The Banksia Hill Detention Centre Redevelopment Project
THE BANKSIA HILL DETENTION CENTRE REDEVELOPMENT PROJECT

This report has been prepared for submission to Parliament under the provisions of section 25 of the Auditor General Act 2006.

Performance audits are an integral part of the overall audit program. They seek to provide Parliament with assessments of the effectiveness and efficiency of public sector programs and activities, and identify opportunities for improved performance.

The information provided through this approach will, I am sure, assist Parliament in better evaluating agency performance and enhance parliamentary decision-making to the benefit of all Western Australians.

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AUDITOR GENERAL
7 August 2013
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Auditor General’s Overview

This report assesses the management of a $30 million capital works project to increase the capacity of the Banksia Hill Detention Centre. The expansion of Banksia Hill was needed to accommodate juvenile detainees being moved out of the Rangeview Remand Centre so that it could be converted into the Wandoo young adult correctional facility. With the conversion of Rangeview, Banksia Hill became the sole juvenile detention facility in the State and there was no significant increase in overall juvenile detention capacity.

In January 2013, a major disturbance occurred at Banksia Hill that led to significant damage to the facility and the temporary relocation of the majority of detainees to Hakea adult prison. While this incident was one of the prompts for undertaking this audit, its causes and impact are not a subject of this report. These matters have been examined and reported on by the Inspector of Custodial Services.

In the context of other capital works projects we have audited, this was not a large project. However, it carried significant risks and was complex. This stemmed in large part from building concurrently on three separate sites inside an operating, secure facility and with tight timelines. Unfortunately, governance and management arrangements were not matched to the risks and complexities of the project. Poor communication and optimistic reporting led to failures in understanding the real status of the project and a lack of effective action to address identified risks.

The result was a project that was delivered late, in turn delaying and adding cost to the opening of the Wandoo facility, and during which serious risks were realised. The causes of some of the problems were specific to building in a secure environment. But there are clearly lessons that apply more widely, particularly the importance of matching project governance and management to risk and complexity.

Once the detainees currently at Hakea are moved back to Banksia Hill, the centre will be at or close to its expanded capacity. The number of juveniles in detention has increased consistently and significantly over the last ten years. Having a single juvenile facility already at or close to capacity, with little room for further expansion, reduces DCS’ ability to cope with any further increases in the number of detainees, or any serious incidents at Banksia Hill.
Executive Summary

Background

Banksia Hill Detention Centre (BHDC) is Western Australia’s sole juvenile correctional facility and is owned and operated by the Department of Corrective Services (DCS). BHDC houses male and female offenders aged between 10 and 18. Some of the detainees at BHDC are on remand, awaiting trial. The remainder have been sentenced to a period of detention after being convicted of a crime.

The number of juveniles in custody has increased over the past ten years (Figure 1). WA currently has the second highest rate of juvenile detention across Australia. In the three months ending June 2013, WA had an average of 0.69 young people per 1,000 in detention compared with the national average of 0.35 young people per 1,000.

![Daily average population of youth in custody between 2001 and 2011.](image)

Source: OAG and DCS

**Figure 1: Daily average population of youth in custody between 2001 and 2011.**

At the time of our audit there were 199 juveniles in detention. One hundred and five of these were serving a custodial sentence and the remaining 94 were on remand. One hundred and seventy-three detainees were male, 22 were under 14 and the youngest was 11. One hundred and forty-two (71 per cent) of the 199 detainees were indigenous children.

Sentencing a child to a period of detention is used as a last resort. Many of the detainees at BHDC are repeat offenders, where all other interventions have been tried. Other detainees are sentenced for first, but serious offences. It is important that detainees in custody are given the best opportunities available to change their offending behaviour. At BHDC, detainees attend school and complete intervention programs.
BHDC was designed to reflect the Department’s philosophy for managing juveniles, using a campus style layout, free from high internal fences and other ‘hard’ security features often associated with adult prisons. Once inside the secure perimeter fence, BHDC resembles a high school, with classrooms, open playing fields and other facilities. Since a major disturbance at the facility in January 2013, security grills and other higher security measures are being installed.

In 2008, the Government committed to opening a young adult correctional facility. This facility, known as Wandoo, was to cater for 18 to 24 year old minimum security prisoners. In implementing this commitment, DCS recommended the conversion of one of its existing juvenile facilities, Rangeview Remand Centre (Rangeview), to a young adult facility with the juvenile detainees from Rangeview being moved to its other juvenile facility, BHDC.

Between February 2010 and November 2012, BHDC underwent a significant capital works upgrade (the BHDC redevelopment project) to accommodate the detainees moving from Rangeview. The new buildings increased the capacity at BHDC by 85 per cent to 222 beds. DCS advised the redevelopment project is the largest and most complex building project ever undertaken inside a fully operational WA correctional facility. Building Management and Works (BMW), which is part of the Department of Finance, was responsible for the tender, contractual management and the overall project management of the construction of the new buildings.

Figure 2: Overview of project to establish Wandoo.
Executive Summary

The project was made up of two stages, three separable portions, multiple new buildings and was built by two construction companies (Figure 2). The total project cost to establish Wandoo, including the refurbishment of Rangeview and redevelopment works at BHDC was around $36 million dollars. This is considered a medium size building project in terms of cost, but the location of the building works within a secure site made it more complex.

When a prison or detention centre has to be extended or expanded, the preferred and lowest risk option, when physically possible, is to construct new buildings outside the existing prison wall and then move the wall to bring the new buildings inside once they are complete. Building inside an operating facility is the least preferred and highest risk option. It means increased movement in and out of the facility each day which increases security risks. It makes access for the builders more difficult and reduces the productive time they can spend on site because they have to ‘clear’ security checks. Because the building works are in close proximity to offenders, supervision has to be increased, contractors have to be escorted and there are increased requirements in securing the site, tools and vehicles. Building outside of the prison boundary was not an option for the BHDC expansion due to the location of the proposed new buildings and the location of the existing perimeter fence.

Audit Focus and Scope

In January 2013, the Inspector of Custodial Services (ICS) was directed by the Minister for Corrective Services to conduct a review into a major incident that occurred at BHDC on 20 January 2013. The ICS felt that the incident in January 2013 may be related to the redevelopment project at BHDC. Based on an assessment against our topic selection criteria, the Auditor General decided to conduct a performance audit of the BHDC redevelopment project.

The ICS’ review and our audit were conducted fully independently and the reports are separately tabled and stand alone.

Our audit assessed whether the BHDC redevelopment project was effectively planned and managed. We focused on three main questions:

- Was the planning and management of the project consistent with prescribed state government and good practice procedures?
- Were risks associated with the redevelopment project identified and managed appropriately?
- Were significant goals and targets achieved?
Our audit focused on the building work undertaken only at BHDC. We did not review the incident that occurred on 20 January 2013, nor did we examine whether the building works, completed two months prior to the date of the incident, were a contributing factor. We also did not examine the refurbishment of Rangeview Remand Centre (Rangeview, now called Wandoo) which made up around $5 million of the $36 million allocated to the total project to establish Wandoo.

Audit Conclusion

The project management practices for BHDC were ineffective in managing the project. The governance structure did not promote sufficient oversight on the redevelopment project and communication was poor. This meant that risks identified early in the project were not sufficiently mitigated and were realised.

DCS and BMW did not adjust the project management, project governance or tender process to match the overall risk profile of the project. At around $30 million, or five per cent of the total spend for the prison upgrade program, the BHDC redevelopment project did not represent a large risk in terms of financial value, but the overall project risk profile was high. The elevated project risk profile stemming from building inside an operational detention centre, in a tight timeframe was not adequately considered.

The BHDC redevelopment project delivered core buildings 12 months late while some of the planned buildings are still yet to be delivered. The opening of Wandoo was postponed in response to this delay, resulting in additional costs to DCS. A decision is still to be made about when the remaining work at BHDC will be delivered.

DCS did not adequately consider the long term impact of the solution it recommended to the Minister to meet the Government’s commitment to open a young adult facility by December 2011. While changing BHDC’s role and facilities and converting Rangeview to Wandoo met the required timeline, it has reduced the number of juvenile detention facilities to one. This has reduced DCS’ flexibility to respond to operational issues or a rapid increase in the number of juveniles in detention.

Key Findings

• Prior to establishing Wandoo and the BHDC redevelopment project, DCS had two juvenile detention facilities: BHDC and Rangeview, and a master plan for increased bed space at BHDC. BHDC is now the sole juvenile facility in WA and is almost at full capacity. Reducing its juvenile facilities to one limits DCS’ ability to respond to operational issues or increases in the number of juvenile detainees. DCS currently has no permanent or short term options for alternative accommodation for juvenile detainees should the need arise.
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- DCS placed more emphasis on meeting its timeframe for opening Wandoo than reducing the risk to BHDC. DCS chose a staged approach to building, with multiple construction sites within the operating facility to enable work to be completed concurrently. This should have taken the shortest time possible, but caused the greatest disruption to BHDC. Other options, such as a single stage build, where only one building site was in operation at all times, would have been lower risk and less disruptive, but would have taken longer.

- The project governance, management and tendering processes were not adjusted to reflect the overall project complexity or risk profile. At around $30 million, or five per cent of the total spend for the prison upgrade program, the BHDC redevelopment project did not represent a large risk in terms of financial value. However, the BHDC redevelopment project carried significant risk as it was undertaken inside a secure facility with three separate building sites operating in close proximity to detainees. The tight timeframe for delivery added additional risks. However, DCS and BMW did not adequately take these risks into consideration when establishing the project management structure, governance arrangements or procurement options.

- Despite having a policy that requires the consideration of risk, quality standards and service benchmarks, BMW awarded the BHDC contract based on cost, choosing the lowest conforming tender. Given the complexity and risks presented by building inside a detention centre, an approach that allowed for the consideration of these risks, may have produced a better outcome. Similarly, project management and governance arrangements could have been strengthened to match the actual risk, allowing closer control, monitoring and reporting of the project.

- The accommodation units built in Stage B of the BHDC project were delivered 12 months late, delaying the handover of Rangeview to the private provider contracted to run Wandoo. Despite this delay, approximately $530 000 worth of work originally included in Stage B has been deferred. These elements including additional office space for psychological services, an upgraded canteen area, and artwork were removed from the Stage B scope of works. While these works, now called ‘separable portion three’, are not considered core to accommodating detainees, they are important to maintaining BHDC’s culture and operating philosophy. DCS has the funding for this portion of works, but a decision is yet to be made on when or if these works will be delivered. BMW and DCS will need to consider the risk associated with the site, as well as the best approach to completing the works when determining a commencement date.

- There were many factors that contributed to the project delay. The need to redo defective building works such as structural defects in the females’ accommodation unit caused an estimated three month delay. Limited monitoring and actioning of
risk management plans meant risks identified early in the project planning including security breaches were realised. This resulted in additional security requirements being implemented, slowing down building progress. The poor attendance at the Project Control Group (PCG), and limited alternative communication mechanisms all played a role in the project being delivered late.

- The whole project is currently under budget despite the delays and costs of approximately $1.8 million for extensions of time and contract variations. This is mainly because the winning bids for Stages A and B were approximately $3.6 million lower than the pre-tender estimates and $530 000 worth of works was removed from the scope for Stage B, but remains in the project budget. DCS incurred additional costs of approximately $790 000 for the delay in handing Rangeview to Serco.

- Optimistic reporting prevented senior management getting a clear picture of how the project was progressing. In the absence of an effective PCG, progress reports were the best avenue to keep senior management informed of the project's progress. However, the reports did not clearly reflect the actual progress of the project. In October 2011, two months prior to the planned completion date and 13 months before actual completion, the reports were still reporting the project as on time.

- Records management for the BHDC project was inadequate. BMW and DCS do not have good records for the project, limiting transparency. This also makes it difficult and time consuming to get a clear picture of the project.

**Recommendations**

- DCS should strategically plan (short and long term) accommodation options for juvenile detainees.

- BMW and its client agencies need to ensure that project governance, management and tendering approaches are appropriate to the overall risk profile for a project, and not just the apparent financial risk.

- Where risks are identified on a project and risk management plans formulated, those holding governance responsibilities should ensure that the plans are implemented and risks are actively managed.

- Agency staff should provide accurate and reliable information to Senior Management and the Minister so that appropriate decision making can occur.

- BMW and its client agencies should ensure that project governance mechanisms, roles and responsibilities, including for maintaining project documentation, are clear and understood on capital works projects.
Response from Department of Corrective Services

The undertaking of capital work projects within a custodial environment carries added complexity and risk given the nature of the secure facilities and the fact that the sites are 24x7 operational facilities. The Department of Corrective Services (DCS) has reinvigorated its strategic asset plan resulting in its planned building and maintenance programs being aligned to the business demand and risks. The youth cohort has been identified as a high priority with a longer term plan being the construction of a new metropolitan youth facility in addition to BHDC. Short and medium term options as part of that longer term vision are actively being considered however this is dependent on government direction and funding.

Although DCS as an agency chooses to be involved in all its capital works projects, government-wide governance arrangements for complex capital work projects within custodial settings does not facilitate appropriate levels of decision-making in terms of the client and operational needs/risks. It also needs to be acknowledged that given the nature of custodial settings it is not possible to make such complex projects risk free. As such DCS considers the recommendations are valid and of use in moving forward.

Response from Department of Finance

The Department of Finance accepts that the project could have been more effectively managed and generally concurs with the findings. The Department considers the recommendations of the report to be sound.

The physical layout of the facility required construction simultaneously on multiple sites within the operating facility to achieve the Government’s time requirements. It appears that the complexities involved with simultaneous construction across a fully operational detention centre were initially underestimated and that governance arrangements did not adequately reflect this complexity or the relationship of this project to the related public private partnership. As a result, there was not sufficient awareness of the status of the project, nor adequate transfer of crucial information between the Banksia Hill Redevelopment project and the directly related Rangeview Refurbishment project.

Despite another builder having completed Stage A works at the site, prevailing government policy required a contract of this size to be openly tendered. However, a different approach to the manner of tendering and evaluation may have helped to avert some of the difficulties that occurred.

The Department also acknowledges the requirement to better identify and manage high risk projects in future.
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However, the Department notes that the expected cost of the project remains within the approved budget and that the construction works were concluded and buildings occupied for more than two months before the disturbance of January 2013.

The Department of Finance supports the Auditor General’s recommendations, and will work with the Department of Corrective Services in the preparation of business cases to assist with its strategic planning for building infrastructure. Since the inception of this project, the Department of Finance has implemented a range of measures which will assist in addressing the recommendations. These include improvements in the Department of Finance’s project management framework, policies, training, project reporting and records management.
Audit Focus and Scope

In January 2013, the Inspector of Custodial Services (ICS) was directed by the Minister for Corrective Services to conduct an investigation into an incident that occurred at Banksia Hill Detention Centre (BHDC) in early 2013.

On 20 January 2013, three detainees climbed onto the roof, then broke other detainees out of their cells. This escalated to approximately 60 detainees escaping from their cells and causing significant property damage. The repair bill, including the installation of additional security measures at BHDC, is estimated to cost DCS approximately $1.5 million.

ICS considered that the incident in January 2013 may be related to the redevelopment project at BHDC. Based on an assessment against our standard topic selection criteria, the Auditor General decided to do a performance audit of the BHDC redevelopment project.

This audit report provides Parliament with a detailed review of the management of the redevelopment project at BHDC. The ICS’ report provides a detailed investigation of the incident of 20 January 2013. Together the two reports provide Parliament with a fuller picture, however both were conducted independently.

Our audit assessed whether the BHDC redevelopment project was effectively planned and managed. We focused on three main questions:

- Was the planning and management of the project consistent with prescribed state government and good practice procedures?
- Were risks associated with the development project identified and managed appropriately?
- Were significant goals and targets achieved?

The audit focused on the building works (redevelopment project) undertaken only at BHDC. This included the planning, tendering and construction work at BHDC between January 2009, when initial planning commenced and November 2012, when practical completion was agreed.

We did not review the incident that occurred on 20 January 2013, nor did we examine whether the building works, completed two months prior to the date of the incident, was a contributing factor. We also did not examine the refurbishment of Rangeview Remand Centre (Rangeview) which made up around $5 million of the $36 million allocated to establish Wandoo.
Our audit assessed the two state government agencies involved in the BHDC Redevelopment Project:

- The Department of Corrective Services (DCS). DCS as the client agency are the subject matter experts. DCS were responsible for the initial planning of the project, the continued operation of BHDC and the safety and security of BHDC during the redevelopment project.

- The Department of Finance: Building Management and Works (BMW). BMW as the government’s ‘in-house experts’ in asset planning, project delivery and maintenance planning were responsible for the design, tender, construction and management of the project.

This audit was conducted in accordance with Australian Auditing and Assurance Standards.
Government has spent around $30 million to expand Banksia Hill Detention Centre which is now the sole juvenile facility in Western Australia

Banksia Hill Detention Centre was commissioned in 1997 to accommodate sentenced juvenile detainees

Banksia Hill Detention Centre (BHDC) is located in Canning Vale and was opened in 1997. It is owned and run by the Department of Corrective Services (DCS). BHDC was originally built to accommodate 120 male and female detainees between the ages of 10 and 18 years.

When opened, the accommodation at BHDC included a range of strict security and standard cells as well as self-care styled housing. Also provided on site were educational, vocational and recreational facilities together with administrative, health, programme, visiting and security support. BHDC has since undergone a significant upgrade (the redevelopment project) to increase its capacity and expand its function to cater for both remand and sentenced male and female detainees from 10 to 18 years old.

The expansion of Banksia Hill Detention Centre was a key part of opening Wandoo and was part of a larger $655 million custodial infrastructure program

In 2008, the new Government made an election commitment to upgrade the state’s prison infrastructure. It committed $655 million to the custodial infrastructure program. This included opening a new young adult facility as well as expansion works at Acacia, Casuarina, Hakea and Albany prisons, new regional prisons in the West Kimberley and Eastern Goldfields and new prison work camps.

The young adult facility was a new initiative, which had not been considered by DCS. The Facility was intended to house 18 to 22 year old non-violent offenders and focus on re-integration and rehabilitation. Due to insufficient numbers, this was later expanded to include 18 to 24 year old minimum security prisoners.

It was the role of DCS to implement the election commitment. To meet the commitment, DCS recommended the conversion of its existing juvenile remand facility, Rangeview Remand Centre (Rangeview) into the young adult facility known as Wandoo, instead of building a new facility. This was because it could be delivered within the first term of government. The relocation of existing detainees from Rangeview to BHDC was key in allowing Wandoo to open.

The redevelopment of BHDC aimed to increase its bed capacity by 85 per cent from 120 to 222 beds, the same capacity as BHDC and Rangeview combined. This capacity is based on single cell occupancy, however, some cells are larger and can accommodate two detainees. The redevelopment project also changed BHDC’s focus from only sentenced to both remand and sentenced juveniles. Thirty-six million of the $655 million was allocated to establish Wandoo, with approximately $30 million going to the redevelopment project at BHDC.
Government has spent around $30 million to expand Banksia Hill Detention Centre which is now the sole juvenile facility in Western Australia

The redevelopment project was complex as construction was in a secure operating facility and at multiple concurrent building sites

The redevelopment project consisted of two stages. Stage A allowed BHDC to perform the remand function previously undertaken only at Rangeview. Stage A included:

- a new 24 hour detainee reception centre
- upgraded medical facilities
- a new strict security and remand wing
- observation cells and educational facilities.

Stage B was the larger portion of the capital works. This included building a new dedicated female precinct with accommodation units and education rooms as well as expanding the bed capacity for the male detainees. The redevelopment project consisted of approximately $30 million worth of new buildings and refurbishments at BHDC. The remaining $5 million was provided to Serco, a private provider, for the minor capital works needed to convert Rangeview into Wandoow.

The building work at BHDC was complex as it was undertaken in the middle of the facility. DCS advised that the redevelopment project is the largest and most complex building project ever completed within the walls of a secure and operating facility in WA. Prison expansions are generally completed in one of four ways:

- Wherever possible the construction work is completed outside the secure perimeter and when building is complete the perimeter is moved to incorporate the new buildings. This is the preferred method of construction for major prison expansions as it minimises building costs, security risks and disruption to the operation of the facility. This was used in the 2010-11 expansion of Hakea Prison.

- If the above approach is not physically possible, the next preferred option is to create a secure construction site on the prison boundary, segregated from the main prison accommodation units by a large management fence. In these instances the vehicle movements can also occur outside the main prison facility, effectively keeping the building site and construction vehicles completely separate to the prisoners. This approach was used in expansions of Casuarina prison in 2010-11, Albany Regional prison in 2010-11 and is currently being used at Acacia Prison.

- Another option is to use pre-fabricated accommodation and move them quickly inside the perimeter. This was used in Hakea prison for temporary accommodation to increase its bed capacity.

- The least preferred approach is to build in the middle of the secure facility within close proximity to detainees and normal operational activities. This was the approach used at BHDC and is considered by BMW and DCS to be the highest risk option (Figure 3).
Government has spent around $30 million to expand Banksia Hill Detention Centre which is now the sole juvenile facility in Western Australia

**Option 1**
Construction work is completed outside the secure perimeter and when building is complete the perimeter is moved to incorporate the new buildings.

Used in the expansion of Hakea Prison.

**Option 2**
Create a secure construction site on the prison boundary, segregated from the main prison accommodation units by a large management fence.

Used in the expansion of Casuarina prison and Albany Regional prison.

**Option 3**
Use pre-fabricated accommodation and move them quickly inside the perimeter.

Used at Hakea prison for temporary accommodation to increase its bed capacity.

**Option 4**
Build in the middle of the secure facility within close proximity to detainees and normal operational activities.

Used in BHDC redevelopment project.

*Figure 3: The different ways to build within a custodial environment.*
The imperative to deliver the completed capital works program within a tight timeframe meant up to three building sites were operational at any one time. This decision was agreed by BMW, DCS and the architect as it was considered to be the most efficient way to achieve the project timeline. Having multiple sites allowed more sub-contractors to be working on more buildings without the need for multiple escorts. However, having multiple live construction sites increased the complexity of the building program and the security risk.

**Banksia Hill Detention Centre is now the sole juvenile facility in Western Australia**

In September 2012, BHDC became the only facility in WA for juveniles. It now holds remand and sentenced males and female offenders aged 10 to 18 of all security levels. This means that 10 year olds can be housed with 18 year olds and juveniles awaiting trial are together with those already sentenced. BHDC has a cell capacity of 222, which is close to the previous combined capacity of BHDC and Rangeview. At the time of our audit, there were 199 juvenile detainees in custody split between BHDC and Hakea Adult Prison.

Prior to the recent redevelopment project at BHDC, DCS had two juvenile facilities, BHDC and Rangeview. BHDC, with a previous cell capacity of 120, was used only for sentenced male detainees while Rangeview, with a cell capacity of 80 held all youths in remand as well as sentenced females. The redevelopment project amalgamated both facilities, enabling the conversion of Rangeview to an adult facility, Wandoo.
There were significant delays in delivering core infrastructure, postponing the opening of Wandoo

Core accommodation buildings were completed 12 months late and work on supporting infrastructure has been deferred

Stage B of the building works at BHDC were scheduled to be delivered in December 2011 to facilitate the opening of Wandoo. However, delays in the building schedule meant core infrastructure was not completed until November 2012, almost 12 months late. Some elements such as additional office space for psychological services, artworks and an upgraded canteen area are yet to be started. While not ‘essential’ to allowing the facility to accommodate juveniles, these elements are important to help the facility maintain its operational philosophy and culture.

The building work to redevelop BHDC was conducted in three stages. Stage A focused on enabling BHDC to fulfil the remand function and was delivered in February 2011, within two months of the originally planned time and on budget. Stage B was the core accommodation buildings and some expansion of other facilities. It was built by a different building contractor to Stage A, and was originally split into two parts, separable portions one and two. Stage B had a planned delivery date of December 2011 and was meant to provide:

• additional male accommodation for 38 detainees. This included a self-care unit for six detainees and a larger building incorporating two double storey wings with eight detainees in each zone.

• the development of a female precinct to accommodate 28 female detainees and provide a female education unit

• upgrades to existing facilities including an additional case planning unit, office accommodation for psychological services and additional family visits space.

As the delivery timelines for Stage B slipped, elements from the original scope of works were removed creating ‘separable portion three’. ‘Separable portion three’ contained additional office space for the psychological services, revamping the canteen area, artwork and other minor refurbishments. These were considered to be ‘nice to have’ items but not essential enough to delay occupation.

These elements were removed as part of changes to try and minimise the delay to the delivery of the detainee accommodation units which were completed and handed over in November 2012. This was almost 12 months after the date proposed in the project plan and four months later than the amended practical completion date agreed by BMW and the Minister for Corrective Services.

Work was planned to commence on ‘separable portion three’ in January 2013. However a major disturbance and damage to the facility in January 2013 has resulted in this component of the build being deferred. The scope of works for ‘separable portion three’ is
There were significant delays in delivering core infrastructure, postponing the opening of Wandoo.

Currently being redefined by BMW to facilitate a higher proportion of off-site construction. DCS advised that the funding for this work has been moved into the 2013-14 financial year, but that an actual start date is yet to be set.

The delays to new accommodation units meant detainees could not move to Banksia Hill on the planned date, pushing back the opening of Wandoo.

To facilitate the opening of Wandoo, significant building works were required at BHDC. The original program of works was to be completed by December 2011 to allow the government to hand over Rangeview to a private provider, contracted to run Wandoo. A delay in completing accommodation units at BHDC meant there was no space to transfer detainees from Rangeview unless a contingency plan, centred around double cell occupancy, ‘double bunking’ was used. This option was considered too high risk by DCS so instead the handover of Rangeview was delayed as long as possible with the intent that the accommodation units at BHDC would be completed in accordance with the revised schedule.

The delay to BHDC meant a delay in the negotiations with the private contractor, Serco, with the contract being signed in March 2012, four months after the original planned handover date. The handover was scheduled for June 2012 with an extension clause to October 2012 should the works at BHDC be delayed further.

Between June 2012 and October 2012, Serco began hiring and mobilising senior staff to run the facility. However, the work had not been completed at BHDC by June 2012 so DCS exercised its extension option and delayed the handover of Rangeview to Serco until October 2012. For delaying the handover DCS was required to pay transitional costs of $789 000 to Serco to cover mobilisation of its staff from June 2012. Part of this transitional cost was offset by $209 000 worth of liquidated damages applied to the Stage B building contractor for late delivery of the BHDC work.

The Wandoo contract took effect in October 2012. The core buildings at BHDC had not achieved practical completion in October. DCS nonetheless chose to transfer the detainees still at Rangeview to BHDC rather than being subjected to an additional $40 000 a week penalty by Serco. This meant 48 detainees were double bunked for approximately two months until the accommodation blocks were ready for occupation in December 2012. DCS has confirmed that the period of temporary double bunking passed without major incident.

The need to move detainees from Rangeview meant a longer and more staggered approach to transferring the juveniles could not occur, instead the transfers occurred within a week. This was not the approach that had been planned. A minimum of four weeks between practical completion and occupancy is desired by DCS and where feasible a staggered fill of detainees once occupancy commences is the preferred practice.
There were significant delays in delivering core infrastructure, postponing the opening of Wandoo

**Lower than expected winning bids and variations in project scope, have meant that the BHDC redevelopment is under budget**

A total budget of $36.3 million was approved for the creation of Wandoo. Five million of the allocated budget was provided to Serco to refurbish Rangeview with the remaining $31.3 million to pay for the redevelopment of BHDC. Of the $31.3 million, $24.5 million was the estimated cost of constructing the buildings. The remaining $6.8 million was to cover project incidentals and contingency. The contingency would pay for unexpected variations and extensions of time, which is usual in any construction project.

The successful tenders for Stages A and B came in under the pre-tender estimates, with a difference of $837 000 and $2.8 million respectively. This additional $3.6 million remained in the project budget, providing increased headroom (Figure 4).

As at February 2013, BMW reported that Stage A, including variations and extensions of time, incurred a construction cost of $5.7 million which was $458 000 above the contracted amount. Stage B exceeded the contracted amount by $1.02 million. This means that in total, the actual construction cost for works at BHDC was $1.5 million above the total contracted prices.

The delay in construction also meant that the incidental costs increased. For example an additional $1.03 million was spent on DCS security staff, $32 000 on scaffolding hire and $24 000 for professional fees.
There were significant delays in delivering core infrastructure, postponing the opening of Wandoo.

Figure 4: The estimated and actual costs of the capital works elements of upgrading BHDC and establishing Wandoo and key stages of the project.

Since contract prices were $3.6 million lower than the pre-tender estimate the overall BHDC redevelopment project came in under budget. However, the scope of works delivered is not the same as that planned, budgeted and contracted. During the project, $530 000 worth of construction work (separable portion three) was taken out of the Stage B construction contract. This comprised work considered to be non-core, such as additional space for psychology services and an upgraded canteen area. While this contributed to actual spend being under budget, it also means that DCS has not yet completed all of the planned works at BHDC. A decision has not yet been made on when these works will be delivered, although the funding for them remains in the project budget.
There were significant delays in delivering core infrastructure, postponing the opening of Wandoo

The need to rebuild structural elements contributed to delays in the redevelopment project

Unacceptable construction works, inaccurate scheduling and ineffective project management by the building contractor were identified by BMW and DCS as contributing factors for the delay of the redevelopment project. In order to meet the tight project timeframe the builders were required to plan, schedule and deliver buildings to the required standard in quick succession. This was not achieved. Work not compliant with building code or not built in accordance with the specifications in the contract documentation meant it had to be rebuilt. Unsuitable scheduling of sub-contractors and materials also caused delays as sub-contractors were scheduled to complete work when materials had not been delivered on site and trade schedules also clashed. Additional delays in agreeing appropriate methods of rectification further postponed the practical completion date.

Architects Instructions are used as a mechanism to clarify or direct works. During the course of the two year project the architect issued 567 Architectural Instructions. Approximately 459 (81 per cent) of these were to the Stage B builder. Many of these related to defective works. For example, the stairwell in the female accommodation unit was found to be ‘structurally inadequate’ and had to be removed and replaced (Figure 5). This caused an estimated delay of three months.

BMW has advised that a large number of Architects Instructions does not necessarily correlate to a poor project, and may be a reflection of an architect with a good eye for detail. As a comparison, the Stage A builders were issued approximately 108 Architects Instructions, but was a less complex and lower value stage. The same architect was used in both stages of the redevelopment project.

Instructions were issued to the Stage B contractors for other structural defects including the collapse of an earth bank and paving prior to a retaining wall being built, defective steelworks and a lack of bonding of the brickwork in the male self-care unit (Figure 5). Other concerns raised by the architect, such as the substitution of non-approved building materials and rerouting of cabling were not structurally significant but still required correction. These all added to the time delays.
There were significant delays in delivering core infrastructure, postponing the opening of Wandoo.

Figure 5: Pictures showing the defective works, as well as the investigation and removal of the stairs in the female accommodation unit and the retaining wall.

Source: Project architect
**Not all of the construction defects are fixed**

A defects period is included in most construction contracts. This is the period after practical completion during the commissioning of the new buildings when defects are rectified by the building contractor. Defects can include any imperfection, default or deficiency in the work such as faulty locks, uneven paintwork or toilets that do not flush. Defects do not include wear and tear of items or damage due to misuse or vandalism. The defect period for BHDC redevelopment project was 12 months from practical completion. This is normal in building contracts.

DCS attempts to have all defects rectified prior to occupation. This is because some of the defects such as faulty locks or windows can affect the security or integrity of the cell. Other defects such as patchy painting or untidy work do not prevent occupation but are difficult to rectify once the cells are occupied, given the secure nature of the facility.

Prior to practical completion being granted for Stage B, there were hundreds of defects recorded on the final inspection report. For example, in the female precinct alone there were 415 defects identified, 19 of which were considered critical enough to prevent occupation. These were rectified immediately as practical completion could not be granted until they were fixed. Practical completion was then granted on 27 November 2012 by BMW and the architect. However, given the tight timeframe, and to prevent long term double bunking, all defects deemed to be purely aesthetic were not fixed prior to cell occupancy.

The architect has a system in place to manage the defect period and is working with the Stage B builders and DCS to schedule times to complete the repairs. However, this work has been complicated by damage caused during the major disturbance in January 2013. Increased restrictions on movement, coupled with limited availability of escort staff at the Banksia Hill site, have prevented some rectification work being completed. However, DCS has advised that all critical defects and maintenance, including any security work, has now been undertaken.
The tendering and project governance processes did not reflect the operational and timeframe risks

The redevelopment project at BHDC did not represent a large risk in terms of financial value. At approximately $30 million, the redevelopment of BHDC represented around five per cent of the total spend for the prison upgrade program. However, the operating environment and political imperative to deliver the project in a short timeframe elevated the risk on the BHDC project. BMW and DCS did not adjust the project management structure, governance arrangements or procurement options to accommodate the elevated risk profile, with adverse consequences.

At the time of the redevelopment project BMW had no formalised project management framework to help guide its staff. BMW have advised it did have guidelines and tools to help the project manager carry out their function, and the project followed a typical project management process involving the following stages:

• planning and scoping
• design and documentation
• tendering
• construction
• commissioning.

In order to keep the project on track and ensure the project achieved the necessary milestones, good governance, reporting, communication, risk management and a sound document management system are also needed. These processes and controls are especially important given the project was undertaken within a secure operating facility, increasing its complexity and risk.

The redevelopment of Banksia Hill Detention Centre was driven by DCS’ response to a commitment made by Government

DCS has a Strategic Asset Plan (SAP) that identifies and prioritises all of its infrastructure requirements. In order for an infrastructure project to be included on the SAP a business need must be established and a business case completed. All infrastructure projects on the SAP are then progressed through the normal budget process to obtain funding. The redevelopment project to change the function of BHDC was not on the SAP as a business need had not been established. Rather, this project was driven by an election commitment and therefore fell outside DCS’s normal budget and project planning process.

DCS did not fully consider the long term impact of its recommended approach

As part of its planning, DCS developed a business case to determine the best way to achieve the election commitment. The business case outlined four options. These were to:
• convert Rangeview to Wandoo and transfer existing detainees to BHDC. This option involved significant capital works to redevelop BHDC and the refurbishment of Rangeview.

• acquire a new outer metropolitan site and build Wandoo

• build Wandoo on land already owned by DCS (between Hakea Prison and BHDC)

• do nothing.

DCS recommended the Minister approve option one, the redevelopment of BHDC. This recommendation was based on meeting the election commitment timeframe. DCS considered that only option one could be delivered within the first term of government. However, the business case did not adequately explore the long term impact of having only one juvenile facility.

By converting Rangeview into Wandoo, DCS reduced its juvenile facilities to one. This has two major long term impacts. First, it poses a potential operational risk as it reduced DCS’ ability to be flexible. DCS has no permanent, alternative juvenile facility to move detainees should the need arise. For example, since the incident at BHDC in January 2013, DCS has been using part of Hakea Prison, a maximum security male (adult) prison to house some of the juvenile detainees. In a court decision handed down in May 2013 about the legality of transferring detainees to Hakea, Chief Justice Martin concluded ‘there was simply no other option’.

Between 1997 and 2005, BHDC housed both male and female detainees. In 2005, following a serious incident of a sexual nature between a male and female detainee, the female detainees were moved to the then alternative juvenile facility of Rangeview. At the time this was a temporary measure but was made permanent after it was considered too high risk to house the females at BHDC with the male detainees. Despite this history, this risk was not explored in the business case and BHDC now accommodates both male and female detainees again. DCS has installed a three metre fence around the female accommodation block to minimise the interaction between the detainees. However, should an incident occur, DCS now has no long term alternative accommodation solution.

Secondly, converting Rangeview to Wandoo created capacity issues. BHDC is now close to its full master planned capacity and Rangeview is no longer being used as a juvenile facility. There are limited realistic ways to further increase the capacity of BHDC and DCS currently has no short term plan to build an alternative juvenile facility or other options to house juveniles in a facility other than BHDC.

DCS had a master plan for the expansion of the BHDC site. That planning was intended to meet the needs of juvenile justice into the future (Figure 6). This plan, like that for all its facilities, shows the likely placement of accommodation units and any additional support
services required to sustain an increased capacity. However the redevelopment project means DCS’s only current way to cope with further growth in detainee population is the use of double bunking, because all available room for expansion has been used, and utilities such as water and sewage are at capacity.

<table>
<thead>
<tr>
<th>DCS facilities</th>
<th>Type</th>
<th>Pre-project</th>
<th>Post-project</th>
</tr>
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<tr>
<td></td>
<td>Actual capacity</td>
<td>Master planned capacity</td>
<td>Actual capacity</td>
</tr>
<tr>
<td>Rangeview</td>
<td>80</td>
<td>80</td>
<td>NA</td>
</tr>
<tr>
<td>Banksia Hill</td>
<td>120</td>
<td>200</td>
<td>222</td>
</tr>
<tr>
<td>Detention Centre</td>
<td>(no longer commissioned)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Wandoo</td>
<td>NA</td>
<td>NA</td>
<td>80</td>
</tr>
<tr>
<td>Total</td>
<td>200</td>
<td>280</td>
<td>222</td>
</tr>
</tbody>
</table>

*Numbers based on single cell occupancy

Source: OAG and DCS

**Figure 6: Capacity of DCS facilities pre and post the capital works at BHDC.**

**DCS placed more emphasis on meeting the timeframe for opening Wandoo than reducing the risk to Banksia Hill Detention Centre**

DCS chose a staged approach to the redevelopment project. This allowed construction works to be completed concurrently, taking the shortest possible timeframe, but causing the greatest disruption to the site. DCS could have chosen a lower risk option, such as a single stage build, but this was estimated to take 33 months, six months longer than the staged approach. However, as risks were realised, the building project was delayed, and the project took approximately 35 months to complete.

To achieve the shortest possible timeframe three construction sites were in operation at BHDC at any given time. This not only placed unnecessary pressure on BHDC gatehouse staff, but also increased the short term security risk as staff were required to manage multiple construction sites. During the redevelopment project there were several serious incidents where detainees gained access to building materials and tools. The response to each incident resulted in increased security measures, slowing down building progress and placing further pressure on BHDC staff as well as the project timeframe. Project documentation shows that DCS and BMW were aware that this approach would cause the most disruption on the site but chose this option over others as it was considered to be the only way to deliver the project in the required timeframe.
BMW did not adjust its tendering approach to match the complexity and risk of the project

BMW has a policy that requires staff to award building contracts based on offers assessed as providing the best value for money. Specifically, the policy states:

‘Value for money is the basis for comparing conforming offers so that the optimal offer can be selected. Achieving user requirements, quality standards and service benchmarks, and managing risk, is considered to be more important than obtaining the lowest price.’

The physical location of the building sites and the time imperative for building delivery meant the BHDC redevelopment project was high risk. According to BMW’s policy, managing these risks should have been a key consideration in the tender process but they were not. Achieving the lowest price appeared to be the primary consideration when awarding the BHDC building contract.

There are several ways construction projects can be tendered. These include:

• Direct negotiation: This is often used on highly specialised projects in which only one entity has the required skills and current capacity to undertake the work. In this tender practice the client negotiates directly with a single tenderer.

• A two staged expression of interest process: This involves assessing tenderers against a set of pre-determined criteria to narrow down the field. The limited field is then invited to provide a specific tender.

• A full qualitative assessment: This is where tenderers are assessed against a set of pre-determined criteria, including cost, and are ranked. The criteria may be weighted to meet the requirements and complexities of the specific project.

• Single stage tender: Based on the assumption that the building is already designed and all tenderers meet the set standard of building work required. This tender process generally results in the acceptance of the lowest price conforming tender if no other significant factors exist.

Prior to tendering works for Stage B of the redevelopment project, DCS approached BMW requesting it be allowed to negotiate directly with the contractors currently completing the Stage A works. These contractors were already on site, had knowledge of the facility and its security requirements, had a good working relationship with the operational staff and had good performance reports to date. Stage A works were delivered within two months of the approved timeframe and on budget.

BMW advised DCS that using the Stage A builders for the next stage of the building project ‘may not represent value for money in the current market’ and advised DCS to go to competitive tender. This advice was in line with the current state government ‘open and effective competition’ policy requiring a public tender process for all purchases above $150 000.
The pre-tender estimate for Stage B works was $16,762,590 (ex. GST). The Stage A builders were one of eight companies that tendered for the Stage B works but were the seventh highest price. The tender was awarded to the lowest price conforming tender, with the winning tender being $2,556,810 less than the pre-tender estimate. However, all eight tender bids were below the pre-tender estimate.

To award the BHDC tender BMW ranked all bids according to price and then assessed only the lowest priced tenderer for conformity. This assessment was based on whether the tender quoted for all items necessary and that the company had the financial capacity and overall experience to undertake the construction work at BHDC. BMW advised us that this is the approach used in the majority of its tender processes. However, in the case of BHDC, the process should have considered the operational and security demands of the site. As the project required building within the BHDC facility, an intimate knowledge of the prison’s operations and security requirements could have potentially reduced risk. While the company that won the Stage B tender had completed other work for DCS, this work was at another facility and construction was completed outside of the prison boundary. BMW and DCS have advised that a lack of experience working within the specific site may have contributed to the project delays.

DCS estimates that the delay in completing Stage B cost approximately $2 million. This included the $790,000 paid to Serco for transitional costs associated with the delay in handing over Rangeview and over one million dollars in additional security staff costs for the redevelopment project. Adding these costs to the original tender price for the successful tenderer puts the total project cost over the tendered amount submitted by the other seven tenders.

BMW have advised that while the Stage B contractor rated very poorly in their performance assessment in relation to its work at BHDC this will not prevent the Stage B contractor from being awarded further construction work if it is the lowest conforming tender. This is because, with large companies, the success of each project is largely dependent on the project team the contractor assigns to the project. BMW has advised that it has limited control over who a contractor chooses to use on its project and preventing a contractor from gaining government work solely on the basis of poor performance on one contract would be unfair.

**Despite a good initial risk assessment, limited monitoring and actioning of risk management plans resulted in risks being realised**

A risk register provides a useful tool for managing and reducing the risks identified before and during the project. In order for it to be effective, the register should identify as many of the potential risks as possible and a suitable management plan be developed. Importantly, the management plan needs to be monitored and actioned to ensure the risks are appropriately mitigated. This was not effectively done during the redevelopment project at BHDC.
DCS completed a full risk assessment as part of the initial project planning. Operational and project staff from DCS, project staff from BMW, the project architect, quantity surveyor and project and development management consultants identified 63 risks to be included on the risk register. This included three ‘extreme’ risks; attempted escape through concealment in vehicle, use of internally stored vehicle to attempt escape through sally port breach and incorrect prison muster, as well as 13 ‘high’ risks. For each risk identified there was a logical management plan that was assessed by the stakeholder group as being ‘adequate’ to control even the extreme risks.

However, as the project progressed many of the risks were realised. In some instances risks were realised on more than one occasion, including escapes by detainees. Throughout the course of the building project there were two escape attempts. The first was in August 2010 where four detainees used unsecured scaffolding to climb over the secure perimeter fence. The second was in August 2012 where two detainees accessed an onsite construction vehicle and drove through the sally port, which is the secure vehicle entrance point of the detention centre.

An internal review conducted by DCS Professional Standards Unit in September 2010 following one of the earlier escapes, found that ‘some mitigation strategies were not implemented or monitored as the project progressed’. The review made seven recommendations in relation to tightening up the monitoring and ownership of the risk register.

Despite implementing the review recommendations, the custodians of the risk register continued not to enforce the actioning of the management plans. In August 2012 when the two detainees escaped, none of the controls outlined on the risk registry to mitigate this extreme risk were actioned. This included all vehicles being escorted within the prison environment, all vehicles being fitted with an electrical or physical immobiliser, increased Emergency Services Group presence, identifying and monitoring or relocating high profile detainees, immobilising all vehicles on site and all tools and vehicles being secured at all times.

**Limited involvement by the key staff and poor communication mechanisms contributed to the significant delays in the project**

Both DCS and BMW assigned a project manager to the redevelopment project. Their role was to ensure that the internal goals of each agency were met through the completion of the redevelopment project.

Within DCS, the project manager was responsible for both overseeing the tender process for the Wandoo contact and the redevelopment project at BHDC. The main focus was on the establishment of Wandoo, as DCS had committed to an opening date and a contract with a private provider. In contrast, the BHDC redevelopment project was passively monitored and did not receive the attention it required.
State government practice allocates the responsibility for driving the project to BMW. However, in the initial stages of the BHDC redevelopment project BMW’s focus was on contract administration rather than actively managing the project. The BMW project manager’s time was also split between various less complex construction projects. Limited involvement from both the DCS and BMW project managers meant that too much reliance was placed on the architect, who was the superintendent’s representative, to drive the project to completion.

BMW building projects generally have only one contact, usually the Superintendent’s Representative to liaise with the builder. All communication is filtered through this contact from both the project management and operational sides. Whilst this is usually a reasonable approach, this arrangement did not suit a building project undertaken within a secure facility, especially given neither the BMW Project Manager or DCS Project Manager were based on the BHDC site. The only onsite project personnel was the DCS project officer, who early on in the project reported to the Prison’s Superintendent rather than the Project Manager.

The restricted lines of communication meant that DCS could not promptly address security issues as they arose. For example, the DCS project officer raised an issue with the Project Control Group (PCG) that the building company site supervisor was being ‘uncooperative’. The agreed action by the PCG was for the project officer to document the issues and forward the memo to the DCS Project Manager. The DCS Project Manager was then required to forward the memo to the BMW Project Manager and onto the architect, to discuss it directly with the contractor. This process took time to action, but could have been dealt with immediately if there was better internal communication. In an operating facility where security is paramount, additional lines of communication could have encouraged greater collaboration between the contractor and the facility to minimise risk.

**Inadequate senior management involvement and key stakeholders who were often absent, made it difficult to action decisions**

The PCG was established to oversee the planning, design and construction of infrastructure at BHDC. The group’s main purpose was to drive the project to completion. This group consisted of:

- the DCS project manager and Asset staff
- the BMW project manager
- the architect
- the BHDC superintendent
- BHDC security staff.
However, the PCG often met without a full quorum of attendees. Minutes of the meetings show that the majority of PCG meetings were attended by the architect and the DCS Project Manager. However, the Director of Strategic Assets and the BMW Project Manager were absent for approximately one half and one third of all meetings respectively. This made it difficult to find solutions to problems quickly and progress the project. This lack of action was further compounded by a steering committee who was not closely engaged in the BHDC redevelopment project.

After February 2012, when project members were replaced by more senior staff at both DCS and BMW, the project gained momentum and was able to be completed.

**Optimistic reporting prevented senior management getting a clear picture of how the project was progressing**

In the absence of a well constituted and functioning PCG, progress reports were the most appropriate avenue to keep senior management informed of the project’s progress. Rather than one, holistic report being prepared by one agency, internal, separate reports were prepared by DCS, BMW and the consultant architect. We found that these reports very rarely synchronised to the actual project progress. This further hampered effective action to address project slippage.

In some instances a report prepared by one agency, that declared the project on time and under budget, was directly contradicted by a report prepared by the other agency. In most instances project reports quite obviously did not reflect the actual progress of the project. For example, in October 2011, two months before the expected completion date BMW was reporting the project as green; on time and budget. That same month, the project status report from the architect states ‘the majority of the project is behind schedule and is currently showing on the contractors programme for completion in January 2012’. The project was not completed until November 2012.

**Neither BMW or DCS has good records management system making it difficult to quickly get a clear picture about the project**

We found that documents were not stored in a single repository and were in some cases difficult to obtain. For example, we asked for a copy of the master plan of BHDC which is a key DCS planning document. While most of the staff were aware of its existence no one at DCS could locate it. We were eventually provided a copy by the architect who originally designed the facility. Similarly we found that many of the minutes and documents related to the BHDC redevelopment project were kept on staffs’ personal drives. This made it difficult to track the progress of the project from 2009 to completion. It also increases the risk that documents are lost if staff leave the agency and their computer access is terminated. We also had difficulty obtaining some initial budget information from BMW, as this was kept by the Quantity Surveyor, who had since changed companies.
The tendering and project governance processes did not reflect the operational and timeframe risks

It is unclear who is responsible for maintaining a complete database of all documents related to capital works projects. BMW have advised it is only responsible for maintaining documents generated about the tender and construction process. A single repository, containing all key project documents, including project approvals and decisions would improve transparency and enable quick access to information.
## Auditor General’s Reports

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