



CRIME AND CORRUPTION COMMISSION

TRANSCRIPT OF INVESTIGATIVE HEARING

10 CONDUCTED AT LEVEL 2, NORTH TOWER, 515 ST PAULS TERRACE,
FORTITUDE VALLEY WITH RESPECT TO

File No: CO-18-0360

TASKFORCE FLAXTON
HEARING NO: 18/0003

20 DAY 6 – MONDAY 21 MAY 2018
(DURATION: 1 HR 40 MINS)

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LEGEND

30 PO Presiding Officer – ALAN MACSPORRAN QC
CA Counsel Assisting – GLEN RICE QC
INST Instructing – AMANDA BRIDGEMAN
HRO Hearing Room Orderly – ISABELLA PATTON
W Witness – KEITH NAMASIVAYAM KETHEESWARAN
CM CHRISTOPHER MURDOCH, Crown Law (QCS)
AS A J SMITH, GEO Group Legal (GEO Group)

PO Good morning. Mr RICE?

CA Thank you, Commissioner. I call Keith KETHEESWARAN.

PO Thank you. Have a seat, thanks. Do you prefer taking an oath on the Bible or an affirmation?

10 W Oath.

PO Okay, thank you.

HRO Could you please take the Bible in your right hand and repeat after me.

W The evidence which I shall give in these proceedings shall be the truth, the whole truth, and nothing but the truth, so help me God.

CA Is your name Keith KETHEESWARAN?

20 W That's correct, yes.

CA You are an employee, are you not, of GEO Group Australia?

W That's correct, yes.

CA You occupy the position of Director of Governance and Performance Assurance?

30 W That's correct, yes.

CA For how long have you had that position, sir?

W About 13 years.

CA Did you receive a notice to attend the inquiry today?

W Yes. With prior arrangement with the Commission staff, I had that served upon Mr Troy ITTENSohn on my behalf and I've received that and, as you can see, I'm here.

40 CA Can I just show you this and get you to adopt it, please.

W Thank you. That's correct, yes.

CA Is that a copy of the notice?

W Yes.

CA I tender that.

50 PO That's exhibit 46.

ADMITTED AND MARKED EXHIBIT 46

CA Just a bit of background. GEO Group Australia is part of a larger group, is it not, the GEO Group?

- W That's correct, GEO Group Inc.
- CA What's the business of GEO Group Inc?
- W In essence, to provide correctional services. It's solely focused on providing correctional services, that is, to design, build, finance and operate correctional centres.
- 10 CA Under contract?
- W Under contract, yes.
- CA In what countries?
- W Generally - well, United States, UK, South Africa and Australia.
- CA Does GEO Group Australia operate centres in this country?
- 20 W Yes, it does, mainly on the eastern seaboard.
- CA How many in all?
- W Five centres in the three states.
- CA In which states?
- W In New South Wales, two; in Victoria, two; and in Queensland, one, Arthur Gorrie.
- 30 CA And in each case, are those centres operated under contract to governments in those states?
- W The respective governments, yes.
- CA How many centres in Queensland?
- W One. Arthur Gorrie Correctional Centre.
- 40 CA Perhaps I should ask you what's the nature of your role as Director of Governance and Performance Assurance?
- W Sure. I am responsible for establishing and overseeing policies, systems and processes by which GEO Group in Australia is directed and controlled and held to account for delivering on all of its contractual obligations.
- CA In carrying out that, do you have at least a working knowledge of the functioning of each of the centres?
- 50 W Yes, I do.
- CA Are you aware that GEO Group has made a submission to this inquiry?
- W Yes.

CA Can I show you a copy of that.

W Thank you.

CA Is that a copy of GEO's submission?

W Yes. I'm familiar with this, yes.

CA I tender that.

10

PO Exhibit 47.

ADMITTED AND MARKED EXHIBIT 47

CA You just told us, I think, that you're familiar with it?

W Yes, I am familiar with it.

20

CA Thank you. For how long has GEO Group Australia been operating Arthur Gorrie?

W Since inception, I think back in 1992, so nearly over a quarter of a century.

CA Continuously since then?

W Continuously, but under different contracts, of course.

30

CA Is there a specified term for the duration of a contract, by the way?

W Yes. For example, the current term, if I remember right, is for 10 years. It commenced I think in 2008 and it comes to a conclusion now, and we are under a tender process at the moment.

CA Can you give us some idea of the size and the primary purpose of Arthur Gorrie?

40

W Yes. It's a remand centre. In fact, it's the largest remand centre in Queensland. It has a bed capacity of over 1,000 prisoners. As a remand centre, it is a maximum-security prison.

GEO generally operates all of its correctional centres as a decentralised operation; that is to say, Arthur Gorrie Correctional Centre is no different. It's a fully self-sustaining management structure with its own senior management team, organised on functional grounds, and headed by a general manager, who sometimes is referred to as the governor of the prison as well.

50

CA Are all of the prisoners remand?

W There are some sentenced prisoners, I think, and these may be people who are parole violators or people being transferred from one centre to another or have come back from courts, sentenced, and about to be transferred out.

CA Is it right to say its primary function is to serve as a remand centre?

- W Correct.
- CA And the great majority of its population are persons on remand?
- W By far and away, yes.
- CA I'll just ask you a little bit about the contract, if you don't mind.
- 10 W Sure.
- CA Do you feel free to talk about performance indicators?
- W Absolutely.
- CA Okay. There is a performance measurement system built into the contract with Queensland Corrective Services, is there not?
- 20 W That's correct, yes.
- CA Can you explain what measures are built in to the contract to enable performance of GEO to be measured?
- W Yes. Before I come to the KPI, in essence the contract is a parcel of work that the operator must deliver. That parcel of work is governed by - it started out as contract standards, but now it has different terminology applied to it. It also has to be operated under the same policies and procedures that public prisons operate. The KPIs themselves are performance metrics to measure performance of specific things, about a dozen of those.
- 30 CA Are they the primary sources of measurement of performance?
- W Yes, they are the primary sources of measurement. There are other measurements that might take place when monitors perhaps monitor particular - COPDs, as they call them, performance directives, but principally the prison performance is measured by those KPIs.
- 40 CA Are they the kinds of things that you would expect QCS to be looking at both in the course of a contract and at the time of its renewal?
- W Absolutely.
- CA Is there a system of incentives and penalties built into these measurements?
- W Yes. Each of the KPIs has a base level performance and a best practice performance.
- 50 CA Can you explain those?
- W Yes. A base level performance is that each of the KPIs would have a threshold of performance. So, for example, if you take a maximum-security prison, the KPI for escapes would be set at zero.
- CA So that's what should be achieved?

- W That's what should be achieved. In the case of meaningful activities, there will be a defined number of hours that must be met. That might be a base level of a certain number of hours and a best practice of a certain number of hours. Or, for example, integrity of incident reporting, there would be a base level performance of how many of the incidents reported, subsequently having verified, having proven accurate, set at, say, 90 per cent, and best practice might be 95 per cent.
- 10 CA You have mentioned a few of the KPIs. It might be instructive just to identify what they are.
- W Sure.
- CA You mentioned escape, I think.
- W Yes. I'll try to remember all of them, but-
- 20 CA That's okay. I'll prompt you, if need be.
- W Sure. There is escape, of course. And deaths in custody, unnatural deaths in custody.
- CA Is that a zero base mark?
- W Absolutely. The first three or four are all zero tolerance. The next one is early release or unlawful detention.
- 30 CA That's people get out by mistake?
- W By mistake or detained longer than they should have been. The other one might be disturbance, major disturbance. Those are the sort of critical ones, in the sense that they tend to be generally zero tolerance. Then we have incident reporting, assaults, major and minor.
- CA Do you need to keep statistics on those things?
- 40 W Yes, there are statistics on those things. Then, again, as I said earlier, there's a base level performance and a best practice performance for each of those.
- CA Is a base level like a pass mark?
- W A base level is a pass mark. If the KPI is not achieving base level, there will be no incentive paid out. If the best practice is achieved, or beyond, then one would get, for that particular indicator, the maximum possible.
- CA For these indicators, are there incentives, financial incentives, to achieve at least a base level?
- 50 W Absolutely.
- CA Are there further incentives to achieve best practice?
- W Yes, in the sense that if a particular practice directive is not observed, the state has the right to issue a noncompliance notice. A noncompliance

notice is issued for a noncompliance event, and that is fairly broadly defined. So if the operator is not observing the practice directive as the state intended, the state has the right to issue a noncompliance notice.

10 Once a noncompliance notice is issued, the operator then has some seven days to meet with the state and discuss a cure plan. That cure plan must be approved by the state within 14 days of the notice being issued. The cure plan must state precisely what remedial actions would be taken to bring that particular performance, to be consistent and compliant with the policy directive, which will also set out the specific task and the time lines within which it will be carried out.

Any costs associated with that would obviously be borne by the operator, so there is a financial penalty, if you will.

CA This is not a memory test. I will ask you about some of these performance indicators. You might tell me how they operate in practice along the lines that you've just mentioned.

20 W Yes.

CA Rate of illicit drug use, I think, is one performance indicator; correct?

W Yes.

CA How is the base level identified?

30 W It is identified by the state, generally, presumably, in terms of comparable prisons either in the state or elsewhere. The state determines that. The way the contract is structured, the state has the right, in consultation with the operator, to revise those thresholds annually.

In the case of Arthur Gorrie, if Arthur Gorrie is consistently achieving, let's say, the best practice, then the state might change the threshold to be that much harder to achieve the following year. In other words, it tends to be a bit aspirational in nature, so a better-performing operator would then be required to continue to perform a little bit better.

40 CA So there is a certain percentage that has to be achieved?

W Correct.

CA Under the base level?

W Under the base level, yes.

CA Another of the indicators is self-harm.

50 W Yes.

CA Presumably some statistics need to be kept of that?

W Yes. There are two types of self-harm. One is, I think, attempted suicide and the other one is self-injury. Attempted suicide is where the likelihood of death is greater than, perhaps, self-injury, and there are statistics kept for those and, again, the base level and best practice.

Perhaps if I could just go back on the earlier ones that I mentioned, the escapes, deaths in custody, and so on. There is a dollar amount that would have to be paid if one of those events was to eventuate.

CA To take escape, for example, if there's an escape, the company pays a penalty?

10 W Yes, a quantum of fees that is predetermined, it's in the contract, and that it would have to-

CA That one works on a penalty basis, does it?

W In a sense, it works on a penalty basis.

CA Not on an incentive basis, so if you don't have any escapes, you get a certain amount. Rather, it works in reverse?

20 W Correct, correct.

CA What about some of the others that were mentioned: rate of illicit drug use, does that work on an incentive basis?

W It's on an incentive. There's a quantum of money that is set aside in the contract as a total pool of incentives, and that will be earned if best practice is achieved right across the KPIs. So, for example, there are no escapes, then obviously the full amount will be paid; there will be no deduction.

30 CA Just for completeness, another of the performance indicators is accuracy of reporting?

W Yes.

CA What's involved in that?

W There's two. One, I think, is the critical reporting must be accurate. That's almost like a quantum. That is to say, zero is the best practice, and maybe three or four or five would be the base level.

40 CA What qualifies as critical reporting?

50 W I can't remember, but if certain specific types of instances are reported on time and accurately, et cetera. Then there is a test done of all of the incidents that are reported. For example, if there are 100 incident reports, the monitors and QCS, that is Queensland Corrective Services, staff would assess how the reports are being made. They would have access to other information, access to all of the officers' reports. They would look at the nature of the incident and see whether that has been accurately reported, in the sense that it has been categorised correctly, it's been reported within the time frame, et cetera. There are a number of criteria by which they would assess that.

And if they judge a particular incident not to have been reported under those criteria, that will be marked up as a failure. Then there will be a percentage calculated, much like an exam result, and there will be

98 per cent, 95 per cent, and so on. Arthur Gorrie generally performs very well on that, in that the best practice I think is 95 per cent, but Arthur Gorrie exceeds that.

CA Who would identify whether the reporting is sufficiently accurate to meet the base level?

W There are the contract monitors and other officers inside Queensland Corrective Services.

10

CA Can we talk about that for a little bit, then.

W Absolutely.

CA What is the work of the contract management unit?

W Contract management unit, as I understand it, is essentially assuring, or ensuring, that the operator is delivering the services as contracted to the standard that the state expects and specified in the contract.

20

CA Do you know how many people would staff that unit in Arthur Gorrie?

W In Arthur Gorrie, there are contract monitors. I've seen two or three different contract monitors at different times. Recently, I think there have been, from memory, two people always.

CA Full time?

30

W My understanding is that they attend about five days out of a fortnight. I also understand that there are other staff based at the head office, State Law Building, with Queensland Corrective Services, who are also regarded as contract management staff, who might not necessarily be monitors. They may perform management functions.

CA What extent of their duties would be taken up with reviewing the kinds of measurements that apply to the KPIs?

40

W As I understand it, it's a twofold thing. One is conducting audits, observations, inspections, of how performance is carried out at Arthur Gorrie against the various policy directives. The other one is to validate the KPI performance against supporting documentation.

CA To whom would the officers of the CMU report?

50

W My understanding is that there is a general manager of the contract management unit. She is the person that I would have - if I have contact with on a sort of routine basis, I would be contacting her. But I think it also is then governed by I think the Deputy Commissioner, John FORSTER, for instance, so I would have contact with him. That's pretty much what I know about that part.

CA Is that unit funded by QCS or by GEO?

W It's funded by QCS.

CA Do the staff work on site?

- W The monitors principally work on site, yes. But they may do some other work whilst back at the State Law Building, but I've certainly seen them at the centre.
- CA Is there periodic review over the lifetime of a contract of the progress of these KPIs?
- 10 W Yes. There are formal quarterly reports, which are really a composite of monthly reports that are submitted. That's reviewed in a formal fashion between the GEO Group executive, the prison management, as well as the QCS executive. That will usually be chaired by the Commissioner, attended by the Deputy Commissioner, John FORSTER, and others, as well as the contract management unit from the QCS side. It will be attended by the managing director, and I attend from GEO corporate, and then the general manager and the contract compliance and risk manager at the centre would also attend.
- 20 CA Typically would you attend with a set of data directed towards whether or not the KPIs have been achieved?
- W Correct. There is a report that is published, which summarises the KPI performance, and it also provides some trend analysis, that is to say, whether each of those KPIs are trending up or down in terms of performance. Each of the KPIs is then analysed in greater detail in terms of, for example, if a particular threshold is not achieved, centre management might comment on the root causes of it and what action they are taking to bring that performance back on track. That report, together with the general manager's report on all of the other activities that surrounded that quarter at the centre, will be tabled. It has to be actually submitted prior to the meeting.
- 30
- 40 We also have a pre-quarterly meeting generally with the contract management staff, prison management and I. We would discuss the agenda that is coming up and the reports that have to be submitted. Sometimes we might discuss the reports themselves, if there are issues that perhaps we might want to bring up or whether the CMU might want to discuss at the quarterly meeting. Then at the quarterly meeting, there will be an agenda. The meeting is chaired, as I said, by the Commissioner, and we will go through that report.
- CA Are the key performance indicators also GEO's own measure of performance of the centre?
- W Yes, other than that, we have monthly governance meetings with every one of our centres. They produce a monthly report, that is, reporting on all functions of prison management, including the KPIs. For example, we'll look at workplace safety, we'll look at operational pressure points, how the trends are working out, the types of incidents that have taken place. We would look at offender management services, in terms of the services being provided to prisoners in terms of programs. We would look at the human resource function and we would look at financial performance against budget. We would look at the general manager's report, an overall report on any red flags that might have come up, any investigations that might have been carried out, et cetera, et cetera.
- 50

So that meeting is between the senior management team and all of the executive directors and is chaired by our managing director.

CA Dealing with the centre itself, there is a general manager; correct?

W Correct.

CA Could you give us just an overview of the organisational structure underneath the general manager?

10

W Sure. The general manager has what we call a senior management team under him. The senior management team would comprise a risk and compliance manager, an operations manager or an assistant general manager, who looks after the prison operations; then there would be an offender services manager, who looks after any educational programs and any criminogenic programs that are delivered at the centre; there will be a health services manager, if the health services are being provided by GEO; and a human resource manager. I think I've covered everybody there. That's the senior management team.

20

CA Thank you. Could I just ask you some things about the content of the submission.

W Sure.

CA Feel free to look at it. For example, at page 4, that section of it summarises the work of GEO in Queensland. In the three last paragraphs, there are some specific references to Arthur Gorrie.

30

In the third-last paragraph, you identify that because of its role as an on-remand centre, Arthur Gorrie has a different purpose and different prisoner population, et cetera. The different purpose - is that a reference to its primary remand status?

W That's correct. Every centre has a role and function, and Arthur Gorrie's is as a remand centre.

CA The submission goes on to refer to a different prisoner population. Is that a reference to different from other centres that may not primarily work as remand centres?

40

W That's correct, yes.

CA In what way, then, is the prisoner population different? Is it simply the fact that prisoners are on remand, or is there more to it than that?

W Well, prisoners on remand - that would speak to the cohort that is housed there. They have different pressure points. For instance, many of them or some of them would be first time in prison and there will be a certain level of anxiety and stress associated with that. They may have association issues which may not be fully known to the prison authorities. That is significant because you may have two prisoners, A and B, passing each other in the corridor. We would not have known that they had a past, but they probably may have had a past and there may be an altercation as they pass by inside the prison. So that kind of thing can happen, whereas in a sentence prison, we will really know the antecedents a lot better.

50

- CA What are the limitations on ascertaining those things? Why would there be limitations?
- W Because if somebody has a first contact with the prison system, they may not necessarily know all of that person's relationships outside in the community with other people.
- 10 CA How would that be better known with a sentenced prisoner?
- W With a sentence prison, the prisoner would have been with the prison system for a period of time and they would have gone through a court case, and they would have understood what the pressure points are. There will still likely be - you know, people might pass them by, who they may have known, but there is greater chance of that happening with a remand centre.
- CA Less is known about the person?
- 20 W Less is known about the person, or less could be known about the person.
- CA Yes, could be known.
- W Then the other characteristic of a remand centre is the number of movements, "churn", as we call them, because there are frequent movements between the centre and the courts, between centres, escorts to hospitals, so on, and the like. A remand centre will be characterised by a significant number of prisoner movements. Now, prisoner movements by themselves, whether inside prison or outside prison, is a high-risk area.
- 30 CA High risk in terms of what?
- W Because inside the prison, they are inside the secure perimeter. But when they go out, they're going out into the community, so there is always a risk attendant upon that.
- 40 W But the other thing is that when the prison movements take place, the whole prison would be busier. There would be a lot of activities that are going on. That has a tendency to affect how the prisoner cohort itself would be performing.
- CA By reference to the kinds of features that you're referring to, is a remand centre such as Arthur Gorrie by its nature more volatile than a centre that deals with sentenced prisoners?
- W Correct, yes, and it's not just Arthur Gorrie. But we run other remand centres elsewhere in Australia and also internationally. And there's literature to this effect as well: remand centres would be more volatile, perhaps more violent. There will be more assaults, proportionately more assaults.
- 50 CA More violence perhaps calls for more response?
- W Absolutely. Absolutely.
- CA Creating situations of danger?

- W Yes. Sorry, another thing I should have mentioned to you: because they are remand people coming into the prison, they may be what are called fresh custody or fresh into the prison system, so they may be having drug withdrawal issues. That also makes them volatile. They might have been treated in the community for mental illness. They have to be assessed and then retreated inside the centre. We may not necessarily have all of the patient details. They may be unstable for that reason.
- 10 CA Perhaps you may be well placed in your position to give an indication of what kinds of compensations GEO has to make for the running of a centre with that degree of volatility?
- W I think it's the experience of staff, the systems that we have and the system controls we have - that's one aspect of it. The prisoner infrastructure would be another, in terms of the CCTV cameras, training given to staff in terms of how to deal with volatile prisoners. If we are delivering primary health services, and clinicians, how they work together in terms of treating what we regard as at-risk prisoners, prisoners who are at risk of suicide or self-harm, because they are more likely to have gone to the courts and have heard about their sentences or perhaps what is likely to happen to them, and they are in that very vulnerable state.
- 20 CA As a general proposition, do staffing levels for Arthur Gorrie need to be higher than might be expected at a different kind of centre?
- W No, because the function would be different. For example, in a different kind of centre, the staffing levels might not be - of course, they might be dealing with more programs. For instance, they might be delivering more criminogenic programs, so therefore you would need more clinicians, for instance, in terms of delivering criminogenic programs, whereas Arthur Gorrie may not have many of those, but they may have educational programs and custodial officers at greater levels. So it's the proportion of staff in the various functions, that's-
- 30 CA The submission refers to differing interactions with prisoners.
- W Yes.
- 40 CA Does that encompass the movements that you've described?
- W Partly movements. Partly also the volatility that I spoke of. If people are coming down from drug withdrawal symptoms, or mental illness, there might be greater altercations, greater levels of uses of force having to be used to control them, all of that.
- CA The submission refers to differing patterns of incidents. In what way different?
- 50 W The assaults that I spoke of. There will be a greater proportion of - sorry, a greater rate of assaults, perhaps, is probably a better way of describing it. Self-harm and suicide is a greater risk. There will be two kinds. One would be people obviously attempting suicide. Another characteristic would be a cry for help, as I might call it, where a prisoner draws attention to his predicament either because they resist being moved to another centre or some particular event is taking place in their life. So they are

more vulnerable in that sense. So that kind of incidence is greater - at risk incidents. Whenever an at-risk assessment is called for, we need to respond fairly rapidly to that. So that kind of incidence would be greater.

- CA Just going forward a little bit but perhaps on the same subject, in the submission, at page 7, we see reference just below the top of the page to GEO acknowledging that the prisoner cohort has become more complex in ways described there. Are you able to say over what time frame that additional complexity as described has become apparent?
- 10 W I think over the years - I don't have the statistics at hand, but there are studies to this effect - the mental illness or proportion of prisoners suffering from some kind of mental illness or psychosocial issues has been rising. Prisoners with very challenging behaviours is rising. Prisoners-
- CA I'm sorry, "very challenging behaviours", you mentioned. What would be the underlying factors behind that challenging behaviour?
- 20 W The youthful prisoners, perhaps sort of graduating from juvenile centres, tend to challenge authority more than perhaps the hardened, sentenced old-timer, if I can put it that way.
- CA The mental illness factor that you mentioned a moment ago, is that a contributor?
- W Absolutely.
- CA And drug-related offences?
- 30 W Absolutely, yes. Alcohol and drug, yes.
- CA The submission, in the next dot point on page 7, appears to accept a correlation between those various things and increases in prisoner violence. Is that GEO's experience?
- W Yes, definitely. Yes.
- CA It goes on to refer to an increase in the need for use of force to address those things. Is that simply the product of an increasing number of incidents, that there's an increasing need for response?
- 40 W Yes. Most recently, the Victorian Auditor-General did an audit in Victorian prisons, particularly the privately operated prisons. That report was tabled in parliament at the tail end of March, so a couple of months back, and that makes that very point, that they have seen that the rate of assaults has gone up right across the prison system, and therefore that has called for use of force, also, as a corresponding increase.
- 50 CA Does that raise a corresponding increase in risk of overuse of force?
- W That is certainly a risk, excessive use of force. At least what happens is that - another factor to take account of is not only the risk of overuse of force but also increasing allegations that there has been an overuse of force.

- CA Is that something that GEO has experienced at Arthur Gorrie?
- W Yes, and that's common throughout-
- CA Allegations that are made but not able to be substantiated?
- W Both. That's why any allegation of excessive use of force is what we regard as a mandatory investigation under our policy. That is to say, we have, at the corporate office, an Office of Professional Integrity.
- 10 CA Yes. It's mentioned on the same page of your submission. Perhaps you would tell us how that operates?
- W Sure. It's headed by the former chief investigator of ICAC. That's the CCC equivalent body in New South Wales, which has extensive experience in investigating public sector corruption.
- CA Is that an individual?
- 20 W It's an individual.
- CA It's referred to as an Office of Professional Integrity. Does it consist of an individual?
- W It's an individual and he has an assistant or another junior investigator under him working, but he also brings in external investigators to assist him as well.
- CA How would that person be involved in assessing allegations of excessive use of force?
- 30 W He will conduct a formal investigation. That would take place by interviewing prisoners, other witnesses, all of our staff, looking at CCTV footage, discussing with, in the case of Queensland, maybe Ethical Standards Unit, whether they have any other information.
- CA How would GEO learn of such an allegation?
- W It may be either reported directly through to the corporate office or it may come about as a result of a use of - maybe I should step back. All uses of force, of any kind, are reviewed at the centre level in the first instance. May I go through that system for you so it might give you the context?
- 40 CA Yes.
- W The contract compliance team will look at all evidences of use of force, so they will look at CCTV footage, officer reports, and so on. That's done, an initial review, and an initial report is prepared. That is reviewed by the compliance and risk manager, who would then convene an incident review committee, which he would chair. That incident review committee would comprise of - it's a multidisciplinary team. They would have clinicians, they would have custodial officers, and the like. They will then look at all the evidence, all the incident reports, as well as CCTV footage, and assess whether the use of force has been applied within the policy and procedures as dictated by policy and procedures and training.
- 50

If they feel that excessive use of force might have been used, they will then brief the general manager and refer the matter to the Office of Professional Integrity in the corporate office.

CA There are various mechanisms for prisoners to make complaints of different kinds, including allegations of excessive use of force by an officer. How would the centre learn of investigations not made directly to it by a prisoner, but made to some other person or body in the complaints area?

10

W Sure. Under GEO's investigation policy, there are three types of investigations that might take place. One is the one I told you about, that there's the mandatory investigation of the happening of certain types of events that call for routinely an investigation to be conducted by the Office of Professional Integrity.

20

The other category would be those incidents that are referred to - this could include complaints - by the centre itself. Now, that could come from two or three sources. The compliance and risk managers - we have an intelligence function inside the centre. They may report through. Or the general manager himself might report through to the Office of Professional Integrity. So that's the second type of source of investigations.

The third type is that any executive director can call for an investigation, for whatever reason, on an event that took place inside the centre.

30

So those are the three types of investigations. And also, as I mentioned, the Office of Professional Integrity, Robert LANG, who runs that, has his own network of informants as well, because of his past. It might be prisoners themselves or even police acquaintances, where some information might come to him, and he may want to investigate that.

CA Can you tell me this. The Chief Inspector, on occasions, has a function of investigating incidents. Ethical Standards might have cause to investigate an incident. Do I understand you correctly that even if those bodies are involved in investigating an incident, that Arthur Gorrie has its own investigation mechanism?

40

W Yes, but on those occasions, the Office of Professional Integrity would discuss the matter and either step aside and wait for the investigation to finish from the Chief Inspector, or, on some occasions, the Ethical Standards Unit might say we can go ahead and do our investigation and provide the reports to them.

CA The kinds of investigations that you have referred to that are conducted within the centre, and the reports that may be created in the course of that, do they fall within the performance indicator dealing with accuracy of reporting?

50

W No. They might be looked at. Certainly there's nothing in the contract that would preclude QCS from challenging a particular incident report based upon other evidence that might have come to light. Remember the incident report itself, in a dynamic prison environment, is a report based on the facts known at a particular point in time. As you look into something, you may have other information come to light, in which case

we are duty bound to go back and make corrections to the incident report, and that's done with an audit trail.

But there could be an instance where it's given to either the contract management unit or even, I would think, the Chief Inspector, to say that the initial reporting of the incident perhaps is not accurate and challenge that.

10 CA Can I take you back to page 4 of the submission. I was asking you about some of the differences in the operation of Arthur Gorrie, which you've explained. The submission, in the last couple of paragraphs, goes on to talk about opportunities for education and in-centre employment and so forth. Does GEO subscribe to the theory that a busy prison is a safe prison?

W Yes. Perhaps I would probably describe it as saying prisoners engaged in meaningful activities bring about a calming atmosphere inside prisons. It is slightly difficult in a remand centre, because prisoners can't be compelled to work or undertake criminogenic programs. Arthur Gorrie, I know, I understand, offers a lot of educational programs, and my understanding is that Arthur Gorrie actually delivers more educational programs - or programs in general than any other centre in Queensland. That's my understanding.

CA One thing we haven't touched on is the average daily state of Arthur Gorrie. It's substantially overcapacity, is it not?

W Yes - well, may I use the contractual terms to describe that?

30 CA Yes.

W There are two terms that are relevant. There's the "built" capacity. That is essentially single cell accommodation. Then there is the "approved" capacity, where the state might authorise us or require us to house, in a doubled-up fashion, prisoners. So the prisoner density has gone up. That's probably a better way of putting it.

CA You might not have figures with you, but the Office of the Chief Inspector, in July last year, reported 1,179 prison population as opposed to a built capacity of-

W 890? Something like that?

CA Yes, 800 and something.

W Yes, I think it's probably 872 or something. That's from memory, I might be wrong.

50 CA Just to take up the last paragraph of what's said at page 4 of the submission, that GEO claims that Arthur Gorrie is a great success in motivating and encouraging prisoners to participate in education, and so forth. The Chief Inspector noted in July last year that of the 1,179 persons present, only 439 were involved in education or employment, leaving 740 unemployed or without participation in education, and noted further that even some of those who are in education may only be involved in that one day per week. How does that kind of data sit with the claimed success in

motivating prisoners and encouraging them to keep busy, as it were?

- W Yes, that comment is made in the context of what's being delivered in the rest of the prison system. But to your point of that percentage of prisoners, maybe 40 per cent or so being engaged and 60 per cent perhaps not, they may be involved - this is not something that I know full well, but I'm hazarding a guess. They may be involved in preparing their cases, involved in law library and the like, and they may be attending courts, or they may refuse to participate in programs, which they of course have the right to do. So the percentage that they are talking about, the success that they are talking about there, is in proportion to or in comparison to what's happening in the rest of the prison system.
- 10 CA That kind of ratio of 60:40 or thereabouts, is that a success rate by comparison with other centres, do you think?
- W In the context of Queensland, yes, but again I haven't looked at the recent statistics to comment authoritatively on that.
- 20 CA Some time ago, Arthur Gorrie, it seems, received permission to transition to a standard of fewer than 10 hours per day out of cell. Are you aware of that?
- W Yes. That was a matter I think discussed at one of the quarterly meetings.
- CA What was the reason behind that?
- W It was a while back, it could be even two or three years back - or three years back, perhaps, where the state advised us that they were considering a change in shift patterns for public prisons from 11 hours to 10 hours or 12 hours to 10 hours, which then would have correspondingly reduced the out-of-cell time to 9 hours. Because we - when I say "we", Arthur Gorrie was going through an EBA, or enterprise bargaining agreement negotiations, they suggested perhaps Arthur Gorrie should trial that first. We then had a union agreement to change the shift patterns and reduce the out-of-cell hours to 9 hours.
- 30 CA For what objective?
- 40 W To be honest, I don't know what the objective was for doing that, but it was something that the state was considering doing, and they asked us to follow suit. It's not something I have the - I don't have the context as to why that happened, but it was one of them.
- CA There was approval, I think, given-
- W Yes, absolutely.
- CA -for Arthur Gorrie to trial that system?
- 50 W Yes.
- CA There have been various recommendations since by the Chief Inspector that that ought not occur. Were you aware of that?
- W I'm not aware of precisely the context in which the Chief Inspector made,

but I vaguely remember that that happened.

CA Tell me if you're aware that for those 70 hours - that is to say, 10 times 7 - or a bit less than that, that prisoners are out of cell, the prisoners at Arthur Gorrie are nonetheless, by and large, still confined to their unit?

W I'm not that familiar with, to answer again authoritatively on that. My understanding is that it was nine hours out of cell, I think, that they have to have-

10

CA Yes.

W -and that's what is managed. Then beyond that, whether they actually stay inside the unit or whether they are - I'm not that familiar with the detail.

CA Maybe we'll ask the general manager about that.

W Yes, that might be better.

20

CA Okay. I simply observe that one of the themes of the Chief Inspector's last visit to Arthur Gorrie was that in the Inspector's observations, "a considerable number of idle prisoners are being confined for lengthy periods at close quarters with nothing much to do". Were you aware of that?

W I'm aware of that and that, in a sense, went with the prisoner density that we spoke of earlier.

30

CA How is that density being dealt with at Arthur Gorrie? Is there doubling-up taking place?

W Yes. In fact the state can direct us to double up where there's double bunk facilities available, and we have done that.

CA Does this proportion of relatively idle prisoners, and the doubling-up, exacerbate the risk of incidents and corresponding use of force by way of response?

40

W I would only be hazarding a guess. I haven't really looked at that to that extent. It's something that I'm not fully familiar with. But one can, you know, hazard a guess, but that's all that would be.

CA It would be human nature to imagine that those things combine-

W Yes, yes.

CA -to create dissatisfaction and friction; would you accept that?

50

W Yes, a crowded prison, people spending time with each other in close quarters - that's one of the reasons why when we spoke earlier about volatility of prisoners and-

CA Those things add to the volatility, do they not?

W Yes. Again, it's not something that I've studied. It's just an opinion.

- CA Well, GEO seem to be of the opinion, as expressed in the submission, that various things, including drug and alcohol, history of trauma and so forth, correlated with increases in prison violence. It would be likely that, beyond the average, adverse conditions of accommodation and so forth would contribute to that?
- W Yes.
- 10 CA Once of the points made, since we're going through the submission, at page 7, and the second-last dot point relates to misuse of information. Arthur Gorrie uses QCS's software system, IOMS; correct?
- W Yes.
- CA In essentially the same way as the public sector prisons do?
- W Yes.
- 20 CA So that information is available on a single platform?
- W Yes.
- CA That's really the purpose of it?
- W Correct.
- CA Tell me if you know: the level of access that custodial correctional officers at Arthur Gorrie have, would you expect that to be commensurate with that which correctional officers have in public sector prisons?
- 30 W That's my understanding, yes.
- CA The submission refers to "an allegation of misuse of information can normally be tracked". How would the centre become aware of any alleged misuse of electronic information?
- W As a result of a complaint, in fact, there were a couple that the Office of Professional Integrity investigated, and the initial complaint came from, on the one occasion, a former prisoner who was at Arthur Gorrie, directly to our Office of Professional Integrity, and another one was a neighbour of one of our staff who complained, again, to Office of Professional Integrity, as I understand it.
- 40 CA Is the statement made there a reference to response to complaint?
- W Yes. So they would have - those then would necessarily have necessitated an investigation to be carried out, and that's what happened on those two occasions. In both of those cases, the misuse was proven.
- 50 CA Do you know whether Arthur Gorrie initiates any proactive system of auditing of officers' use of IOMS data?
- W No, Arthur Gorrie - my knowledge isn't so clear here. Arthur Gorrie, I suppose, can ask QCS's permission to obtain records to do that, but I'm not sure how that works. Arthur Gorrie by itself doesn't have, I don't think, the wherewithal to look to see whether somebody is inappropriately

accessing information.

CA For example, browsing a prisoner's records, when the officer concerned has no discernible connection with the management of that prisoner, that kind of thing-

W Absolutely.

10 CA Is there any means of that being detected by measures that Arthur Gorrie takes within the centre?

W I'm not sure about that. There are prohibitions and policies and training that is offered to staff, and I think - I don't know whether it's at Arthur Gorrie, but I certainly remember our centres having, when you go into the system, almost like a traffic light. It slows you down and it says, you know, have you got reason for accessing this? In other words, warnings. I'm not so sure whether it's at Arthur Gorrie or not, but that's the sort of control systems that they would have.

20 Beyond that, in some states, with prominent cases or prominent individuals, there might be flags, so anybody accessing that, the state can get an exception report, to my understanding. And the state might come back to us - I don't think it has happened in Arthur Gorrie, but certainly in other states, the state might write to me and say, "We have had these people accessing these records. Can you please investigate it and let us know whether that was a valid reason."

30 CA Do you know whether Arthur Gorrie staff are trained in appropriate use of private data, that is to say, not to misuse information by browsing of the kind that I mentioned?

W Absolutely. As to exactly what happens on the ground I'm not too familiar, but that's a policy prescription.

CA Do you know whether it's part of initial training?

W Yes, yes. It is part of the pre-service training, yes. And also there is refresher training, as well, on top of that. But exactly-

40 CA Would the general manager have those details?

W Absolutely.

CA Can I take you forward a bit to page 11 of the submission. There are a couple of things I want to ask about. Do you see under the heading "Response", the claim is made there that GEO applies a range of procedures which could be taken up at other prisons, and it goes on to refer to building and maintaining the right workplace culture. What is the right workplace culture?

50 W A few things. It starts with what I would describe as the tone at the top. The tone at the top, the top management, that is the corporate office, being resolute and consistent in how it ensures inappropriate behaviour of any kind will be investigated - prevented in the first instance and identified, if that were to happen, and then notified or reported to the relevant authorities, investigated, and necessary disciplinary action taken,

including referrals to the relevant professional bodies, if that involves-

CA Is there a zero tolerance for corruption and fraud?

W Absolutely. Absolutely.

CA How is that communicated to staff?

10 W In two forms. One is through the code of conduct, which is very specific and broadly defines corrupt conduct, where there might not necessarily be personal financial gain but it also would involve things like malfeasance, wrongful exercise of authority. They are all included, or prohibited, under our code of conduct. Added to which, there is training that we spoke of in terms of the context in which that's done. There is monitoring of that, and there are opportunities for staff to come forward and report on those sorts of behaviours.

20 The other part, perhaps, that it would be worthwhile perhaps at this juncture to mention - in prison, unlike in other types of organisations in another sector, perhaps, one of the key factors, which is a regular occurrence, is the prison incidents. That's why the prison incidents are tracked and reported as laid down by the state's regulatory mechanisms.

30 But at GEO, what we do is that we have created an electronic platform, which we call the risk wizard - risk wizard. What that does is it captures all of the incidents that take place in the prison, exactly in the same way that it's reported to the prison authorities, but it captures and analyses it slightly differently, so that we can compare one of our centres with another of our centres.

40 That information is on real time and it's reviewed by several people, but, most importantly, by my colleague, the Director for Correctional Services, every day. In fact, wherever I am, one of the first emails I get would be a summary email from my colleague saying the types of incidents that have taken place in all GEO-managed centres, and then I can drill down, and that will say - I can drill down all the way to the incident, but also I can look at the comments the director has made in terms of actions that he is asking other centre management to carry out. That risk wizard is also accessed by our intelligence department, or unit, as well as risks and compliance managers.

CA Can I just ask you to explain what you refer to as an incident, just to be clear what we're talking about?

W Okay. Incidents are usually defined by the prison system in general. For each of the states, it might be slightly different in terms of how they're characterised, but it's anything that happens in the prison that's out of the ordinary that has to be tracked.

50 CA It's capable of affecting good order?

W Absolutely.

CA Is that the kind of test?

W Absolutely, absolutely. That's the kind of test, exactly. That's a good

barometer of what's happening in a prison.

CA Both numbers and content?

10 W Numbers and content. Whereas the Director of Correctional Services is looking at it from a micro point of view, I look at it from a systems point of view, you know, a possible indication of - for example, we mentioned corruption. So I'll be looking to see whether of these suggests to me, in my experience, a climate conducive to corruption, you might call it. So I might want to go and talk about that with the Office of Professional Integrity just to see whether this, in his view, is giving similar sorts of indications. That is a very useful thing to do.

Because the risk wizard, as I said, is an electronic platform, it has several modules. It then can be flipped over into actual risk assessment, a risk heat map, which says what is the impact of this particular type of incident occurring at the centre.

20 CA Does it require an individual to manipulate the data or does it somehow sort the contents of the kind of incident into some categories for further examination?

W Yes, a compliance manager, for instance - say, for example, a prisoner falls off his bunk bed. The compliance manager might look at it from the perspective of, was the bunk bed design at fault?

CA Does each incident have a number or a code of some kind to enable its classification?

30 W Yes, and that, for the risk wizard, is done by - the Director of Corrective Services would have had different characterisations rather than perhaps what the state might do in a particular jurisdiction. He's doing that because then they become comparable one centre to the other.

CA The incident reporting of the kind you've been speaking of - is that one of the components of the accuracy of reporting key performance indicator?

40 W It could be, but that's not his main purpose. The main purpose really is to look at the climate in the prison compared to the other centres.

CA So it's an internal tool?

W It's an internal tool and also with a view to - what the compliance and risk managers would be doing is they're projecting forward potential risks that might come about. Where there's a particular control that might be being elevated as a result of this type of incident happening, they might want to go and kick the tires to see whether that control is still effective.

50 CA What kinds of risks would be thrown up by analysis on the risk wizard?

W The follow-up actions following from a particular incident, perhaps, what staff did; or in the description of the incident itself, our director might want to say, "Well, this doesn't sound right. I want to know a little bit more about that"; or it could be because the officer's report might not have been as clear, so he might want to check to see whether that description of that incident is accurate. That kind of thing would come up. We would

look at either the staff or prisoners being involved in similar types of incidents.

CA Is it of any use in assessment of existence of or trends in, for example, use of contraband?

W Yes.

CA It would be used for that purpose?

10

W That certainly could be one of the ones that we'd be looking at.

CA Excessive use of force - is that a tool for the detection of that also?

W Excessive use of force might not show up, because you'd really need to go into looking at the incident in much greater detail. Where it would show up, however, is a similar staff member or similar prisoners being involved, because over time if the same name comes up, then that could be a trigger point to do further reviews.

20

CA Who has primary responsibility for use of the risk wizard? Is it an individual?

W No. That particular incident reporting part is owned by the Director of Corrective Services, our director, my colleague.

CA But delegated to some staff?

W It's delegated - there's an administration function, administering the database. That will be usually by the contract compliance managers at the various centres. They are the ones who make sure who has access, et cetera, et cetera, to the risk wizard. Every officer can input information in the same way that they do with any other incident reporting system.

30

CA Do I understand correctly this works as a tool independently of the reporting requirements under the KPIs?

W Correct. This is purely a GEO control. We are talking in the context of those practices that we feel that we are doing that are contributing to the workplace culture.

40

CA Just getting back to workplace culture, the submission says that GEO is alert to the need to build and maintain the right workplace culture. You have mentioned part of that is "tone from the top". What do the components of building the right culture consist of?

W The theory behind that when we set this up was the - I'm sure you might be familiar with it. It's sometimes known as the fraud triangle or corruption triangle.

50

CA Could you explain, please?

W Yes, sure. Generally, certainly in my experience, because I'm a financial auditor, a chartered accountant by background, for any type of corruption, there are three indicators that may all be present whenever there has been corruption, and these are good indicators.

10 The first one is what I call pressure, pressure on the individual - that could be internal or external pressure - on the person who is perpetrating the corrupt behaviour. That could be financial pressures. It could be emotional pressures. It could be family pressures. It could be environmental pressures. All sorts of pressures might happen, and that could happen in a heartbeat. That can change. The factors can change. That causes the person - first, it gives the pressure to do something wrong in order to satisfy another need, maybe a gambling addiction, maybe some other kind of addiction.

The second thing that has to be present, then, is the opportunity. The opportunity is a weak internal control system. That could be a particular control system not functioning properly, which then enables one person to perpetrate that fraud or corrupt behaviour and conceal it.

20 The third part - all three have to be present. Then we can get a good handle on it. The third part is rationalisation. The way the human brain is wired, none of us like to think of ourselves as bad people, so they have to give some kind of justification to their behaviours. In surveys, for instance, you might get comments like, "The senior management is corrupt. The CEO is probably stealing millions. So my stealing \$2,000 is okay." And in the prison context, it usually comes up by somebody saying, "My prison is fine. It's the prison across the road that's really corrupt. You know, you must look at them. They're really corrupt. I'm okay."

30 So if those three factors are present, then corrupt behaviour - that's what I have referred to as a climate conducive to corruption.

So when I'm looking at risk wizard, I'm looking to see - a particular event has happened. That means one or other control has allowed it to happen, so does that mean, then, that control is not working effectively? Compliance managers would be on to that. They would want to check that control. Or is that control itself designed properly to deal with these sorts of issues? In other words, do we have to make some improvements?

40 The rationalisation is really conversations with people, when they are saying things, so all of those sorts of things can work towards the culture that we talked about.

CA If GEO is aware of the constituents of this triangle and its potential impact on culture, how does awareness of those three things feed in to attempts to build the right culture, to use your expression?

W Yes, I can speak a bit more authoritatively on the system side of things.

CA Yes.

50 W The first one is that our compliance and risk managers in each of the centres would conduct compliance audits. The purpose of those compliance audits is to see whether those control systems that we put in are continuing to work. In a prison system, there are a lot of redundant controls, because we want to make sure that even if one control is weak, the bad thing that we are trying to prevent can't happen. So the compliance managers' audits are focused on control systems.

At the same time, they have access to a number of information that's coming from different sources. For example, we talked about the incident reports that come up every day.

10 Then we also have, as part of our system, all of our systems are designed under best practice standards, world's best practice standards, and we invite JAS-ANZ - that is, Joint Accreditation System of Australia and New Zealand - accredited certification bodies to certify that our performance is in compliance with the best practice systems. So they come and do surveillance audits. That might identify certain issues. So that source of information is coming in.

Internal audits that we do ourselves might throw up some issues.

20 Based on all of that, the risk score for a particular control - if you can visualise the risk heat map, with green being what you would expect, amber being some tolerances being breached, and then red being, when you're in the red zone, some control system has broken down, that risk score is going up or down based on those individual events.

30 So if we look at the compliance score, which is looking at how good the audit system is saying the controls are, and if the risk system is showing contradictory information, then that will be one that we will have to go and look at to see the pressure points. That will identify for us whether people may be vulnerable to overtures by prisoners who might want to manipulate the staff. That's where the culture comes in. So we then have to go and look at - and this also goes to training. We make sure that staff are aware that when they are under emotional pressures, there might be people, some of the prisoners, who are well versed in manipulating that behaviour to their own ends.

CA Inappropriate relationships is another subject. How is that risk factor addressed, firstly in training, and secondly in operation at the centre?

W Yes, certainly, and the one thing that we should also mention is the policy itself. The policy must make it very clear to staff-

40 CA Is that your code of conduct?

W Code of conduct, and also we have policies on conflict of interest, nepotism, and the like, so we make it clear - and inappropriate use of email systems, all of those sorts of things. The policy must make very clear to staff what is acceptable behaviour, what is unacceptable behaviour, and the consequences of each.

CA How are those policies available? Is there some kind of intranet?

50 W There is an intranet, yes.

CA At which an officer could view these things?

W Absolutely, and in fact there is one more. When they join the company, they go through the training and they have to also sign off, I think, periodically that they are still aware of those policies and what it requires of them, and there might be like a short quiz type of thing that our training

department sometimes conducts.

CA I was going to ask you, apart from simply the availability of the policies and leaving it to the individual to be motivated to look at them-

W Correct.

CA -is there some more proactive step that's taken by the centre to ensure that these policies are in mind from time to time?

10

W Yes, yes, and that's fresh in my mind. Recently one of the matters that we investigated was inappropriate use of the electronic email communication system in one case. Our training manager, coordinator, arranged for all staff, including myself, to go through and read the policy and answer a short quiz. Then it logs that I have done that. So, effectively, there is a record that says that everybody has accessed it and read it. That could be one of the corrective measures that we might do to all staff, because of one incident that has taken place that we don't accept as being an acceptable behaviour.

20

CA On the subject of training, does GEO conduct its own pre-service training?

W Yes. We are a registered training organisation, qualified to do that.

CA In the public sector prisons, that's constituted by a 10-week course. How does your training compare?

30

W I don't know the details of that. I'm not familiar with that, other than I can say this, that because we are a registered training organisation, there are accreditation rules by which comparable courses must be delivered, or at least to the same standard. I think - I don't know whether this happens in Queensland; I know it happens in other states, where our training is observed by the department itself. For example, use of force training is observed by the department officers to make sure that the quality of training delivered is consistent with what might be expected.

CA Is there an accreditation of your training program by some external oversight body?

40

W Yes. I don't know the external oversight body which - when we talk about "registered training organisation", there is an Australian body - I've forgotten the name, the acronym - that actually oversees that and it actually has to give that accreditation before you can call yourself a registered training organisation.

CA Does that include the specific content as it pertains to the needs of a correctional officer?

50

W No, I don't know the detail. I know that the qualification of the type of trainers, their experience, et cetera, will be looked at. I don't know whether it looks to the specific detail of a particular course content. I'm not familiar with that. And that's audited on a periodic basis by this external body as well.

CA Does your level of awareness extend to the details of employee screening?

- W I can talk in broad terms. Perhaps I'll try that and then if that's insufficient, I'll let you know.
- CA Can you tell us what safeguards you understand to exist at the recruitment stage to ensure that the recruit is suitable for the environment, and that conflicts of interest, and so forth, are weeded out?
- 10 W Yes, certainly they would start with assessing whether a person is suitable. There are certain psychological, psychometric tests that are carried out. In the early stages, there is a panel that comprises not only custodial officers but also others. There's a panel of people, so it's not a decision by one person. Then there is a very strict process by which the background is checked. The state might specify police checks, and the like.
- CA Is this done by your training area or by some other component of GEO?
- 20 W No, no, it's oversighted by the human resource function, but they may use external bodies for doing psychometric tests. I'm not too familiar with that, but some organisation that is well versed in that might be used as an outsource to provide it.
- Just to give you an indication, in the last graduation course that was completed in another centre, there were 29 officers graduated. It started out as 890 applicants, and 29 qualified, so that will give you an idea as to the weeding-out process that is undertaken.
- 30 CA Are you able to comment on staff turnover within the first year, for example, following that training?
- W Only anecdotally, but I know I've heard our managing director speak of this. He used to say that our history suggests and our statistics suggest that if an officer stays with us in the first year, chances are they're going to stay with us for a very long time. There are officers at Arthur Gorrie, for instance, who were there on day one of Arthur Gorrie starting operation back in the 1990s - 1992. So that's one factor.
- 40 W Also, a correctional custodial officer position was generally not chosen as a career option in the past. They may look upon this as an in-between type of job. That's why the early attrition might come about. They might take on a job, then if there's a better job that comes up, they might move and take that on. But once they stay with us, they tend to stay for a very long time.
- CA Are you able to comment if I were to suggest to you that the attrition rate in the first year might be as high as 50 per cent during 2017?
- 50 W It could be, but I have no idea. Nothing comes to mind.
- CA Are your correctional officers paid on approximately the same scale as public sector officers?
- W That's my understanding, and in fact again our managing director was discussing this with me in another context, and he mentioned that particularly in Queensland there was an analysis done where our officers'

salaries were compared to other officers' salaries in comparable public prisons and elsewhere, and the suggestion was that our pay rates were higher.

CA Do you get any sense that Arthur Gorrie is a more attractive place to work from a remuneration perspective compared with other centres?

W I have no sense of that, to be honest. I don't know upon what I can base-

10 CA Okay, thank you. Can I ask you about health service delivery.

W Yes.

CA The public sector makes use of Queensland Health to service the health needs of its prisoners. What system does Arthur Gorrie apply?

20 W Okay. We provide primary health service, and it's managed by a health service manager. It's essentially a nurse-driven service, although we have general practitioners and others assisting. The prisoner mental health unit, I think, or some such title, which is a state-based organisation, which looks at the mental health issues - that's outside of Arthur Gorrie. I think the dental service is also provided by-

CA Dental and mental health is outsourced or provided by some external provider?

W Yes, provided by the state. We provide the primary health service inside the prison.

30 CA At a paramedic level, by the sound of it, or beyond?

W Beyond. It would be nurses, doctors and the like. So that's at the centre level.

40 In other centres, for instance, the state has suggested that we need to get accreditation from Australian Council on Healthcare Standards, and we do. That service is accredited by ACHS standards. In the case of Arthur Gorrie, the state required us to certify - not "certify", but actually audit against Royal College of General Practitioners standards. And the state - remember we talked about the monitors? Similar to that, the state appoints, I think, an external auditing firm to come and audit Arthur Gorrie's primary health services. So there is that external oversight.

50 Over and beyond that, in GEO itself, we have a clinical governance committee set up. I'm a member of that, and there are two external specialist advisers who are committee members. The credentialling committee and the medication committee is compared by Dr Richard MATTHEWS, who was formerly I think federal Director-General for Health, and more recently Chief Executive of Justice and Forensic Mental Health Network in New South Wales. He is the Adjunct Professor in Psychiatry for University of New South Wales. And the other adviser is a former Executive Director for Nursing at Justice Health.

They meet every quarter, we meet every quarter, as the clinical governance committee. All of the health service managers attend. Depending on the agenda, we may invite the general managers to attend

certain parts of the agenda as well. All aspects of service delivered at each of the centres is then assessed against reports that may be generated by different centres for different purposes.

The purpose is to ensure that the general practitioners who deliver service are properly credentialled and their scope of practice is clearly defined, the nurse-driven services are properly delivered, any risk factors are discussed, any health incidents similar to the prison incidents are discussed and an opportunity provided for continuous improvements and cross-fertilisation of good practice. That's a quick overview.

10

CA Thank you. Just a couple of specific things, if you don't mind, changing the subject completely.

W Sure.

20

CA Detection of contraband is part of the territory of conducting correctional centres, no doubt. One matter that is referred to in a couple of places in the submission, first, is that GEO has a policy of testing staff for drugs. Could you explain that?

W Yes. We have a policy where we could do both random and targeted testing.

CA Can do, and is done?

30

W Can do, and is done. The targeted testing would be for a very good reason. Usually the Office of Professional Integrity would bring up that issue. He would discuss it with me and perhaps the Director of Corrective Services from our different perspectives to see that this is warranted and justified. Then the testing is done I think by an external body for the relevant drug.

CA That's targeted.

W The random - I'm not that familiar with it, but they have a process by which they do that I think in different jurisdictions at different times.

40

CA Is the facility for that - when I say "facility", is the acceptance that that will occur part of the enterprise bargain, for example, or how is it made acceptable to staff?

W I'm not that familiar with it, whether it was part of the enterprise bargaining or not, but it is certainly well known to all of the staff.

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Perhaps I might also refer the Commission to a report published by IBAC - that's the Victorian body - on this very subject. They actually made mention of the fact that they felt that, in the private sector, the testing is done far more seriously compared to the public sector. That report was tabled I think in November 2017.

CA How is it operated in practice? Is it a proportion of staff every so often? Do you know what the formula is?

W I'm not that familiar with the random nature. I get more involved with the targeted one, because that's where my interest is aroused.

- CA Another matter that's mentioned in the submission is that there is screening of staff upon entry to and egress from the centre.
- W Yes.
- CA What does that consist of?
- W It's both electronic-
- 10 CA Metal detection?
- W Metal detection. With contraband, we have some - maybe I'll describe it this way. There is some very sophisticated technology that we use. One of the problems, as you know, with mobile phones, for instance, is that the metal component is very little nowadays, and some of them are very small, the same size as a highlighter, for instance. They're very small, so they're difficult to detect. So we have some sophisticated technology, which prisoners can be - we can take them through or they can perhaps walk past, and this would alert us to it.
- 20 I will explain this in very broad terms in a public forum. Even if a mobile phone is not being used but is being charged, if we deploy the technology that we have, and we do in certain centres, we can - it's called triangulation. We can triangulate to the point that we can say, in that cell, a mobile phone is present.
- CA Is that unique to Arthur Gorrie?
- W I didn't say whether we use it in Arthur Gorrie or not, but GEO uses it.
- 30 CA I see. There is such a system?
- W Yes.
- CA Getting back to what I was asking you about staff screening, you mentioned metal detection to and from the centre. Is there any form of more intrusive, perhaps periodic, search of staff with a view to restricting contraband?
- 40 W I understand that there are random searches of that nature. I'm not too sure, again, of the frequency with which that happens at a particular centre.
- CA One other item that was of interest was the operation of the so-called safe committee. Are you aware of that?
- W I'm aware of its existence, but I'm not too familiar with their actual working.
- 50 CA Indications are that it involves some kind of review of safety orders and separate confinement orders.
- W Yes.
- CA You're not able to help us with the detail of that?

- W Not the detail of that, no.
- CA That's the evidence, thanks, Commissioner.
- PO Thanks, Mr RICE.
- Mr SMITH, do you have any questions?
- 10 AS Just a couple, Mr Commissioner.
- Mr RICE asked you a little bit earlier about training. Is there anything about specifying what training is required in the contract?
- W Yes. I don't know the detail of it, but there is a clause that goes to training in the contract.
- AS Similarly, he asked you about the approval of employees when they're first joining the GEO Group. Is there any role that QCS has in that?
- 20 W Yes. I think in the screening, but I don't know the detail of it, there is an involvement, an approval process, because the state has the right to - I'm sure this applies to Queensland as well, but generally I'm aware that the state has the right to withdraw the approval of a particular officer's credentials, for whatever reason.
- AS Do you know whether they approve them in the first place - the state approves them in the first place?
- W I think so, but I don't know the detail of it.
- 30 AS Just moving on to a separate topic, does the contract management unit ever refer matters to GEO for investigation?
- W Yes.
- AS And what happens with those matters?
- W It will be investigated by the Office of Professional Integrity. It will come in two forms. Either the contract management unit, in its own right, might ask a particular matter to be investigated, or they could refer a request from Ethical Standards Unit to investigate, or they may be aware of an investigation taking place and they may want all of the reports, including supporting documentation, witness transcripts, and so on, to be provided to them.
- 40 AS Is that one of the types of mandatory investigation you referred to earlier?
- W Yes. I think the managing director can override, depending on other workload, but then will have to go back and tell the client. But that's one of the ones that's mandatory.
- 50 AS And presumably the Office of Professional Integrity will then produce a report?
- W Yes.

- AS What happens with those reports?
- W All reports by Office of Professional Integrity will, first, be submitted for review to the directors, who can comment on any aspect of an investigation. The recommendation will go to the managing director, who endorses them. When he endorses them, it then goes to the relevant general manager for implementation. The general manager then has to come back and certify that those have been implemented.
- 10 In large measure, the recommendations would go to disciplinary actions, and, in some cases, it may talk about improvement in processes or systems, in which case that would be followed up by contract compliance managers in their sustainability audits, as they do following on. Disciplinary actions are followed through by my colleague, the employee and industrial relations director.
- AS The reports that are prepared, are they provided to the state?
- 20 W Some states request that as a matter of course, including progress of reports - once an investigation is identified, a progress report. Some states only request investigation reports on certain matters.
- AS So here in Queensland, if the contract management unit has requested you investigate something, do they get provided with the final report?
- W Absolutely.
- AS No further questions.
- 30 PO Thanks, Mr SMITH.
- Mr MURDOCH, do you have any questions?
- CM No questions, thank you.
- PO Anything arising, Mr RICE?
- CA Nothing arising, thank you, Commissioner.
- 40 PO Thank you. You are excused. Thanks for coming.
- CA Shall we take a break, Commissioner?
- PO Yes, thank you. We will resume at midday.
- SHORT ADJOURNMENT
- END OF SESSION

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