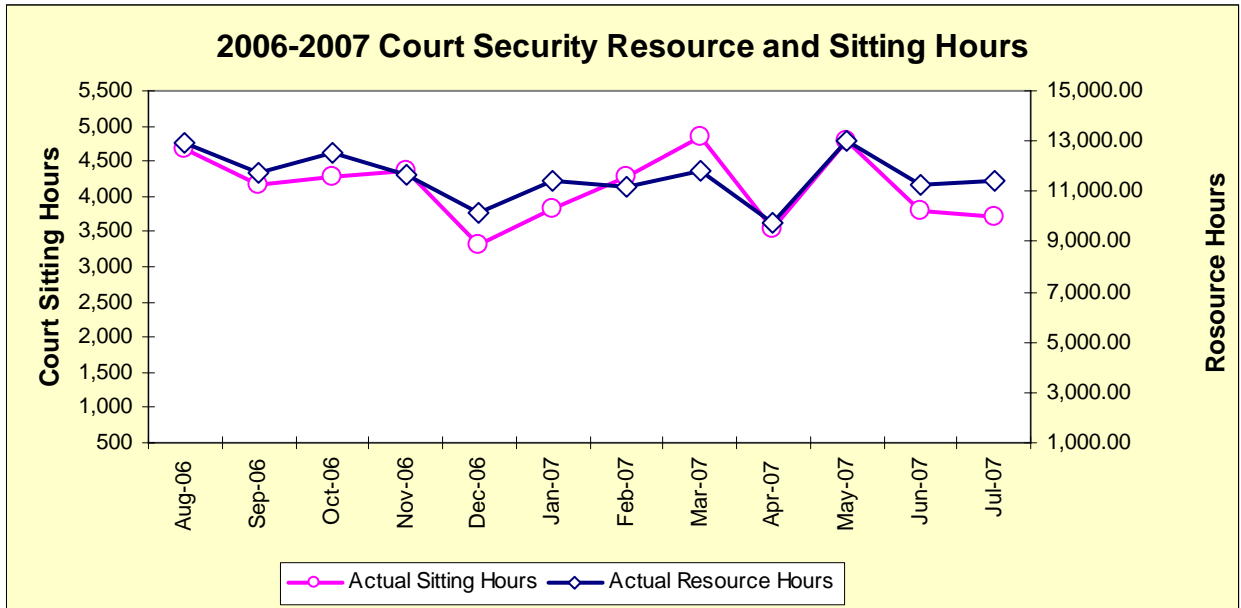
**Table 2: Breakdown of Court Resourcing Hours and Number of Adults Managed in Court Custody Centres for 2005/2006**

Month	Number of Adults Managed in Court Custody Centres	Court Custody Resourcing Hours	Court Security Resourcing Hours	Management and Other Hours	Total Resourcing Hours
August	2,346	12,065	13,870	4,273	30,208
September	2,095	10,149	10,918	3,826	24,893
October	2,252	10,231	11,808	3,727	25,766
November	2,173	11,671	12,463	3,685	27,818
December	1,648	10,348	10,978	3,255	24,581
January	1,694	10,597	11,041	3,411	25,048
February	1,957	12,023	11,657	3,574	27,254
March	2,345	13,329	12,372	3,6051	29,306
April	1,818	9,803	9,911	2,606	22,319
May	2,325	13,665	13,370	3,590	30,625
June	2,060	12,616	12,029	3,076	27,720
July	1,806	10,547	10,115	3,923	24,585
<b>Total</b>	<b>24,519</b>	<b>137,043</b>	<b>140,531</b>	<b>42,550</b>	<b>320,124</b>

**Table 3: Breakdown of Court Resourcing Hours and Number of Adults Managed in Court Custody Centres for 2006/2007**

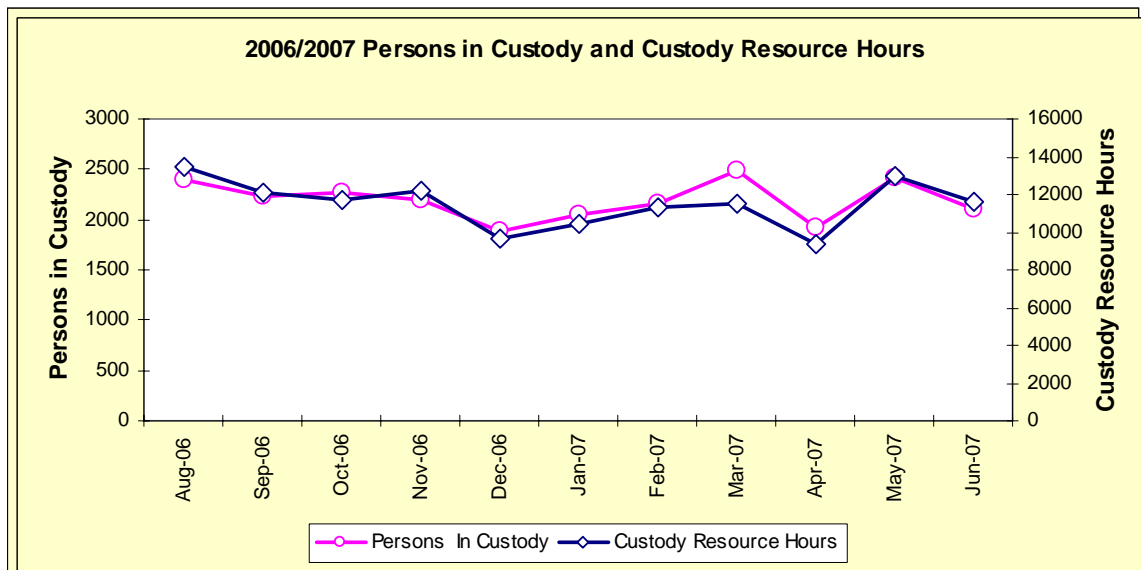
Month	Number of Adults Managed in Court Custody Centres	Court Custody Resourcing Hours	Court Security Resourcing Hours	Management and Other Hours	Total Hours
August	2,402	13,478	12,908	3,597	29,983
September	2,227	12,141	11,762	2,695	26,598
October	2,269	11,749	12,545	3,023	27,317
November	2,193	12,199	11,644	3,234	27,077
December	1,884	9,644	10,156	2,617	22,417
January	2,045	10,453	11,413	3,283	25,149
February	2,158	11,273	11,214	3,020	25,506
March	2,480	11,527	11,823	3,216	26,565
April	1,916	9,375	9,781	2,727	21,883
May	2,416	12,950	12,995	3,525	29,470
June	2,102	11,609	11,259	3,068	25,9361
July	1,912	11,455	11,388	3,134	13,621
<b>Total</b>	<b>26,004</b>	<b>137,851</b>	<b>138,887</b>	<b>37,139</b>	<b>313,877</b>

**Graph 3: Court Security Resource and Sitting Hours 2006/2007**



Graph 3 demonstrates the correlation between court security staff resource hours and court sitting hours in 2006/2007. The disproportionate changes in court sitting times compared to court resource hours is significant. That is, the failure to meet demand in March is indicative of staff shortages at that time, while the maintenance of services during lower frequency court sittings in December and January is indicative of the relatively high incidence of fixed demand for services, such as perimeter security.

**Graph 4: Court Custody Resource Hours and Persons in Custody 2006/2007**



Graph 4 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 requirement' for some custodial services to meet safety and security standards. The close correlation between people in custody and custody resource hours is reflective of the high priority placed by the contractor on custody centre security.

### **IMPACT ON SERVICE DEMAND**

While there were a number of proceedings that required additional security, and there was a general increase in demand for the range of reasons outlined above under 'Demand Management', there were no particular major events or incidents that significantly affected demand for court custody services in 2006/2007.

### **ENHANCEMENT OF SERVICES**

The Department of the Attorney General continued to upgrade court custody centres across the State during the year 2006/2007. Renovations were completed at Mandurah, Midland and Bunbury, while work began at other courts. The improvements made to court custody centres during the year, however, rarely led to a need for additional AIMS Corporation officers to operate the facilities.

To enhance the services provided by AIMS Corporation, court security reviews were undertaken by staff from the Department of the Attorney General 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 crucial factors and function performance checklist. The checklist and frequency of reviews meant issues could be dealt with as they arose. It also allowed AIMS Corporation and Department of the Attorney General to work together to determine the procedures that were necessary at each courthouse to ensure security, safety and contract compliance.

### **Site Manuals**

The site manuals detail the work routines of various courts and prison sites. They document the variety of workplace-specific routines that constitute the services. The manuals allowed 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 updating and review.

In 2006/2007, the Department of the Attorney General continued to apply pressure to AIMS Corporation to bring site manuals up-to-date at all courts around Western Australia. This situation continues to be monitored.

### **FUTURE DEMAND**

It is predicted that the demand for court security and court custody services in 2007/2008 will remain similar to that for 2006/2007. While just over 313,877 hours were delivered in 2006/2007, the demand was higher than that figure, and some demand was unmet by the contractor.

Reports of security concerns in civil courts, and some requests from presiding officers for greater 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 by a judicial officer, contract variations are likely to be considered in the future. These services, however, are not likely to significantly increase overall demand.

Table 4 shows a breakdown of the expected demand on WA courts. The total expected demand for 2007/2008 of 339,419 hours is based on a full year, but is unlikely to be required cannot be compared to the actual hours delivered in 2006/2007, because services provided to the Central Law Court and Supreme Court custody centre will be transferred to the Central Business District Court contract from May 2008. This will reduce the number of hours delivered to the Central Law Court and Supreme Court under the *Court Security and Custodial Services Contract*.

**Table 4: Expected Courts Demand 2007/2008 – Metropolitan and Regional**

<b>Courts Demand – Metropolitan and Regional</b>	
<b>Central Law Courts – Total Hours</b>	<b>139,466</b>
<b>Supreme Courts – Total Hours</b>	<b>38,465</b>
<b>All Other Courts</b>	
Perth Children’s Court	7,704
Armadale	12,499
Fremantle	17,957
Joondalup	14,645
Mandurah	11,580
Midland	12,934
Rockingham	13,980
Albany	10,243
Broome	10,099
Bunbury/Busselton	13,022
Carnarvon	4,704
Geraldton	11,323
Kalgoorlie	16,435
South Hedland	4,363
<b>GRAND TOTAL - HOURS</b>	<b>339,419</b>



## PRISONER TRANSPORT SERVICES

*AIMS Corporation has provided, and GSL Corporation will provide, 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.*

## DEMAND MANAGEMENT

The overall daily average prisoner population<sup>2</sup> increased by 10% this year, which is 3% more than forecast. This will result in increased demand for transport services.

Medical appointments shown in Table 5 below, seem to indicate a decrease in 2006/2007. However, changes in the way medical appointments are counted (that is, one appointment is now counted as one journey instead of separate journeys there and back) means that there was actually a 30% increase in the number of appointments kept.

**Table 5: Service Demand for Movement of Offenders 2006/2007**

Service	Number of Prisoner Movements	
	2005/2006	2006/2007
Medical Appointments	6,782 (3,891)**	4,400
Inter-Prison Transfers	8,525	7,089
Prisons to Court and Return	30,519	26,309
Funerals – number of PIC attending funerals	583 (292)**	359
Lock-up Clearances	744	1,014
Other*	39	625
Total Hospital Sit Hours	37,326 (33,144)**	27,032

\* The 'Other' category was more widely used since it was unable to classify several hundred movements. However, this should be significantly reduced with a more standardised and automated system to be employed in Year 8.

\*\* Comparison number to enable comparison to this years figures in brackets

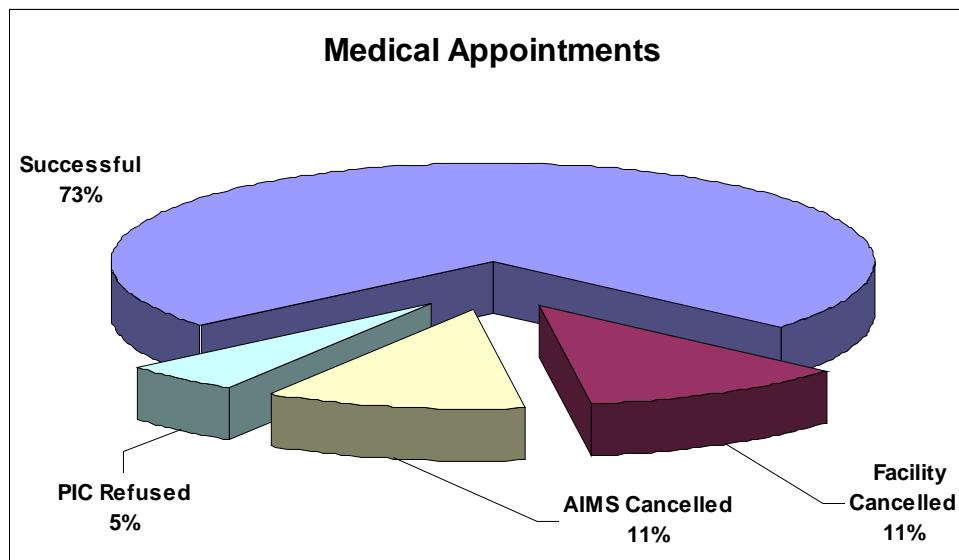
An additional Table (6), has been included in this year's report. It shows the relationship between the number of appointments booked against the number of appointments serviced by the contractor. The Table also shows the number of both scheduled and unscheduled medical appointments requested by prisons, the number of medicals cancelled by the contractor as it was unable to provide transport, against the number of medical appointments cancelled by facilities, and the number of refusals by people in custody to attend medical appointments.

<sup>2</sup> The daily average prisoner population is the total number of prisoners in all of the prisons in WA on any given day. The number varies from day to day because of court appearances by remanded prisoners, and new prisoners being admitted. Therefore, the daily average would be the total daily prisoner population for a year divided by 365. Each year predictions are made regarding the number of prisoners that are likely to be accommodated the following year.

**Table 6 – Medical Appointments 2006/2007**

Medical Appointments			Cancelled Appointments			
	Scheduled	Unscheduled	Successful	Facilities Cancelled	Contractor Cancelled	PIC Refused
<b>2006</b>						
August	490	19	405	44	25	35
September	393	25	333	44	16	25
October	394	14	310	45	27	26
November	631	34	460	77	87	41
December	445	45	373	55	34	28
<b>2007</b>						
January	487	36	387	51	51	34
February	463	37	376	47	51	26
March	425	24	280	79	81	9
April	565	34	396	96	89	18
May	463	36	319	63	94	23
June	456	32	356	42	65	25
July	517	34	405	63	53	30
<b>TOTAL</b>	<b>5,729</b>	<b>370</b>	<b>4,400</b>	<b>706</b>	<b>673</b>	<b>320</b>

**Chart 1 – Medical Appointments**



Similarly, the record of funeral escorts (see Table 7 below) seems to indicate a lower number in this reporting period. However, because each journey is counted once, instead of twice, as done in previous years, there has actually been a 13% increase in the number of funeral escorts.

**Table 7 Funerals 2006/2007**

**Sec.83 (Visit to Sick relative)**

<b>Year 7 Funerals and Visit Escorts</b>			
<b>Month</b>	<b>No. of PIC attending funerals</b>	<b>No. of Funerals</b>	<b>No. of PIC visits to sick relative</b>
Aug 2006	40	24	7
Sep 2006	21	13	3
Oct 2006	30	18	6
Nov 2006	33	21	4
Dec 2006	32	18	2
Jan 2007	27	23	6
Feb 2007	33	23	-
Mar 2007	23	16	1
Apr 2007	17	13	1
May 2007	25	14	2
Jun 2007	33	18	-
Jul 2007	45	33	1
<b>TOTAL</b>	<b>359</b>	<b>234</b>	<b>33</b>

Inter-prison transfers decreased by 17%, reflecting the higher prisoner numbers in most prisons, which results in fewer available beds. Likewise, prison-court-prison transfers decreased by 14% this year, mainly due to increased video-link usage by courts.

The number of people in custody collected via police lock-up clearances shows a 35% increase.

The decrease in other escorts reflects a change in the way certain movements are recorded. Prior to this change, the contractor's database provided some information electronically, which was not recognised by the Department's data warehouse. Changes made to the data collection now means the majority of this information is recognised and stored under the correct headings.

Graph 5: 2005/2006 Service Demand for Movement of Offenders

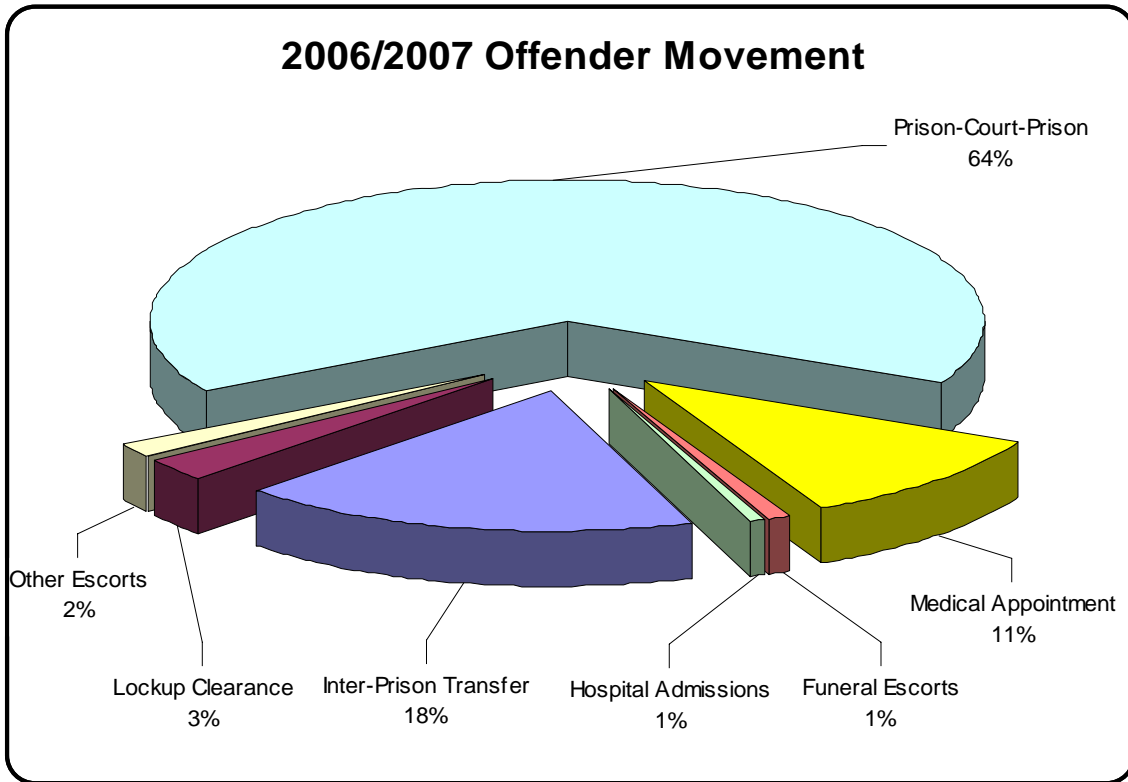


Table 8: 2006/2007 - Prisoner Movements and Resourcing Hours

Service	2005/2006	2006/2007
Court/Prison	30,521	25,626
Prison Transfers	8,525	7,127
Medical Appt	6,782	4,400
Funeral Escorts	583	359
Lock-up Transfers	744	995
Other	39	625

There was a decrease in resource hours for hospital admissions (see Graph 6 and Table 9) which reflected the inability of AIMS to meet demand due to staff shortages.

Graph 6 – Total Hospital Admissions and Resource Hours by Month

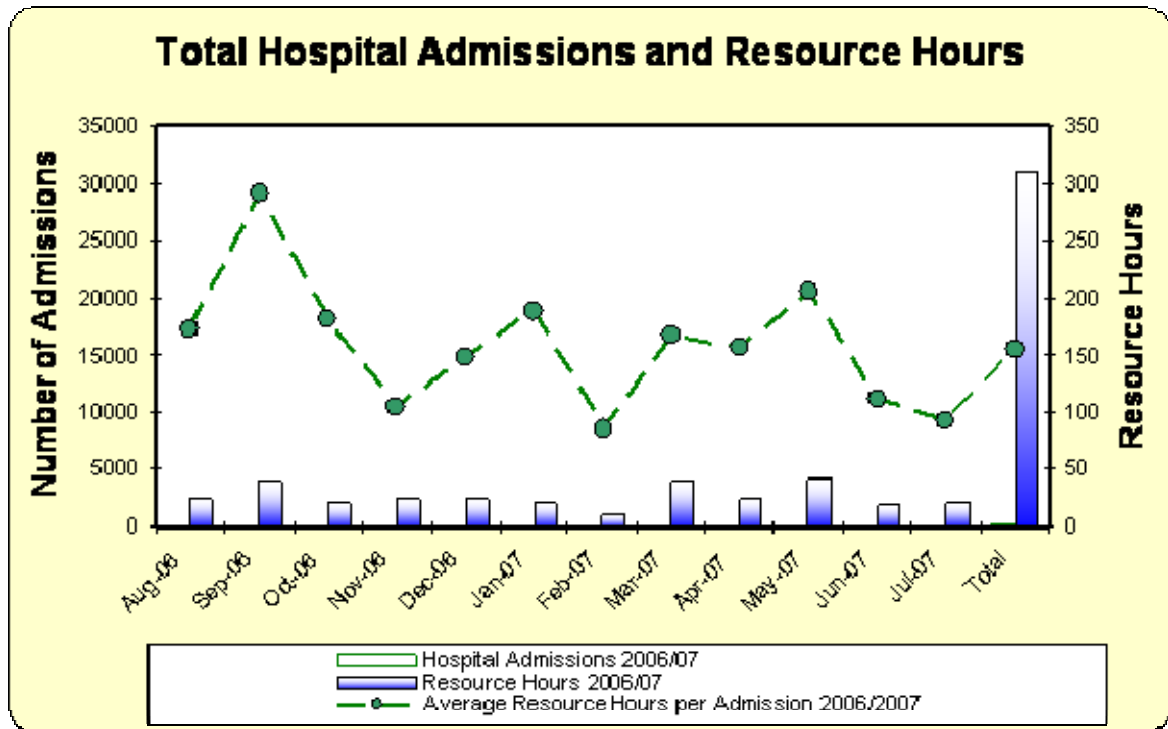


Table 9: Number of Hospital Admissions, Resource Hours by Month and Average Resource Hours per Incident of Admission

Month	Hospital Admissions 2005/2006	Hospital Admissions 2006/2007	Resource Hours 2005/2006	Resource Hours 2006/2007	Average Resource Hours per Admission 2005/2006	Average Resource Hours per Admission 2006/2007
Aug	27	14	2,924	2,402	108	172
Sept	22	14	6,720	4,061	305	290
Oct	16	12	3,711	2,173	232	181
Nov	16	23	1,803	2,421	113	105
Dec	17	16	2,633	2,365	155	148
Jan	23	11	3,844	2,071	167	188
Feb	14	12	2,821	1,017	202	85
Mar	14	24	1,615	4,002	115	167
Apr	12	16	3,488	2,517	291	157
May	20	20	2,632	4,118	132	206
Jun	19	17	2,465	1,885	130	111
Jul	19	22	2,670	2,040	141	93
<b>Total</b>	<b>219</b>	<b>201</b>	<b>37,326</b>	<b>31,070</b>	<b>174</b>	<b>159</b>

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

## **IMPACT ON SERVICE DEMAND**

An increase in court sitting hours and the number of courts being serviced, combined with contractor staff shortages, had an adverse impact on service delivery. It resulted in staff being drawn away from prisoner transport to service the shortfall in courts. Vehicle breakdowns, due mainly to the age of the fleet, also had an impact on service delivery. As mentioned earlier, the introduction of a new fleet of vehicles was delayed due to problems with securing a contractor. The overall result was a drop from 92% to 72% in the number of medical appointments serviced. See Table 6 and Chart 1.

## **ENHANCEMENT OF SERVICES**

As part of the operational review framework, the Department of Corrective Services continued to manage AIMS Corporation's prisoner transport services through regular operational reviews and monitoring. Reviews were conducted daily within the metropolitan area and all regional sites were reviewed during the year. As a result, the service ran more efficiently, and Contracted Transport Officers were able to identify and deal with issues as they arose.

Staff from the departments of Corrective Services and the Attorney General at each site were included in each review and matters of concern were brought to the attention of AIMS Corporation, so that appropriate remedial action could be carried out (for example, the inadequate staffing levels at Roebourne and South Hedland were a major concern identified, along with the problems regarding the aging vehicle fleet).

In an effort to reduce problems caused by the breakdown of long-range inter-prison transport vehicles, new cab chassis were introduced to the fleet this year. Improvements to the secure vehicle fleet have been outlined previously in detail in the Service Resources Section (see page 12).

## **FUTURE DEMAND**

Demand for transport services is expected to increase by 10% due to the predicted increase in prisoner numbers for 2007/2008. However, around 40% of the services currently required under the *Court Security and Custodial Services Contract* will be transferred across to the Central Business District Courts contract from May 2008. In total, from May 2008 demand is expected to drop by around 10%.

In a bid to improve efficiency, the secure facility to provide outpatient services for prisoners, adjoining Royal Perth Hospital on Goderich Street, is nearly completed. The centre, to be operated by contractor staff, will be able to house up to 40 people awaiting medical appointments at Royal Perth Hospital outpatients clinics. Both male and female people in custody will be treated at the centre, although certain conditions or illnesses will require visits to other facilities such as King Edward Memorial Hospital. However, up to 80% of metropolitan medical appointments are expected to be dealt with at this new facility. This project will assist with servicing demand, particularly if it is well managed. If so, groups of 20 people in custody could be transported to Royal Perth Hospital and maintained in custody, until seen by the relevant medical service.

Individuals requiring medical attention will be transported to the site at the same time as people in custody attending courts each morning. Clinicians from various clinics will attend the secure facility. A lunchtime clearance schedule will ensure people who have been medically treated will return to the prison. Any people in custody with afternoon appointments will be delivered on the return trip. It is envisaged this new process will reduce the number of medical appointment cancellations.

Table 10(a) below shows the expected demand for transport services for 2007/2008 across the State, against identified categories. Table 10(b) shows the total expected demand for each transport service in 2007/2008.

**Table 10(a): Projected Transport Demand 2007/2008 – Metropolitan and Regional**

<b>TRANSPORT DEMAND – METROPOLITAN</b>								
	Acacia	Bandyup	Boronia	Casuarina	Hakea	Karnet	Woorloo	<b>TOTAL</b>
Hospital sit hours	5349	6271	10	17152	9591	10	10	<b>38393</b>
Medicals	1478	794	10	1301	1549	10	10	<b>5152</b>
Prison/Court	4830	3854	263	3232	16564	266	476	<b>29485</b>
Funerals	79	32	0	36	65	0	0	<b>212</b>
Transfers	912	426	160	1541	3174	176	331	<b>6720</b>
<b>TRANSPORT DEMAND – REGIONAL</b>								
		Albany	Broome	Bunbury	Eastern Goldfields	Greenough	Roebourne	<b>TOTAL</b>
Hospital sit hours		2399	600	429	1114	514	514	<b>5570</b>
Medicals		405	338	516	598	504	477	<b>2838</b>
Prison/Court		822	1415	1465	1450	725	665	<b>6542</b>
Funerals		14	125	33	90	70	141	<b>473</b>
Transfers		226	458	230	676	932	793	<b>3315</b>
Lock-up Clearances		0	504	0	372	0	0	<b>876</b>

**Table 10(b): Projected Transport Demand 2007/2008 – Totals**

<b>TRANSPORT DEMAND – TOTALS</b>				
Hospital sits (hours)	Medicals	Funerals	Other prisoner movements	<b>Total Movements</b>
43,963	7,990	686	46,830	<b>55,506</b>

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

The Office of the Inspector of Custodial Services tabled the Inspector's Thematic Review of Custodial Transport Services in Parliament in May 2007.

The key concerns in the report were:

- unreliability of the vehicle fleet
- poor appreciation of passenger safety issues
- frequent cancellation of hospital escorts.

All these issues are being addressed by the Department in consultation with the service provider and vehicle manufacturer, as part of the design process and testing of the prototypes before procuring and taking delivery of new secure inter-prison transport vehicles.



## CONTRACTUAL MATTERS

### LETTER OF ADVICE – SERVICE LEVELS IN ROEBOURNE AND SOUTH HEDLAND

In early 2006/2007, the General Manager of AIMS Corporation was notified with regard to concerns associated with AIMS staffing levels, an issue that had been problematic since 2005. The major concerns raised by the State are outlined in the following extract of the letter of advice sent 21 March 2007:

*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.*

While some of the issues highlighted in the 2007 letter were addressed, the maintenance of an adequate level of contract staff continues to remain a matter of concern. Whereas services were provided for the most part, there were often insufficient personnel to meet adequate service provision levels and, as a result, risk levels were elevated. As mentioned earlier in this report, this matter was particularly a problem in the Pilbara region, with the contractor regularly unable to fulfil the requirements regarding staff hospital sits.

Labour shortages exacerbated the problem. However, as the hiring of security and custody personnel is central to the contract, robust staffing management and control remains a fundamental requirement. Over the last two years, it has not been evident that sufficient emphasis was being placed by the AIMS Corporation on adopting a strategic approach to human resource management, particularly with reference to maintaining adequate staffing numbers.

It became obvious during the early reporting period of 2006/2007, that a more strategic approach to human resource management was needed. As outlined in the 'Recruitment and Training' section, the Department requested AIMS Corporation to develop a strategic human resources management plan. It also recommended that AIMS engage a suitably experienced and qualified human resource professional. It was considered that such expertise could aid in the development of strategies to better penetrate the labour market, resulting in the securing of the recruits required.

AIMS Corporation, in consultation with an external consultant, developed a plan that incorporated more innovative ways of recruiting and retaining staff. Implementation of the plan began during 2007. The matter has been monitored on an ongoing basis, and significant improvements have been noted.

### CHANGES TO REQUIREMENTS

Two changes to the *Court Security and Custodial Services Contract* requirements in 2006/2007 are described below.

#### **Prescribed Lock-ups**

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

A custody centre, or lock-up, must be prescribed if prisoners are to be 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.

### **Assignment of Contract**

In March 2007, the Sodexho Corporation approached the State with a view to selling the contract. This option is provided for under the *Court Security and Custodial Services Contract*. The State agreed, on the basis that certain conditions were met and assurances provided to protect the State's interests.

The Sodexho Corporation chose to sell the contract to the Global Solutions Limited (GSL) Corporation. Due diligence was undertaken in respect to the sale, and the State was satisfied that GSL Corporation would undertake the services to the levels required.

### **Global Solutions Limited (GSL) Corporation**

GSL Corporation was the first company in the United Kingdom to manage private prisons. It currently runs three of the eleven private prisons in England and Wales, and four of the six immigration detention centres in the United Kingdom. GSL Corporation operates two of the four contracts overseeing the management of prisoner transport in England and Wales.

GSL Corporation operates the world's first private prison to have been established in South Africa. In Australia, GSL Corporation also has contracts to operate the Mount Gambier Prison in South Australia and the Port Philip Prison and prison transport services in Victoria, and holds the contract for prisoner movement and in-court management in South Australia.

A Deed of Novation was executed between Sodexho and GSL Corporation and, in addition, a subsidiary deed was executed ensuring the State's interests were protected. The transfer became effective 22 August 2007.

### **CONTRACT EXTENSION**

The second extension for this contract was due to expire on 30 July 2008. The State had the choice to either renew the contract for a final option of three years or to re-tender the contract.

In weighing the merits and risks of the options available, the Government decided that the choice that minimised the State's risks and provided best value for money, was to extend the contract for a further three years. This, in effect, means the GSL Corporation will be delivering services for the next four years. The contract will expire on 30 July 2011.

### **IMPACT OF NEW CENTRAL BUSINESS DISTRICT (CBD) COURTS BUILDING**

It is anticipated the CBD Courts Building, a private-public partnership managed by the Western Liberty Group, will become operational in May 2008.

The services now being performed in the Central Law Courts, May Holman Centre, and part of the Supreme Court under the *Court Security and Custodial Services Contract* will be excised, and instead placed under the management and control of the contract with the Western Liberty Group. In effect, 40% of the existing *Court*

*Security and Custodial Services Contract* will be removed from the contract with GSL Corporation.

**COSTINGS/IMPLICATIONS**

The aggregate activity for 2007/2008 will remain similar to this year's values until the CBD Courts project becomes operational in May 2008. Demand for funeral and medical visits and transport is expected to remain the same in 2007/2008.

## **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, 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.

### **GOVERNANCE FRAMEWORK**

The contract continues to be governed by a Board. The core membership of the Court Security and Custodial Services Board comprised:

- Director General Department of the Attorney General (Chairperson)
- Commissioner Department of Corrective Services
- Executive Director Courts (DotAG)
- Assistant Commissioner Corporate Support (DCS)
- Assistant Commissioner WA Police
- Deputy Commissioner Adult Custodial Services (DCS)
- Court Security and Custodial Services Contract Manager (DCS)
- Chief Executive Officer AIMS Corporation
- Court Security and Custodial Services General Manager AIMS Corporation
- Director, Contracted Services (DCS)

The Board oversees service delivery and demand management in the contract.

Table 11 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 framework, the Director General of the Department of the Attorney General reports quarterly to the Minister for Corrective Services.

**Table 11: Governance Framework and Reporting Schedule**

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

**VARIATION TO SERVICE DELIVERY - DEED OF VARIATION**

During this reporting year, the Department of the Attorney General began preparation of 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 agreed service levels have been subject to variation to ensure service provision meets the changing requirements of court security and custodial services across the State. While a number of mechanisms have been used to alter the scope and volume of services, these have not resulted in formal amendment of the contract and tabling in Parliament.

The Court Security and Custodial Services Deed of Variation was formally executed on 28 November 2006. The announcement was published in the WA Government Gazette on 2 February 2007.

## PERFORMANCE-LINKED FEE

AIMS Corporation will be entitled to 99.825% of the full performance-linked fee for this year after the number of critical and reportable incidents was kept to an acceptable level, and the service levels were maintained within prescribed performance standards. The strong 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 34, for details regarding payments made for 2006/2007).

### 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, if 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 Corporation's 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 12 (see overleaf).

**Table 12: Performance-linked Fee**

Performance measure	Maximum allowable before PLF penalty applied	1 <sup>st</sup> year PLF	2 <sup>nd</sup> year PLF	3 <sup>rd</sup> year PLF	4 <sup>th</sup> year PLF	5 <sup>th</sup> year PLF	6 <sup>th</sup> year PLF	7 <sup>th</sup> year PLF
Death in custody	0	0	0	1	0	0	0	0
Escape	2	6	2	4	13	2	1	1
Self-harm	0	0	1	0	1	1	0	0
Assault upon a judicial officer	1	0	0	0	0	0	0	0
Loss of control	1	1	0	0	0	0	0	0
Unlawful release	0	5	2	4	1	1	0	0
Failure to accurately report contractually required information	2	3	1	0	2	0	0	0
Assault on a member of the public	2	0	0	0	0	0	0	1
Assault on client agency staff	2	1	0	0	0	0	0	0
Assault on a person in custody	1	2	0	0	0	0	0	0
Breach of legislation	4	0	2	0	0	0	0	0
Breach of a service requirement	5	37	4	3	1	0	0	1
Disruption to court proceedings	1	1	0	1	0	0	0	0
Traffic accident *	1	0	0	0	0	0	0	0
Assault on a person in custody by a person in custody	1	0	0	0	0	0	0	0
Substantiated complaint	10	3	2	2	0	0	0	0
Untimely prisoner movements	900	171	75	46	2	0	3	4
Inappropriate use of powers	1	0	0	0	0	0	0	0
Loss of property of a person in custody	1	2	0	1	3	3	0	2

\*Traffic Accident means a collision that prevents the vehicle being used, or causes physical injury to a person.

*Note:* PLF refers to performance-linked fee. The last performance-linked fee standard (loss of property of a person in custody) was not met, therefore, this had a 0.175% impact on the 4.5% PLF. This leaves AIMS entitled to 99.825% of the final 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 almost all performance standards and being entitled to most of the performance-linked fee.

Service levels were met within the agreed 2006/2007 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. Payment for these services is included in the total contract payments (see Table 13).

The total amount paid to AIMS Corporation under the contract in 2006/2007 will be \$22,186,912. The provisional amount is based on the proposed final actual figure by Sodexho plus PLF payments.

**Table 13: Payments to AIMS Corporation**

*Note: PLF refers to performance-linked fee*

Service Year	Total Cost
2000/2001	\$16,170,010
2001/2002	\$17,409,990
2002/2003	\$17,852,587
2003/2004	\$18,661,675
2004/2005	\$20,971,714
2005/2006	\$20,672,111
2006/2007	\$22,186,912 (Provisional)

*Note: All figures above are GST exempt.*

The 2006/2007 payment comprises:

- Contract payment - \$21,233,095 (provisional, as at 25 September 2007)
- PLF first six months - \$385,558
- PLF second six months - \$568,259 (provisional as at 25 September 2007)



## **CONTRACT PAYMENTS – FEE FOR SERVICE**

### **Prisoner Movement/Watch House Clearances**

Services to include prisoner movement between the East Perth Watch House and local metropolitan police stations located at Armadale, Midland, Fremantle and Joondalup commenced on the 4 December 2006, in accordance with the terms specified in the Local Service Agreement between the WA Police and AIMS Corporation.

Evaluation of the pilot undertaken by the Department of Corrective Services in consultation with client agencies, has shown this to be a successful service. The service has received the full support of WA Police. In addition, it is anticipated it will be included in the next formal amendments of the *Court Security and Custodial Services Contract*.

### **Albany Lock-up**

In late 2005, there was an identified need for the Albany Lock-up to be prescribed under the *Court Security and Custodial Services Act 1999*. The lock-up was prescribed in December 2005. The WA Police had, at that time, approached the Department with a view to entering into an arrangement that allowed the current police lock-up, which is contained within the new court complex, to be deemed a court custody centre and therefore be prescribed for the purposes of the Act. This would permit the contractor to have the necessary flexibility to maintain control over people in custody.

On the occasions where the contractor lodged such prisoners at these lock-ups, the contractor would assume responsibility of the relevant lock-up, including any people already being held by the police in the lock-up at that time. AIMS successfully continues to run the Albany Police Lock-up during court opening hours.

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## CONTRACTUAL REPORTING

### INCIDENTS

From the 40,148 prisoner movements and 433,129 hours of service in the contract year, there were 229 reportable incidents (see Table 14). While this is more than last year it is consistent with the average across the life of the contract.

One hundred and two of the reported incidents were recorded as critical. All incidents were reviewed and in 95 cases AIMS was found to have followed procedures appropriately. In seven cases AIMS was found to have not met the required service standard.

#### *Escape*

- At Fremantle Hospital, on 4 September 2006, a prisoner assaulted an AIMS staff member with part of a wheelchair and proceeded to escape. The prisoner was pursued by another AIMS staff member and, with the assistance of hospital security, was recaptured.

#### *Untimely Prisoner Movements*

- On 6 February 2007, a person in custody was required to appear in the Supreme Court at 9.15am. The AIMS escort did not, however, deliver the prisoner to court custody until 9.45am.
- On 20 February 2007 at Rockingham Court, a person in custody was scheduled to appear before the court at 9.30am. The transport vehicle did not deliver the prisoner until 9.45am.
- On 26 February 2007, due to poor scheduling of escort vehicles, a prisoner who was due to appear in the Supreme Court at 9.30am, was not delivered to court custody until 10.40am.
- On 28 March 2007, a prisoner was re-assigned to another escort vehicle, which resulted in the prisoner arriving late for a court appearance at Rockingham Court.

#### *Breach of a Service Requirement*

- Non-compliance, pursuant to schedule 1 of the contract, due to shortfalls in staffing levels at the Central Law Court, Fremantle, Midland, Joondalup, and Rockingham courts during February and March 2007.

#### *Assault upon a member of the public*

- On 4 September 2006, a prisoner was escorted to Armadale Hospital for a medical appointment. The prisoner was restrained, according to procedure, in an examination room. However, the prisoner produced a 'shiv' and threatened the examining doctor. The prisoner demanded that keys to the restraints be handed over to him. The escorting officer successfully convinced the prisoner to surrender the 'shiv' and release the doctor.

## REPORTABLE INCIDENTS AFFECTING PERFORMANCE-LINKED FEE

AIMS was found to have breached one performance measure standard (see Table 12), which will result in a financial penalty. This related to two reportable incidents:

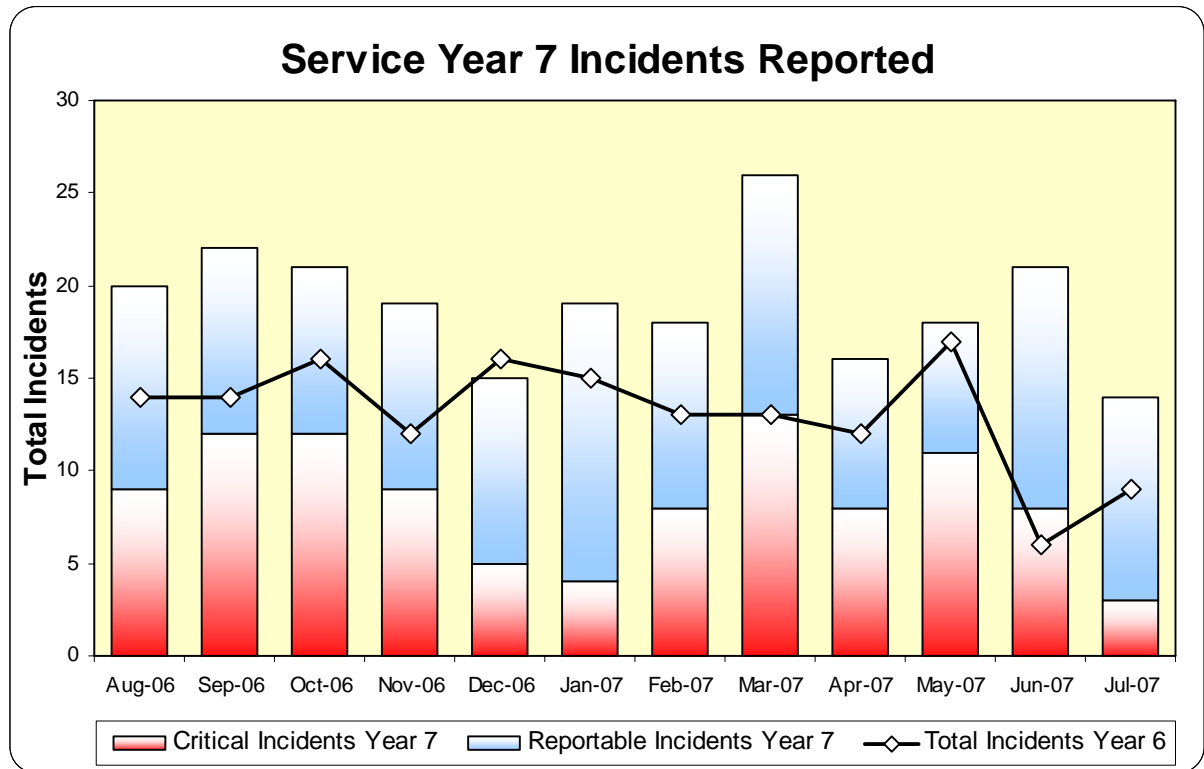
#### *Loss of Property of a Person in Custody*

- On 12 March 2007, property belonging to a prisoner was lost when the prisoner and the prisoner's property were being transferred from Kalgoorlie Court detention to Eastern Goldfields Regional Prison.
- At Central Law Courts, 20 March 2007, a person in custody who was being released, was issued with another prisoner's property.

**Table 14: Total Incidents Reported – Year 1 to Year 7**

	Year 1	Year 2	Year 3	Year 4	Year 5	Year 6	Year 7
<b>Incidents reported</b>	254	313	449	224	192	157	229

**Graph 7: Comparison of Incidents Reported**



## CONTRACT COMPLIANCE

The contract compliance schedule, developed in 2004, continued to be monitored on a regular basis during the current reporting period, 2006/2007.

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
- 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 Custodial 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 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 people in custody.
- Provision is to be made to accommodate the needs of people from diverse cultural backgrounds.
- Provision is to be made for people with special needs.
- The human dignity, privacy, care and wellbeing 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 core 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.