

Justice and Community Safety Directorate

Moss Review Implementation Progress Annual Report

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Minister for Corrections Shane Rattenbury has released the Moss Review Implementation Progress Annual Report, providing an update updating the Legislative Assembly on 20 February 2018 about changes made since the death of detainee Steven Freeman in custody in 2016.

Mr Russel Taylor AM, the independent chair of the steering committee, has agreed four recommendations have been fully implemented by ACT Government, with strong progress made against the remaining four recommendations to the government. The Government agreed to eight of the nine recommendations made. The ninth recommendation was noted as it related to the independent Health Services Commissioner.

Implementation of the recommendations of the Moss Review is led by an inter-directorate project team and overseen by a high-level steering committee.

Members of the Steering committee are directors-general of government agencies and community representatives from the ACT Aboriginal and Torres Strait Islander Elected Body, Winnunga Nimmityjah Aboriginal Health and Community Services and Aboriginal Legal Service.

This work is a priority of the ACT Government and the community will continue to see improvements. The Government will also consider any findings by the Coroner from the Inquest into the death of Steven Freeman. The Coroner is due to hand down findings in April 2018.

Ministerial Statement

[Moss Implementation Progress](#) [PDF 120KB]

[Moss Review Information Brochure](#) [PDF 1MB]

Ministerial Media Release

[Responsive action improves detainee safety and care](#) [PDF 95KB]

Moss Review - Status of Implementation Progress as at 20 February 2017



	Status	Recommendation and steering committee assessment
1	Complete	<p>That ACT Corrective Services (ACTCS) conduct a survey of electronic surveillance at the Alexander Maconochie Centre (AMC) to ensure best practice protection for, and the security of, detainees including:</p> <ul style="list-style-type: none"> • training for AMC custodial officers operating CCTV cameras; and • developing protocols relating to camera settings, movement and recording. <p><i>On 22 November 2017 the committee decided that this recommendation has been satisfied.</i></p>
2	Complete	<p>That ACT Policing accord a higher priority to the investigation of any assault at the AMC.</p> <p><i>On 12 December 2017 the committee decided that this recommendation has been satisfied.</i></p>
3	Complete	<p>That ACT Policing, ACTCS and ACT Director of Public Prosecutions develop and adopt pro-charge and pro-prosecution policies in relation to assaults at the AMC.</p> <p><i>On 12 December 2017 the committee decided that this recommendation has been satisfied.</i></p>
4	Complete	<p>That the arrangements for the provision of health care at the Alexander Maconochie Centre be established, under contract or memorandum of understanding, to reflect the respective responsibilities of AMC (ACTCS) and Justice Health Services (ACT Health).</p>

On 25 January 2018 the Steering Committee decided that this recommendation has been satisfied.

<p>5</p>	<p>Strong progress - Ongoing</p>	<p>That Winnunga Nimmityjah Aboriginal Health Service be integrated into the provision of health care at the AMC, in order to introduce its holistic model of care to Indigenous detainees.</p>	<p><i>Funding to support this recommendation was made in the mid-year Budget review to prepare for implementation. Strong progress has been made with Winnunga commencing a trial initially focused on female detainees. This trial will inform future implementation of Winnunga's model of care into the AMC.</i></p>
<p>6</p>	<p>Ongoing</p>	<p>That ACTCS establish a separate remand prison within the AMC to ensure remanded detainees are segregated from sentenced detainees.</p>	<p><i>While agreed in principle, this recommendation requires a commitment to build another facility by Government.</i></p> <p><i>The outcomes of a feasibility study will be used to inform future decisions of government.</i></p>
<p>7</p>	<p>Near finalisation</p>	<p>That the Health Services Commissioner (of the ACT Human Rights Commission) conduct an own-initiative investigation into the prescription of methadone to detainees at the AMC.</p>	

<p><i>This recommendation was noted as the ACT Health Commissioner is an independent statutory body.</i></p> <p><i>The ACT Health Services Commissioner is expected to finalise her "own motion" investigation into the delivery of health services at the AMC during February 2018.</i></p>					
<p>8</p>	<table border="1"> <tr> <td data-bbox="618 625 829 1318"> <p>Near finalisation</p> </td> <td data-bbox="829 625 1490 829"> <p>That the ACT Ombudsman have the role of reviewing the response to all critical incidents at the AMC, including serious assaults.</p> </td> </tr> <tr> <td data-bbox="618 829 829 1318"></td> <td data-bbox="829 829 1490 1318"> <p><i>In response to this recommendation, a new oversight regime was announced by Government. The Inspector of Correctional Services Act commenced on 8 December 2017.</i></p> <p><i>The Inspector of Correctional Services will oversee the ACT corrections system and improve oversight arrangements.</i></p> <p><i>An announcement on the Inspector of Correctional Services will be made soon.</i></p> </td> </tr> </table>	<p>Near finalisation</p>	<p>That the ACT Ombudsman have the role of reviewing the response to all critical incidents at the AMC, including serious assaults.</p>		<p><i>In response to this recommendation, a new oversight regime was announced by Government. The Inspector of Correctional Services Act commenced on 8 December 2017.</i></p> <p><i>The Inspector of Correctional Services will oversee the ACT corrections system and improve oversight arrangements.</i></p> <p><i>An announcement on the Inspector of Correctional Services will be made soon.</i></p>
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Inquiry into the Treatment in Custody of Detainee Steven Freeman

On 16 February 2017, the Government released its response to the Independent Inquiry into the Treatment in Custody of Detainee Steven Freeman.

Independent Reviewer, Mr Philip Moss AM, provided the inquiry report to the Minister for Corrections Shane Rattenbury on Monday, 7 November 2016.

The inquiry considered the management of the custody and care of detainee Steven Freeman at the AMC and whether ACT Corrective Services systems operated effectively.

This inquiry did not examine the circumstances and cause of death of Steven Freeman as that will be addressed by the police investigation and the Coroner. However, the inquiry was conducted in the context of the death of detainee Steven Freeman.

The inquiry examined and, where appropriate, made recommendations to improve detainee management arrangements. It is expected that the recommendations, and the Government's response, will contribute to the Coroner's consideration of the matter.

[Government response to the Independent Inquiry into the Treatment in Custody of Steven Freeman](#) [PDF 206KB]

[Report of Independent Inquiry](#) [PDF 673KB]

[Treatment in Custody of Detainee TOR](#) [PDF 55KB]

Submissions

[Winnunga Nimmityjah Aboriginal Health Service](#) [PDF 608KB]

Attachments to this submission are significant in size and are available in printed form on request.

[ACT Human Rights Commission](#) [PDF 3.81MB]

[Jon Stanhope AO in a private capacity](#) [PDF 86KB]

[ACT Ombudsman](#) [PDF 221KB]

[ACT Health](#) [PDF 236KB]

Media Release

[JACS Media Release - Timeframe extended for independent inquiry into treatment of detainee](#) [PDF 53KB]

Ministerial Media Releases

[Death in custody at Alexander Maconochie Centre](#)

[Independent Inquiry into Death in Custody](#)

[Review into death in custody extended](#)

[Independent report into Treatment in Custody Released](#)

[New oversight agency focused on improving care, safety and health of detainees](#)

[Inspector to provide additional correctional oversight](#)

[New Inspector to strengthen correctional services outcomes](#)

[Improving security at the Alexander Maconochie Centre](#)

[Improved health model of care at the Alexander Maconochie Centre](#)