



**Major Infrastructure Proposal Assessment
Department of Justice
New Youth Detention Facility
Summary Assessment Report**

Infrastructure WA

Level 41, 108 St Georges Terrace
Perth Western Australia 6000

Phone: 08 6552 5229

Email: proposals@infrastructure.wa.gov.au

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Acknowledgment of Country

Infrastructure WA acknowledges the Traditional Custodians of Western Australia and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

Major Infrastructure Proposal Assessment Summary Report

Purpose

This assessment report has been prepared in carrying out Infrastructure WA's (IWA) legislative function to assess and report to the Premier on major infrastructure proposals. The assessment has been carried out on the Department of Justice's New Youth Detention Facility business case (dated 15 July 2024). Additional supporting information received, consultation and further research undertaken by IWA was also used to support the analysis.

1. IWA observations

IWA considers that there have been previous decisions of government in relation to this project, namely the state has previously announced plans for the construction of this New Youth Detention Facility (NYDF), with the intention for it to be located adjacent to the existing Banksia Hill Detention Centre (BHDC).

Therefore, this Major Infrastructure Proposal Assessment (MIPA) is primarily focused on the option assessments within these parameters, the associated delivery aspects of the proposal and areas of future improvement.

Based on the assessment of the business case and additional investigations, IWA considers there is sufficient information for Government to progress an investment decision. There are, however, risks associated with the proposal, including:

- The total project cost of fully implementing the proposal is yet to be determined and further funding requests will be needed to support the NYDF proposal.
- Potential delays to the proposed program associated with the need to secure state and federal environmental approvals, and the market response to the proposal.
- Key stakeholder acceptance of the proposal yet to be fully tested.

The Department of Justice has undertaken an appropriate process to select a preferred site for the NYDF and while the proposed capacity of the facility (30-bed) is not fully justified in the business case it is considered to be warranted to futureproof the facility and allow for operational flexibility.

While the MIPA primary focus is on the proposed infrastructure solution, the success of the NYDF will be the combination of the design of the facility and the overall model of care (operational model), as well as the appropriate staffing to ensure that it effectively brings about positive change.

2. Context

2.1 Project background

The proposal is to fund a 30-bed youth detention facility, associated administration and rehabilitation rooms, a 240 bay at-grade carpark, roadworks, perimeter fencing, services relocation, and the refurbishment and extension of the existing BHDC.

BHDC is the only permanent facility in Western Australia (WA) to accommodate the supervision in detention of young people (sentenced and unsentenced).

In July 2022, Unit 18 at Casuarina Adult Male Prison was gazetted as a youth detention facility to temporarily accommodate the most disruptive detainees from BHDC in a higher security environment.

On 30 November 2023, the state government announced plans for the construction of the NYDF, intended to be located adjacent to the existing BHDC, with funding approved to undertake detailed planning and a business case on specific locations, cost and timeframes for the project.

A streamlined business case has now been prepared by the Department of Justice in order to seek government approval of the recommended option with an estimated total capital cost of \$156.84 million (ex GST).

3. Strategic merit

3.1 Alignment

Youth detention is a complex issue and the construction of any facility to incarcerate youth in a high security facility should be reserved for extraordinary circumstances, with the goal for those held in such a facility being rehabilitation and reintegration, rather than ongoing detention.

While the MIPA primary focus is on the proposed infrastructure solution, the success of the NYDF will be the combination of the design of the facility and the overall model of care (its operation, the treatment and programs offered for those detained), as well as the appropriate staffing to ensure that it effectively brings about positive change.

There is sufficient evidence within the business case that the current use of Unit 18 within the Casuarina Prison to hold the most disruptive youth is inadequate, with there being an urgent need to provide alternatives. A number of studies and reports are adequately outlined in the business case to support the need to discontinue Unit 18 and establish an alternative facility.

4. Problems and opportunities

IWA considers the problems are well described within the business case. An Investment Logic Map (ILM) was undertaken to assist in defining the key problems to be resolved. These were described as:

- An inability to separate and manage a subset of highly disruptive young people inhibits the delivery of consistent therapeutic services and rehabilitation interventions for all detainees.
- An unsuitable environment for managing a subset of highly disruptive young people significantly impacts the safety and security of the BHDC site, and results in excessive damage to facilities.
- The configuration of existing youth detention facilities inhibits the implementation of a best practice model of care to appropriately address increasingly complex cohort needs.

The problems are supported with sufficient relevant evidence including details of critical incidents, wilful damage, and assaults to staff. In addition, the business case notes that there is increasing pressure on the capacity of the adult prison estate and that returning Unit 18 to adult use will reduce this pressure.

The business case describes the intended outcomes as: improving youth justice, enhancing safety, optimising care and efficiency, and building community confidence.

5. Options assessment

Within the context of the previous government decisions, IWA considers that an appropriate process was undertaken with sufficient information provided and risks identified, to select the shortlisted sites, and recommended site.

The justification for a preferred 30-bed facility as opposed to an alternative smaller facility, is not fully demonstrated within the business case. However, it is recognised that the 30-bed option to futureproof the NYDF to cater for potential additional usage, and operational flexibility, beyond current expectations should be considered at this stage, especially noting the complexities building in and around an existing facility (and therefore cost and time) for a future expansion.

6. Societal impacts

6.1 Financial assessment

The total capital cost for the recommended option is currently estimated at approximately \$156.84 million (ex GST). However, it is noted that this is based on a low level of project definition with a wide accuracy range. Therefore, there is a high likelihood of cost change as the proposal further develops. Similarly, it is also noted that there are a number of exclusions to the capital cost listed.

It is recommended that these excluded costs are estimated in order to provide greater clarity as to the proposal's total funding requirements, or a clear timeline on when they will be available and the subsequent process to secure the necessary funding.

6.2 Social assessment

While the need for the NYDF facility can be considered an undesirable necessity, it is identified in the business case that it will provide for:

- better management of the youth detainee population
- the delivery of effective rehabilitation programs
- the ability to staff facility adequately
- proximity and access to support services
- access to digital services
- technological improvements

It will be important to establish the necessary base data and establish measures to understand over time the NYDF's effectiveness in stated social benefits.

6.3 Environmental assessment

Each of the site location options surrounding the BHDC were identified as requiring clearing of native vegetation, including areas within Bush Forever sites. The preferred site is also located within the Jandakot Groundwater Protection Area which is recorded as a Priority 1 Public Drinking Water Source Area.

The business case identifies that the potential site areas for the NYDF will be required to go through both State and Federal environmental approvals processes, with estimated timeframes between 9 and 24 months.

While the business case demonstrates that there has been a high level of engagement with the relevant environmental approval agencies, it will remain a risk to the proposal both in terms of time and cost until approvals are received.

While the business case identifies that 'opportunities for maximising sustainability in the project design, without sacrificing quality or functionality, will be further explored in the Project Definition Plan', it will be important to ensure sufficient funding is allocated to allow for these opportunities to be realised.

7. Recommended option and project definition

The recommended option scope of the NYDF provides for the following functions:

- Education / programs and service provision
- At risk treatment
- Accommodation
- Staff amenities and facilities
- Central administration and offices
- Visits and cultural healing

- Entry / Gatehouse Portal
 - New 240 bay at-grade carpark
 - New access road and slip way
 - Services relocation
 - New perimeter
 - Refurbishment and extension of the existing gatehouse.

8. Deliverability

The intended methodology is for the proposal is for it to be delivered in two works packages being the Stage 1 (enabling works) and Stage 2 (main works package).

While the program is considered reasonable and schedule contingency has been included, until this proposal has received environmental and planning approvals and is market tested there remains uncertainty over the ability for the proposal to be completed as proposed.

As the NYDF is not expected to be operational until mid-2028 there are approximately four years needed to accommodate the detainees that are not able to be adequately managed at BHDC, and therefore presumably Unit 18 will remain active until the NYDF is opened. The business case should clarify if there are opportunities to expedite delivery, whether there is a requirement for additional expenditure at Unit 18 during this period to ensure a sufficient standard of facility and support is maintained, and additional funding for the adult estate if capacity levels are reached and Unit 18 remains unavailable.

Noting the sensitive nature of the purpose of the facility, there are a number of key stakeholder groups (Aboriginal community, custodial staff representatives, and oversight organisations) that will need to be engaged to understand their level of support. The business case has included a comprehensive stakeholder management plan however as much of this engagement is planned during the next stage, there will be a risk of opposition, or changes required to what is currently proposed. It is encouraging that a dedicated Aboriginal Engagement Plan is to be prepared but engagement on the infrastructure design and operational model will need to occur as a priority to ensure project objectives are met and the development of a narrative as part of this engagement, that supports the operating model, will further aid in realising the benefits of the project.