

Justice and public safety



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Demand for emergency services continues to increase, in part due to longer and overlapping bushfire seasons in the north and south of WA.





What IWA heard

During consultation on the draft strategy, stakeholders raised the importance of the sector collaborating with and recognising the role of local governments, people with lived experiences and social service providers. Amendments have been made to reflect this feedback throughout this chapter and, where relevant, the wider Strategy.

The wellbeing of people that interact with the justice system was a concern, particularly in relation to children and people with mental illness, and this has been referenced.

Stakeholders also stressed the importance of infrastructure resilience and digital connectivity for emergency responders, resulting in a closer consideration in the Strategy.

With the largest policing jurisdiction in the world, along with court and corrective services spanning the state, the task of maintaining law and order is a large one for WA’s police and justice systems.² In times of need, police and emergency services, supported by other government agencies, ambulance services and an extensive network of volunteers, manage multi-agency responses to serious incidents and natural disasters. Service delivery across the sector is increasingly complex for a range of reasons.

Policing and justice systems are intricately linked to a range of social, health and economic drivers. People’s interactions with these systems can be impacted by how easily they can access safe housing, adequate education, and cultural and sporting opportunities, and maintain an appropriate standard of health (including mental health) and employment stability. These links are well recognised globally, with countries including New Zealand, the United Kingdom, Canada and Finland adopting ‘justice reinvestment’ and preventative measures.³ Vulnerable communities, particularly from low socio-economic backgrounds, may also be more sensitive to shocks and stresses, and therefore providing additional resilience support is vital for their long-term sustainability.

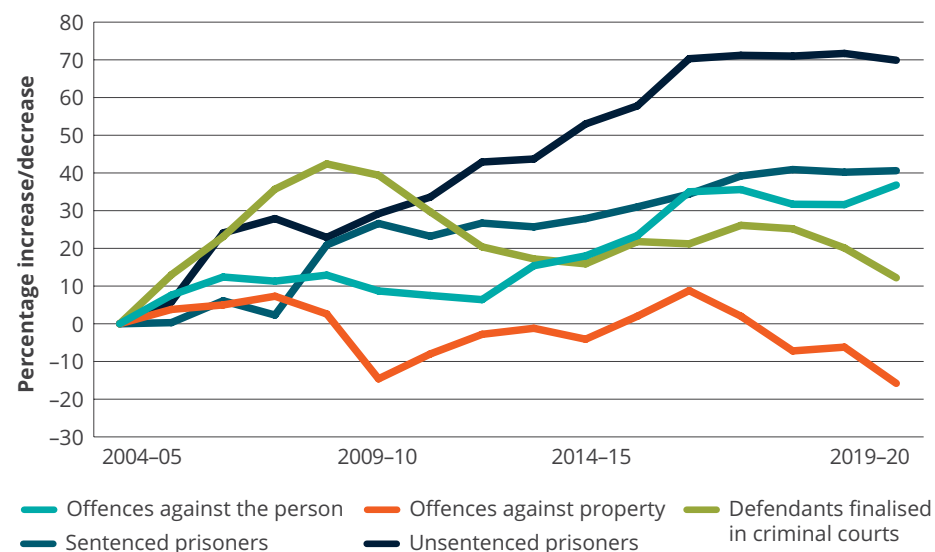
Trends and issues facing broader society are often reflected in criminal activity and correctional facilities.⁴ The nature of crime is changing – offenders are finding new ways of using technology to commit crime, and offenders are, on average, older and many are struggling with mental health, drug and alcohol issues.⁵ This is changing how police and justice systems provide services and the infrastructure they use.

Over the past 2 decades to 2020–21, offences against the person have more than doubled, while offences against property have fallen by around one-third.⁶ However, this has not translated into less demand for police. Increases in family and domestic violence, drug and alcohol offences and mental health issues have had a direct and significant impact on the nature of policing.

The number of defendants finalised in criminal courts rose from 68,553 in 2004–05 to 78,089 in 2019–20.⁷ The prison population grew from 3,482 in 2004–05 to 6,770 in 2019–20.⁸ During the same 15-year period, the proportion of prisoners awaiting trial or sentencing rose from 15.9% to 27.2%, reflecting the flow-on impact of high demand for court services on the prison system.⁹ In 2020–21, the median time to bring a trial for criminal matters to the Supreme Court of Western Australia was 53 weeks (25 weeks above the 28-week target).¹⁰ In the District Court of Western Australia, it was 54 weeks (22 weeks above the 32-week target), and in the Magistrates Court of Western Australia, it was 24 weeks for criminal and civil matters (5 weeks above the 19-week target).¹¹

These results can be attributed to a range of factors, including the complexity of civil and criminal matters, operational constraints and the impacts of the COVID-19 pandemic. Figure 55 shows the change in these numbers but cannot fully demonstrate the complexity of the police and justice task.

Figure 55: Crime, court and prison trends in Western Australia, 2004–05 to 2019–20¹²



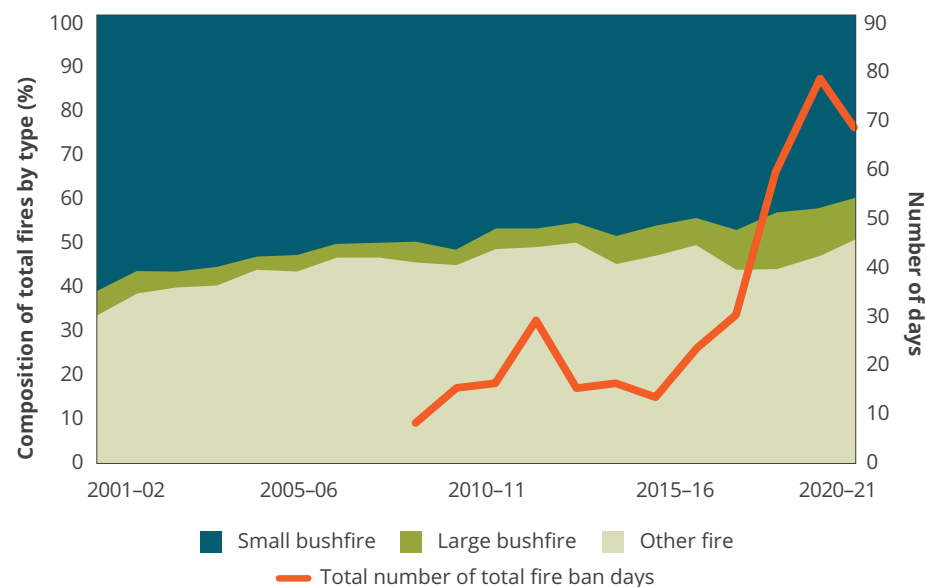
The nature of crime is changing – offenders are finding new ways of **using technology to commit crime**, and offenders are, on average, older and **many are struggling with mental health, drug and alcohol issues**.¹³

As well as policing criminal matters, the WA Police Force, in conjunction with the Department of Fire and Emergency Services, also has responsibility for leading the response to incidents and natural disasters. More incidents are occurring in dense and increasingly congested urban areas and locations that are remote and difficult to access. Increases in other incidents also place additional pressure on service delivery (for example, road crashes and rescues, false calls and alarms, and other rescue and medical responses).¹⁴ Combined with a range of shock events, including natural disasters and cybercrime, which are further exacerbated by chronic stresses such as civil unrest and climate change, these incidents place heightened demand on emergency services and require well-planned and resilient infrastructure such as telecommunications networks and supply chain assets.¹⁵

Over the past 20 years, the Department of Fire and Emergency Services and its predecessors have responded to a fairly stable number of fire and other incidents, although the composition of incidents is changing and annual large bushfire numbers are volatile.¹⁶ For example, in 2001–02, WA experienced 901 large bushfires, 10,402 small bushfires and 5,602 other fires.¹⁷ In 2020–21, the state had 668 large bushfires, 3,157 small bushfires and 4,918 other fires (Figure 56).¹⁸ While total fire bans, weather patterns, community education and a shared responsibility approach have reduced small bushfire events, large bushfires have a significant impact on emergency responders, broader communities and supply chains. For example, the bushfires in the Goldfields–Esperance region in the summer of 2019–20 closed the Eyre Highway, significantly disrupting primary industry, transport logistics suppliers and tourists.¹⁹ A hot and dry climate results in bushfires that are more intense, larger and longer.²⁰



Figure 56: Fire types, 2001–02 to 2020–21; total fire ban days, 2009–10 to 2020–21²¹



As our population continues to grow, demand for justice and public safety infrastructure and services is expected to increase. This is a critical issue facing police and justice, with the departments of Justice and Treasury forecasting increasing prisoner volumes over the next 10 years.²² Demand for emergency services will also continue to increase, particularly due to longer and overlapping bushfire seasons in the north and south of the state, sea-level rises resulting in increased flooding events, and water shortages in some areas driving demand for alternative firefighting methods.

WA's forecast population growth over the next 20 years will place increasing demand on fire and emergency services, police, courts and corrective services.

Other infrastructure challenges faced by the justice and public safety sector are often interrelated. Many WA Police Force premises need to operate 24/7, with special security arrangements. Over one-third are beyond an average life of 30 years, particularly in the regions. Police in remote areas face isolation, with large distances to cover between stations. The 2020 WA Government commitments for an injection of 950 additional police officers, partly attributable to the increased demand for policing services in the COVID-19 response, have significant flow-on infrastructure effects (for example, officer housing and police station accommodation) that were not fully planned or funded in parallel, as well as downstream impacts on other sectors and services including courts and correctional facilities.²³

Furthermore, many Department of Justice courthouses are ageing and heritage-listed, with high maintenance and refurbishment costs needed to meet modern requirements. Prisons are of varying ages and standards and some do not offer an appropriate level of rehabilitation and diversionary programs, including those that are culturally appropriate.

In addition, the Department of Fire and Emergency Services' built infrastructure is ageing in many cases, which presents challenges for capability to withstand increasing natural disasters and the need for maintenance and refurbishment. This challenge also provides an opportunity to embed consideration of resilience into upgraded and new emergency response infrastructure. New and unexpected shock events (both climate-related and otherwise), underpinned and exacerbated by ongoing stresses, will occur in the future. As both the urban environment and nature of emergency incidents changes, there is also the need to ensure capacity to upskill for a broad range of hazard and situational responses. Additionally, there is a need to improve coordination and collaboration between WA's infrastructure, land-use planning and fire and emergency services to meet operational needs, achieve alignment around location and ensure accessibility and resilience (see recommendations 23 and 34 in the Planning and coordination chapter). This is particularly important when planning for new types of infrastructure or new developments in high exposure areas, where sometimes the focus can be on amenity and return on investment rather than ensuring the sustainability and resilience of the community.



Governance

There are 3 main agencies responsible for providing policing, justice and emergency services:

- The WA Police Force has a broad responsibility to enforce the law in the community and on the roads, prevent crime and protect the community. It also manages and coordinates multi-agency emergency responses, which can range from search and rescue to the State of Emergency declared in March 2020 for WA's response to the COVID-19 pandemic.
- The Department of Justice is primarily responsible for providing justice, legal and corrective services support to the community, judiciary, Parliament and government. This includes, but is not limited to, court and tribunal services, corrective services, advocacy, trustee services, policy advice and legislative drafting.

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The **increase of 950 WA Police Force personnel** will place pressure on stations, courts, correctional facilities and regional housing. This is a key example of the need to understand and respond to planning interdependencies.²⁴

- The Department of Fire and Emergency Services provides a critical role in coordinating emergency responses to natural disasters and other incidents, such as structure collapses, road crash recoveries and marine rescues. Operational personnel are supported by a large network of volunteers.

The sector has a large fixed-infrastructure asset base, including over 450 owned facilities and over 150 leased premises. This comprises police stations, storage compounds and holding facilities, equine and canine facilities, courthouses, prisons, correction centres, work camps and farms, a juvenile detention centre, youth community and justice facilities, career fire stations, volunteer fire stations and buildings, radio towers, training centres, office accommodation and a variety of leased facilities. Many of the sector's assets have specialist facility requirements, for example, ammunitions storage and custody cells.

The cross-cutting themes chapters cover many issues that are relevant for the justice and public safety sector, particularly in relation to digital connectivity, Aboriginal wellbeing, climate change, planning and coordination, and asset management.

There is a range of other government agencies and non-government organisations providing justice and public safety services, which the Strategy does not address in detail. These include not-for-profit organisations, local governments, ambulance services and other government agencies that provide emergency response support.



Case study

Olabud Doogethu program (all of us together)

Aboriginal youth incarceration and recidivism is a significant issue for the north-west of the state, particularly the Kimberley. It is difficult for youth offenders to break the cycle without support and intervention. Faced with youth justice funding pressures in 2017, the Shire of Halls Creek found a new solution in Olabud Doogethu, the first justice reinvestment site in WA.²⁶ The program's aim is to reduce youth incarceration rates and improve outcomes for young people in the shire.

The program includes an outcomes framework, individual community plans and various teams offering support and services to individuals and families. In its first 15 months (from May 2019), the team of Youth Engagement Night Officers and the daytime Aboriginal Parent Support crew saw a 58% reduction in burglary offences in the Halls Creek town site and a 28% reduction in stealing offences.²⁷ Contributing to these results are training activities and support, including traineeships, Learning on Country Coordinators, free entry to the Halls Creek swimming pool, an Intensive Case Management Team and early childhood intervention initiatives.²⁸

Reports attribute the success of the program to:

- local decision-making – the Shire of Halls Creek asked residents what youth justice initiatives they wanted and Aboriginal leaders co-designed the program
- cultural security – the Night Officers were selected from local family groups, and they are youth workers, not police officers
- cross-government and community collaboration.

Future opportunities identified to enhance the program include increasing female representation in the Night Officers team, and the potential to tailor similar programs to the requirements of other in-need communities.

For further information, refer to www.olabuddoogethu.org.au.





Recommendations

Demand management and prevention

The rates of imprisonment and recidivism across many parts of the community are high and, in the case of Aboriginal people, deeply concerning.³¹ It could be argued that just building more infrastructure, such as courthouses and prisons, to meet these pressures is not sustainable and that increased actions are needed in the areas of early intervention and prevention to reduce demand on the sector's infrastructure while maintaining appropriate levels of community safety. The high rates of recidivism are of particular concern and greater efforts would seem necessary to ensure that individuals who are released from custody are equipped with the right skills, and have a clear, supported and culturally appropriate pathway out of the justice system. This is particularly relevant for Aboriginal people who have experienced profound and ongoing intergenerational trauma due to high rates of imprisonment, as well as historical disempowerment, which has led to a level of distrust in law-and-order systems.

Young people who enter the criminal justice system often have complex needs and vulnerabilities that can be amplified by spending time in custody. Those that spend time in custody will often reoffend, resulting in further demand on traditional justice system services and infrastructure. An increase in the minimum age of criminal responsibility is a current national policy consideration. This may have positive impacts on recidivism through later life and may also have infrastructure and service delivery implications.

In 2020–21, the cost to keep an adult offender in custody was \$354 per day.³² In contrast, the cost to manage an adult offender through community supervision was \$36 per day.³³ The diversion of some of these funds to justice reinvestment programs and non-traditional corrective services, in addition to dedicated investment, has the potential to create long-term positive change.³⁴

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The cost to house an adult offender in custody is **\$354 per day**.²⁹ The cost to manage an adult offender through community supervision is just **\$36 per day**.³⁰



Examples of **early intervention, prevention and non-traditional justice programs, services and strategies** include Target 120, Barndimalgu Court, Kimberley Juvenile Justice Strategy, Yiriman Project, Work and Development Permit Scheme, Bennett Brook Disability Justice Centre, WA Police Youth Policing Division and multi-systemic therapy, among many others.

For example, in Perth, the Wandoo Rehabilitation Prison's Modified Therapeutic Community – Alcohol and Other Drugs Program has resulted in the prison recording the lowest recidivism rate of any Australian prison, at less than 1%.³⁵

Culturally appropriate initiatives, co-designed with Aboriginal people, are needed to respond to the high incarceration rates of Aboriginal adults and young people (40% of adult prisoners and 75% of young people in custody).³⁶ Targets to reduce these rates are detailed in *Closing the Gap*, along with a commitment to establish a policy partnership on justice (adult and youth incarceration) between federal and state and territory governments and Aboriginal and Torres Strait Islander representatives.³⁷

Infrastructure Australia discussed the benefits of prevention and early intervention in the 2019 Australian Infrastructure Audit, which identified the justice reinvestment project in Bourke, New South Wales. This project was the 'first major pilot project in Australia for an Aboriginal-led, place-based justice reinvestment model, which redirected funding from crisis response, adult prison and youth detention centres towards preventative, diversionary and community development initiatives'.³⁸ The *Maranguka justice reinvestment project: Impact assessment* reported promising results in reducing demand on policing and justice services, along with positive economic impacts.³⁹



Through the Our Priorities: Sharing Prosperity program, the WA Government set cross-agency targets to reduce:

- the number of Aboriginal adults in prison
- the number of youth offenders who return to detention within 2 years of release
- the proportion of the WA population who have taken an illicit drug in the 12 months prior to measures being taken.⁴⁰

While this program has now been deferred indefinitely, the WA Government should build on the momentum created across a range of social services agencies. A review of these targets should inform development of future whole of government targets, along with appropriate monitoring and reporting mechanisms of progress against targets. This should align with the *Closing the Gap* targets and the *Closing the Gap Jurisdictional Implementation Plan*.

Establishing agreed whole of government targets will require efficient and collaborative cross-agency governance arrangements and frameworks. It should also involve collaboration with social service providers, people with lived experiences and local governments (who have specific community safety responsibilities). Over the years, there have been many programs and activities undertaken in early intervention, prevention and rehabilitation by both government and the private sector. This has occurred at local, state, national and international levels; however, a long-term, collaborative and consistently funded state approach does not currently exist. Harnessing the strengths, benefits and lessons learned from previous work, including tools, models and data sources, will potentially assist in building evidence for the consideration of future programs and activities.

Recommendation 91

Reduce demand for police, courts and corrective services, and associated infrastructure by establishing and implementing specific cross-agency stretch targets, measures to achieve these targets and publicly reporting progress against these targets each year. The targets should:

- seek to reduce the need for additional built infrastructure
- focus on measures related to prevention, early intervention, rehabilitation and reducing recidivism
- expressly address over-representation of Aboriginal people in the criminal justice system.

Integrated and collaborative planning

Planning and investment decisions for future infrastructure should account for early intervention and preventative initiatives, as well as policy settings, to determine the timing, sequencing and demand for new police complexes, courthouses and correctional facilities. The development of new infrastructure and the associated design of support programs should be based on evidence-based, best-practice approaches to prevent reoffending.

Precincts and shared facilities can provide beneficial alternative service delivery models that incorporate other government agencies and private providers (for example, mental health providers and other social services). However, they also present challenges in terms of the responsibility for asset management. The Armadale Courthouse and Police Complex, due for completion in 2022, aims to improve the security and efficiency of custodial services through a shared custody area.⁴¹ Parkerville Children and Youth Care's child advocacy centres in Armadale and Midland provide specialist services to reduce the harmful impacts of trauma from abuse, which includes collocation with police and child protection workers.⁴²

Recommendation 21a in the Regional development chapter recognises the need for integrated, place-based planning and delivery models for social services that are more responsive to the changing needs of regional communities. Recommendation 32 in the Planning and coordination chapter supports a shared policy framework for multi-user infrastructure corridors and facilities, precincts and shared facilities, which can provide opportunities to deliver complementary services to local communities. This should also include negotiation of a single point of accountability for asset management as part of the planning process. Recommendation 79d in the Health chapter recognises the need for investment to take into consideration the infrastructure and support needs of people with a mental illness who are involved in the criminal justice system.

In regard to fire and emergency services, cross-agency collaboration can deliver land-use, urban and major infrastructure planning (both public and private) that is coordinated and can help improve incident response times and access to incidents. Improved planning across the sector should



consider the use of offsite and modular construction techniques where benefits can be achieved, in line with Recommendation 38f in the Infrastructure delivery chapter. This may provide cost-effective and efficient options for the timely replacement of ageing and unfit for purpose facilities.

In terms of justice services, the Long Term Custodial Infrastructure Plan has provided the Department of Justice's corrective services with a strong planning foundation. Finalisation of a prison network design concept model will help balance and evaluate the need for centralised versus regionalised justice services and provide a basis to replicate similar plans to courts and police, aiding long-term infrastructure prioritisation and outcomes. Through a greater focus on incorporating these documents into strategic asset plans, agencies will be able to better communicate their strategic priorities to government. Long-term infrastructure planning within the sector will also benefit from continued application, and ongoing development and alignment of modelling (including for example, the WA Prisoner Model and Justice Pipeline Model).

Improved, integrated planning across the sector will result in agency infrastructure plans that recognise and address the interdependencies between and across agencies. A digital-first approach will support increased collaboration across the sector and with other government agencies. It will also support the trend towards digital service delivery.

Recommendation 92

Improve justice and public safety infrastructure planning with a focus on the interdependencies of police, courts and correctional facilities by:

- a. pursuing collocation opportunities with government and non-government providers to establish precincts
- b. improving alignment and cooperation between the Department of Justice and WA Police Force to manage shared assets, including ageing regional facilities
- c. updating and maintaining the Long Term Custodial Infrastructure Plan based on a finalised prison network design concept model, and including a range of alternative demand scenarios that capture potential diversionary activities, based on appropriate modelling tools
- d. progressing long-term planning (equivalent to the Long Term Custodial Infrastructure Plan) for courts and police facilities.



Targeted investment

Broome Regional Prison

Replacement and relocation of Broome Regional Prison, which is in very poor condition, is recognised as a strategic priority. In March 2020, the Office of the Inspector of Custodial Services reported that many limitations continue to exist with the current prison infrastructure, including mixing male and female prisoners, health and safety issues and challenging maintenance

requirements in a prison already unfit for purpose.⁴³ Planning for the new Broome Regional Prison to date demonstrates the use of network design principles, engagement with Traditional Owners and Custodians in identifying site options and providing input to concept designs to ensure culturally appropriate facilities, and consideration of complementary support services and programs, such as inclusion of child-safe standards to ensure the needs of young people in custody are met. The finalisation of a business case should be progressed as a priority.

Emergency Management Training Centre

The current WA Emergency Management Training Centre is past its useful life and has increasing maintenance requirements and deteriorating specialised infrastructure. Legislative changes in the past 3 decades have introduced a range of emergency management responsibilities for which the current facilities and infrastructure cannot provide training. Released in October 2020, the *Royal Commission into National Natural Disaster Arrangements report* draws attention to the need for consideration of national and jurisdictional education, research and training facilities in the development of a national approach for recovery competencies and professional pathways, including for upskilling local government and non-government organisations.⁴⁴ The ability of fire and other emergency services to respond to incidents using contemporary and effective methods is crucial. The finalisation of a business case that assesses a range of feasible options should be progressed as a priority to inform investment timing and the preferred option.

Government Radio Network

Further investigation of the phased rollout of the Government Radio Network to multiple agencies should continue while seeking to avoid obsolescence arising from other telecommunications innovations and exploring opportunities for digitisation across the sector.





Tranche 1 of the project (funding announced in October 2020) addresses the replacement of critical, failing radio equipment for frontline responders, but significant funding is still required for further tranches.⁴⁵ The Government Radio Network will ensure WA meets federal requirements and provides an opportunity to bring emergency services onto a single platform. The finalisation of a business case should be progressed as a priority to inform investment timing and the preferred option.

Future projects

Potential future projects into the medium and long term, such as the WA Police Headquarters, Kununurra Police Complex, State Forensic Centre collocation with Midland Police Complex, Maylands Police Complex, criminal and civil courts in the Perth CBD and metropolitan area, Karratha Courthouse redevelopment and other initiatives should be considered in strategic asset plans and informed by comprehensive planning and business cases.

Digitising the sector and considering changes to operating models, including national data sharing, agile security through predictive crime mapping, increased mobile policing and real-time information delivery, will also help to reduce demand on physical infrastructure, tailor justice and public safety services and improve accessibility. Technology solutions are already aiding the sector to track and respond to crime and provide efficiencies in court and corrective services. Future planning will benefit from a digital-first approach to all aspects of the infrastructure lifecycle (see Recommendation 2 in the Digital connectivity and technology chapter). Pursuing digitisation opportunities and applying a digital-first approach in the sector must be balanced to not further disadvantage vulnerable Western Australians and those who live in rural and remote areas who experience significantly limited technology access, including people who live in remote Aboriginal communities that have limited digital connectivity.

Recommendation 93

Improve facilities and increase capacity by investing in fit for purpose and contemporary major justice and public safety infrastructure, including:

- a. replacing the Broome Regional Prison, subject to a business case
- b. replacing the WA Emergency Management Training Centre, subject to a business case
- c. further investigating the phased rollout of the Government Radio Network, subject to a finalised business case.

