



ACT

Government

Justice and Community Safety

Open Access release outcome decision – Partial access granted

Document Category: Ministerial Briefs

Title of document: Minister for Corrections and Justice Health – Quarter 4 2018

Description of the information: Question Time and Annual Report Hearing Briefs provided to the Minister for Corrections and Justice Health between 1 September to 31 December 2018.

The original record of this document contained information the release of which would be contrary to the public interest. This information has been redacted from this publicly available version of the document for the reasons outlined below.

Grounds for decision to withhold disclosure

It was decided certain information contained in the document would not be disclosed as, on balance it would be contrary to the public interest test set out in section 17 of the FOI Act.

I have included below the relevant factors I considered in making this decision.

2.1 Factors favouring disclosure in the public interest

(a) Disclosure of the information could reasonably be expected to do any of the following:

- (i) promote open discussion of public affairs and enhance the government's accountability;*
- (ii) contribute to positive and informed debate on important issues or matters of public interest;*
- (viii) reveal the reason for a government decision and any background or contextual information that informed the decision.*

I consider that the release of the ministerial briefs may be expected to help inform ongoing discussions and debate on matters of continued public importance. The disclosure of this information also helps to promote government accountability and transparency.

2.2 Factors favouring non-disclosure in the public interest

(a) Disclosure of the information could reasonably be expected to do any of the following:

- (ii) prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004;*

On balance, I consider the ministerial briefs to be in the public interest to release, with minor redactions applied. This includes redactions to personal information, including details that may identify ACT Corrective Services staff and other members of the public where this could reasonably be expected to prejudice their right to privacy.

Review rights

My decision to withhold open access information is a reviewable decision as identified in Schedule 3 of the FOI Act. You can seek an Ombudsman review of this outcome under section

Open Access Decision – Quarter 4 2018 – Minister for Corrections and Justice Health

73 of the Act within 20 working days from the day that my decision is published on the Justice and Community Safety Directorate website, or a longer period allowed by the Ombudsman.

If you wish to request a review of my decision, you may write to the ACT Ombudsman at:

The ACT Ombudsman
Attention: ACT Strategy and FOI Section
GPO Box 442
CANBERRA ACT 2601
Via email: actfoi@ombudsman.gov.au

Further assistance

If you have any queries regarding this Open Access release, please contact JACSFOI@act.gov.au or phone (02) 6207 2167.

Authorised by

L. Callow

Lauren Callow
Information Officer
2 January 2024



OPEN ACCESS Q4 2018 SCHEDULE

PORTFOLIO: MINISTER FOR CORRECTIONS AND JUSTICE HEALTH

No.	Page	Description	Date	Status	Reason for non-release or deferral
Question Time Briefs - Sitting Week 18-20 September 2018					
1	1	Minister for Corrections and Justice Health Question Time Brief Index 18-20 September 2018	September	Full release	
2	2	Summary of Budget Initiatives	September	Full release	
3	3-5	Disability Assessment and Data Collection	September	Partial release	Schedule 2 2.2(a)(ii)
4	6-10	Safety and Human Rights Detainees	September	Partial release	Schedule 2 2.2(a)(ii)
5	11-12	Inspector of Correctional Services – Current Review	September	Partial release	Schedule 2 2.2(a)(ii)
6	13-15	Detainee Numbers	September	Partial release	Schedule 2 2.2(a)(ii)
7	16-17	Breach of privacy/contraband find – USB device	September	Partial release	Schedule 2 2.2(a)(ii)
8	18-20	FOI – John Stanhope	September	Full release	
9	21-23	Moss Review	September	Partial release	Schedule 2 2.2(a)(ii)
10	24-25	AMC K9 Unit capability	September	Partial release	Schedule 2 2.2(a)(ii)
11	26-27	Coroner’s Report on Mr Steven Freeman’s death	September	Partial release	Schedule 2 2.2(a)(ii)
12	28-33	AMC Policies: Clothing, email, visits, contraband, assaults in custody	September	Partial release	Schedule 2 2.2(a)(ii)
13	34-36	Fire incidents at AMC and ACTCS fire prevention measures	September	Partial release	Schedule 2 2.2(a)(ii)
14	37-39	AMC Health Services including drug overdoses	September	Partial release	Schedule 2 2.2(a)(ii)
15	40-41	Recidivism	September	Partial release	Schedule 2 2.2(a)(ii)
16	42-44	Extended Throughcare	September	Partial release	Schedule 2 2.2(a)(ii)
17	45-48	Aboriginal and Torres Strait Islander issues including recidivism, extended throughcare and incarceration rates	September	Partial release	Schedule 2 2.2(a)(ii)
18	49-51	Industries Programs and Education	September	Partial release	Schedule 2 2.2(a)(ii)
19	52-53	Accommodation Pressures	September	Partial release	Schedule 2 2.2(a)(ii)
Question Time Briefs – Sitting weeks 23-25 October and 30-1 November 2018					
20	54	Minister for Corrections and Justice Health Question Time and Oversight Brief Index 23-25 October and 30-1 November 2018	October / November	Full release	

No.	Page	Description	Date	Status	Reason for non-release or deferral
21	55	Summary of Budget Initiatives	October / November	Full release	
22	56-58	Disability Assessment and Data Collection	October / November	Partial release	Schedule 2 2.2(a)(ii)
23	59-64	Safety and Human Rights Detainees	October / November	Partial release	Schedule 2 2.2(a)(ii)
24	65-66	Inspector of Correctional Services – Current Review	October / November	Partial release	Schedule 2 2.2(a)(ii)
25	67-69	Detainee Numbers	October / November	Partial release	Schedule 2 2.2(a)(ii)
26	70-71	Breach of privacy/contraband find – USB device	October / November	Partial release	Schedule 2 2.2(a)(ii)
27	72-73	FOI – John Stanhope	October / November	Full release	
28	74-75	Moss Review	October / November	Partial release	Schedule 2 2.2(a)(ii)
29	76-77	AMC K9 Unit capability	October / November	Partial release	Schedule 2 2.2(a)(ii)
30	78-80	Coroner’s Report on Mr Steven Freeman’s death	October / November	Partial release	Schedule 2 2.2(a)(ii)
31	81-86	AMC Policies: Clothing, email, visits, contraband, assaults in custody	October / November	Partial release	Schedule 2 2.2(a)(ii)
32	87-90	Fire incidents at AMC and ACTCS fire prevention measures	October / November	Partial release	Schedule 2 2.2(a)(ii)
33	91-93	AMC Health Services including drug overdoses	October / November	Partial release	Schedule 2 2.2(a)(ii)
34	94-95	Recidivism	October / November	Partial release	Schedule 2 2.2(a)(ii)
35	96-98	Extended Throughcare	October / November	Partial release	Schedule 2 2.2(a)(ii)
36	99-102	Aboriginal and Torres Strait Islander issues including recidivism, extended throughcare and incarceration rates	October / November	Partial release	Schedule 2 2.2(a)(ii)
37	103-106	Industries Programs and Education	October / November	Partial release	Schedule 2 2.2(a)(ii)
38	107-108	Accommodation Pressures	October / November	Partial release	Schedule 2 2.2(a)(ii)
39	109-114	Contraband	October / November	Partial release	Schedule 2 2.2(a)(ii)
40	115-116	ACTCS Housing Assessment Information	October / November	Full release	
41	117	Canberra Times article – Detainee without running water	October / November	Partial release	Schedule 2 2.2(a)(ii)
2017-18 Annual Report Hearings – 14 November 2018					
42	118-120	Minister for Corrections and Justice Health – 2017-18 Annual Report Hearings Index	November	Full release	
43	121-122	Output Class 2 Corrective Services	November	Full release	
44	123-124	2017-18 ACTCS strategic and accountability indicators	November	Full release	
45	125-127	Output Class 2 – Corrective Services Financial Summary	November	Full release	

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46	128-131	Rollovers from 2017-18 into 2018-19 and forward years	November	Full release	
47	132-134	Staffing Profile	November	Full release	
48	135-136	JACS Staff Survey	November	Partial release	Schedule 2 2.2(a)(ii)
49	137-140	Bullying and harassment	November	Full release	
50	141-142	Attraction and Retention Incentives	November	Full release	
51	143-144	Voluntary Redundancies	November	Full release	
52	145-146	Procurement	November	Full release	
53	147-148	Fraud and integrity	November	Full release	
54	149	Public Interest Disclosures	November	Full release	
55	150-152	Freedom of Information Statistics (Directorate)	November	Full release	
56	153-155	Freedom of Information Statistics (whole of Government)	November	Full release	
57	156	International travel	November	Full release	
58	157	Work health safety performance (ACTCS only)	November	Full release	
59	158-160	Sustainability	November	Full release	
60	161-163	2017-18 Better Infrastructure Fund	November	Full release	
61	164-165	Internal Audit	November	Full release	
62	166-167	JACS Executive Retreat	November	Full release	
63	168-169	Misconduct matters (ACTCS specific)	November	Full release	
64	170-171	Update on ACTCS new offender management system – CORIS	November	Partial release	Schedule 2 2.2(a)(ii)
65	172-174	Employment opportunities for detainees upon release from the AMC	November	Partial release	Schedule 2 2.2(a)(ii)
66	175	Summary of Budget Initiatives	November	Full release	
67	176-178	Disability Assessment and Data Collection	November	Partial release	Schedule 2 2.2(a)(ii)
68	179-183	Safety and Human Rights Detainees	November	Partial release	Schedule 2 2.2(a)(ii)
69	184-185	Inspector of Correctional Services – Current Review	November	Partial release	Schedule 2 2.2(a)(ii)
70	186-188	Detainee Numbers	November	Partial release	Schedule 2 2.2(a)(ii)
71	189-190	Breach of privacy/contraband find – USB device	November	Partial release	Schedule 2 2.2(a)(ii)
72	191-192	FOI – John Stanhope	November	Full release	
73	193-194	Moss Review	November	Partial release	Schedule 2 2.2(a)(ii)

No.	Page	Description	Date	Status	Reason for non-release or deferral
74	195-196	AMC K9 Unit capability	November	Partial release	Schedule 2 2.2(a)(ii)
75	197-199	Coroner's Report on Mr Steven Freeman's death	November	Partial release	Schedule 2 2.2(a)(ii)
76	200-205	AMC Policies: Clothing, email, visits, contraband, assaults in custody	November	Partial release	Schedule 2 2.2(a)(ii)
77	206-209	Fire incidents at AMC and ACTCS fire prevention measures	November	Partial release	Schedule 2 2.2(a)(ii)
78	210-212	AMC Health Services	November	Partial release	Schedule 2 2.2(a)(ii)
79	213-214	Recidivism	November	Partial release	Schedule 2 2.2(a)(ii)
80	215-217	Extended Throughcare	November	Partial release	Schedule 2 2.2(a)(ii)
81	218-221	Aboriginal and Torres Strait Islander issues including recidivism, extended throughcare and incarceration rates	November	Partial release	Schedule 2 2.2(a)(ii)
82	222-225	Industries Programs and Education	November	Partial release	Schedule 2 2.2(a)(ii)
83	226-227	Accommodation Pressures	November	Partial release	Schedule 2 2.2(a)(ii)
84	228-229	AMC overdose numbers	November	Partial release	Schedule 2 2.2(a)(ii)
85	230-235	Contraband	November	Partial release	Schedule 2 2.2(a)(ii)
86	236-237	ACTCS Housing Assessment Information	November	Full release	
87	238	Canberra Times article – Detainee without running water	November	Partial release	Schedule 2 2.2(a)(ii)
Question Time Briefs – Sitting week 27-29 November 2018					
88	239	Minister for Corrections and Justice Health Question Time Brief Index – 27-29 November 2018	November	Full release	
89	240	Summary of Budget Initiatives	November	Full release	
90	241-243	Disability Assessment and Data Collection	November	Partial release	Schedule 2 2.2(a)(ii)
91	244-249	Safety and Human Rights Detainees	November	Partial release	Schedule 2 2.2(a)(ii)
92	250-252	Inspector of Correctional Services – Current Review	November	Partial release	Schedule 2 2.2(a)(ii)
93	253-255	Detainee Numbers	November	Partial release	Schedule 2 2.2(a)(ii)
94	256-257	AMC K9 Unit capability	November	Partial release	Schedule 2 2.2(a)(ii)
95	258-263	AMC Policies: Clothing, email, visits, contraband, assaults in custody	November	Partial release	Schedule 2 2.2(a)(ii)
96	264-267	Fire incidents at AMC and ACTCS fire prevention measures	November	Partial release	Schedule 2 2.2(a)(ii)
97	268-270	AMC Health Services	November	Partial release	Schedule 2 2.2(a)(ii)
98	271-272	Recidivism	November	Partial release	Schedule 2 2.2(a)(ii)

No.	Page	Description	Date	Status	Reason for non-release or deferral
99	273-276	Extended Throughcare	November	Partial release	Schedule 2 2.2(a)(ii)
100	277-280	Aboriginal and Torres Strait Islander issues including recidivism, extended throughcare and incarceration rates	November	Partial release	Schedule 2 2.2(a)(ii)
101	281-284	Industries Programs and Education	November	Partial release	Schedule 2 2.2(a)(ii)
102	285-286	Accommodation Pressures	November	Partial release	Schedule 2 2.2(a)(ii)
103	287-288	AMC overdose numbers	November	Partial release	Schedule 2 2.2(a)(ii)
104	289-291	Contraband	November	Partial release	Schedule 2 2.2(a)(ii)
105	292-293	ACTCS Housing Assessment Information	November	Partial release	Schedule 2 2.2(a)(ii)
106	294	Canberra Times article – Detainee without running water	November	Partial release	Schedule 2 2.2(a)(ii)
107	295-296	AMC – Mr Islam Court Outcome	November	Partial release	Schedule 2 2.2(a)(ii)

MINISTER FOR CORRECTIONS AND JUSTICE HEALTH
QUESTION TIME BRIEFS
18-20 September 2018

Question Time Briefs	
1.	Summary of Budget Initiatives
2.	Disability Data and Comments by ACT HRC
3.	Safety and Human Rights of Detainees
4.	Inspector of Correctional Services – Current Review
5.	Detainee Numbers
6.	USB Incident
7.	FOI – Jon Stanhope
8.	Moss Review
9.	AMC Dog Handlers
10.	Government Response and Coroners Report on Steven Freeman
11.	AMC Policies : Clothing, Email, Visits, Contraband, assaults in custody etc
12.	Fire incidents & Fire prevention measures
13.	AMC Health Services including Drug overdoses
14.	Recidivism
15.	Extended Throughcare
16.	Aboriginal and Torres Strait Islander Issues including Recidivism, Extended Throughcare, Incarceration Rates
17.	Industries, Programs and Education
18.	Accommodation Pressures

*2018*000084-030

Portfolio: Corrections**ISSUE: 2018-19 Budget Summary – Minister for Corrections****Talking points:**

The 2018-19 Budget will invest **\$21.5 million** in the ACT Corrective Services. This includes:

- **\$15.5 million** over four years to provide additional staff resources associated with an increase in average detainee numbers at the AMC and to replace the mobile duress system
- **\$6 million** over three years to continue the Intensive Corrections Order Scheme to strengthen rehabilitation opportunities for offenders

Background Information

The ACT's budget announcements include initiatives relating to:

- More support for families and inclusion – Better resourcing for the Alexander Maconochie Centre;
- More support for families and inclusion – Intensive Corrections Orders;
- Better support when it matters - Enhancing security at the Alexander Maconochie Centre; and
- Better support when it matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre.

The 2017-18 2nd Appropriation provided:

- **\$11.6 million** over five years to enhance security and safety within the Alexander Maconochie Centre
- **\$6.8 million** over five years (JACS component) to introduce the Winnunga Model of Care at the Alexander Maconochie Centre. ACT Health component of \$1.6 million over two years will be offset against the Health Funding Envelope

Cleared as complete and accurate:	23/07/2018	
Cleared by:	Deputy Director-General	Ext:50567
Information Officer name:	David Pryce	
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Lead Directorate:	Justice and Community Safety	

Portfolio: Corrections and Justice Health

ISSUE: DISABILITY ASSESSMENT AND DATA COLLECTION

Talking points:

- Currently, individuals are requested to self-identify as having a disability as part of the induction process for detainees at the Alexander Maconochie Centre (AMC).
- Disability may refer to physical or intellectual disabilities, or developmental conditions such as Autism Spectrum Disorder (ASD).
- This information is captured on the Induction form. As it relies on self-identification the data is likely to underrepresent actual figures.
- At this time, ACT Corrective Services (ACTCS) is unable to provide the definitive number of current detainees who identify as having ASD.
- If a detainee identifies as having a disability, this is taken into consideration during the development of their case management plan.
- The data related to the numbers of individuals who have identified as living with a disability is not captured in the current system in a format that allows for the data to be easily extracted.
- Once the new Corrective Services Information Management Solution (CSIMS) is deployed in 2019, detainee data will be collated into an online system. This will enable reports on detainee numbers and identifying factors, including disability status, to be generated.
- The information that will be captured in CSIMS will continue to rely on self-identification and it is likely that the data will continue to underrepresent actual figures.
- In addition to self-identification, Justice Health screen for possible disability or impairment as part of the induction health assessments of detainees. This information is noted in health records.
- Access to individualised services for detainees with an identified intellectual disability has increased since the introduction of the Corrections Psychological and Support Services (CPSS) unit.
- CPSS coordinates care for individuals identified as having significant complex presentations including living with a disability.

Cleared as complete and accurate: 06/09/2018
Cleared by: Executive Director
Contact Officer Name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

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Ext: Sch 2 s 2.2 (a)

If asked about comments from ACT President of the Human Rights Commission

- I am aware of comments provided to the Editor of *The Canberra Times* by Dr Helen Watchirs OAM on 5 June 2018.
- Dr Watchirs advises that the ACT Human Rights Commission “*strongly supports the call for improved assessment and data collection in relation to the prevalence of disability in the prison population in the ACT, as recommended by the Auditor-General in 2015*”.
- I acknowledge that this type of data is important to help identify issues of systemic discrimination and service gaps.
- I am committed to seeing improvements in this area and will continue to work with the Human Rights Commission and ACTCS to achieve this.

Justice Disability Strategy

- As part of the 2018-19 Budget, the ACT Government has announced the investment of \$580,000 to develop a Disability Justice Strategy to respond to the disadvantage people with disability face when dealing with the justice system.
- The Disability Justice Strategy aims to reform the civil and criminal justice system to ensure people with disabilities are treated equally before the law, and can participate on an equal basis in civic life through participation in the justice system.
- The Community Services Directorate is leading the implementation of the Strategy in collaboration with JACS.
- ACTCS is developing a Disability Framework. This framework will focus on actions that are specific to ACTCS to address disability related issues of clients of the agency. The framework will support the wider JACS Justice Strategy.

Key Information

- Data relies on detainees self-identifying, prior to undergoing further assessment by Justice Health.
- The current form only allows for a detainee to identify as having a ‘disability’. It does not specify the different types of disability.
- CSIMS is expected to be operational in 2019. ACTCS is investigating the potential inclusion of optional fields to specify the type of disability, including physical or intellectual.
- Only information critical to the operation of the prison is likely to be back- captured. However, ACTCS is still considering the notion of a broader, more comprehensive data migration.

Background InformationData

- In 2015, the ACT Auditor-General’s Report on ‘The Rehabilitation of Male Detainees at the Alexander Maconochie Centre’ recommended that ACTCS capture data on detainees with physical disabilities and intellectual disabilities, in order to improve services for these cohorts and to evaluate the effectiveness of activities and services.
- In November 2015, ACTCS added this data item to the tender specification of the CSIMS.

Hayes Ability Screening Index

- In an email to the Editor of *The Canberra Times* of 5 June 2018, Dr Watchirs, ACT President and Human Rights Commissioner, recommended that ACTCS screen new and current detainees using the Hayes Ability Screening Index (HASI).
- The HASI was piloted in the AMC in 2014 and administered to all detainees as part of induction. Due to the large numbers of detainees affected by drugs on admission, administering the HASI on admission was found to be unreliable. Key red flag questions are now included in the Induction form and if a disability is identified, appropriate referrals are made.
- The HASI is able to be administered by CPSS staff on referral from Justice Health or AMC staff. The HASI is administered to detainees who are suspected of having poor or low level cognitive and intellectual functioning, to determine whether referral to Justice Health Services for comprehensive assessment is required.

Cleared as complete and accurate: 06/09/2018
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TRIM Ref: 2018/000084-028

Portfolio: Corrections and Justice Health**ISSUE: SAFETY AND HUMAN RIGHTS OF DETAINEES****Talking points:**Safety of detainees

- Safety of all detainees is a priority for ACT Corrective Services (ACTCS).
- Safety and security within the centre continues to be enhanced with the implementation of a new management structure and operating model at the Alexander Maconochie Centre (AMC).
- A centralised intelligence unit has been established across both Community and Custodial Corrections, to work with staff, detainees and ACT Policing to intercept acts prior to their perpetration.
- This unit will also participate in emerging national security issues such as Outlaw Motor Cycle Gangs and countering violent extremism. The increased staffing to this unit will implement intelligence driven security activities.
- ACTCS continues to work closely with ACT Policing in support of drug and contraband interdiction measures including providing assistance with investigations, and with the ongoing exchange of information.
- Recommendation one of the Moss Review called for improved CCTV quality and coverage at the AMC. The AMC uses 525 CCTV cameras to monitor the movement and behaviour of detainees to ensure safety, security and good order at the AMC. The quality of the images that are captured by the CCTV System has also been improved.
- The Memorandum of Understanding (MOU) between ACTCS and ACT Policing was reviewed and updated to reflect the issues raised by recommendations two and three of the Moss Report. The amended MOU was agreed by both agencies and signed on 28 April 2017. It sets out the arrangement between ACT Policing and ACTCS, including information-sharing, cooperative management arrangements relating to serious incidents and operations, and the nature of incidents to be reported to and responded by ACT Policing.

Cleared as complete and accurate:	16/07/2018	
Cleared by:	Executive Director	Ext:70879
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Contact Officer name:	Sch 2 s 2.2 (a)(ii)	Ext: sch 2 s 2.2 (a)
Lead Directorate:	Justice and Community Safety	

- The amended MOU includes arrangements for reporting serious assaults to Deputy Chief Police Officer level within ACT Policing to ensure investigations are appropriately prioritised and have appropriate oversight.

Human Rights Standards

- On 26 March 2018, the ACT Government released the Human Rights Standards (the Standards) for ACTCS for community consultation.
- ACTCS already abides by the *Human Rights Act 2004*, other standards set in Commonwealth law and a number of international principles relating to human rights.
- These Standards detail the expectations that we as a community, and the ACT Government, have of adult correctional facilities.
- The Standards outline how detainees will be supported from their initial contact with ACTCS through to their release in the community. This support is provided across key areas including:
 - safety
 - respect and dignity
 - purposeful activity
 - rehabilitation and release planning.
- ACTCS will continue to consider human rights when developing policies, delivering services and making decisions.

ACT Inspector of Correctional Services

- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the role of the Inspector of Correctional services (the Inspector).
- The Inspector works collaboratively with ACTCS and oversight agencies such as the ACT Human Rights Commission, ACT Ombudsman, Public Advocate and the Official Visitors, to identify issues in adult corrections, and propose solutions to promote continuous improvement.
- In June 2018, the Inspector initiated a formal review into the management and care of remand detainees at the AMC. The review is not yet finalised.

Cleared as complete and accurate:	16/07/2018	
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Lead Directorate:	Justice and Community Safety	

Rehabilitation Framework

- ACTCS is undertaking extensive work to refresh and review existing policies and introduce pro-social methods of detainee management.
- ACTCS has finalised a rehabilitation framework which reflects the profile of the detainee population, outlines the therapeutic programs provided at the AMC, and guides the integration of rehabilitative activities and services through effective sentence planning and management.
- This over-arching framework will improve sentence management and the outcome of service delivery of offender rehabilitation programs.
- Recognising that security and safety are paramount, the Rehabilitation Framework will inform the operational philosophy for ACTCS.

Structured Day

- ACTCS has implemented a structured day in the new female accommodation unit. This will progress to a pro-social model of detainee management including the introduction of an incentive and earned privilege scheme within the AMC.
- These changes will be embedded across all detainee cohorts over time.
- The structured day includes initiatives that provide opportunities for detainees to participate in employment, programs, education and other pro-social activities.
- A structured day also enables detainees to develop personal responsibility, apply values that reinforce law-abiding behaviour, and contribute positively towards society after release.
- Where possible, detainee employment will be linked to accredited training to provide opportunities for detainees to develop skills that improve employment prospects upon release.

Employment

- ACTCS has made significant progress in developing industry employment opportunities for detainees at the AMC.
- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities.

Cleared as complete and accurate:	16/07/2018	
Cleared by:	Executive Director	Ext:70879
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Lead Directorate:	Justice and Community Safety	

- Prison industries not only give detainees the opportunity to work and gain skills and qualifications, it introduces a meaningful daily routine, provides teamwork opportunities, helps to address offending behaviour and promotes pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- The construction of enhanced industries, namely, a new bakery, expanded laundry and the multi-purpose activities centre at the AMC, was completed last year.
- The expansion of prison industries includes the recruitment of a second baker, the expansion of the recycling area and an extension of industrial cleaning and grounds maintenance crew capabilities.
- Additionally, the Extended Throughcare Program (Throughcare) works in conjunction with case management in the AMC to support individuals into training or employment options post release.
- Throughcare has relationships with several training providers, and job network providers within the ACT, and continues to explore the Canberra work landscape to source and create new partnerships designed to support higher numbers of people into employment.

Housing

- Throughcare are actively engaged in the ACT Housing Strategy workshops.
- Throughcare supports individuals who have recently exited the AMC to explore their housing options, through referrals to available services, and liaising with those services.

Key Information

- ACTCS does not provide housing and employment supports for people exiting the AMC, other than the services provided by the Throughcare program.

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Cleared by:	Executive Director	Ext:70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	Ext: Sch 2 s 2.2 (a)
Lead Directorate:	Justice and Community Safety	

Background Information

ACT Inspector of Correctional Services

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation.
- The Inspector was established in response to recommendation 8 of the Moss Review.

Rehabilitation Framework

- The development of a rehabilitation framework addresses a number of recommendations made in external and internal reviews.
- As part of the Audit Office 2013-14 program, the Auditor-General undertook a performance audit of the AMC, with the final report tabled in the Assembly in 2015.
- Recommendation 1 of the audit recommended that ACTCS develop a rehabilitation framework for the AMC. You were briefed on the proposed framework in Min:2018/516.

Structured Day

- Implementation of a Structured Day has been recommended in a number of external reviews:
 - Human Rights Audit on the Conditions of Women at the Alexander Maconochie Centre (Recommendation 23)
 - Auditor-General's review of the Rehabilitation of Male Detainees at the Alexander Maconochie Centre (specifically Recommendation 1 and 10).
 - Conclusions of the Moss Review observed that the lack of a structured day at the AMC leads to boredom.

Cleared as complete and accurate:	16/07/2018	
Cleared by:	Executive Director	Ext:70879
Information Officer name:	Jon Peach	
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Lead Directorate:	Justice and Community Safety	

ISSUE: INSPECTOR OF CORRECTIONAL SERVICES – CURRENT REVIEW**Talking points:**

- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the role of the Inspector of Correctional Services (the Inspector).
- The Inspector works collaboratively with ACTCS and oversight agencies to identify issues in adult corrections, and propose solutions to promote continuous improvement.
- In June 2018, the Inspector initiated a formal review into the management and care of remand detainees at the Alexander Maconochie Centre (AMC).
- The review team, led by the Inspector, attended the AMC from 12 to 14 June 2018 to meet with remandees in accommodation areas.
- While the review is not yet finalised, the Inspector made a point to commend the professionalism, assistance and friendliness of the staff and detainees at the AMC during the review.
- In recent years, ACTCS has undergone considerable organisational change, with further work identified through the ACTCS Strategic Plan 2017-19 'Resetting the foundations'.
- It was reassuring to hear from an independent body, such as the Inspector, that there is a positive culture operating at the AMC.

Key Information

- The Inspector has identified that the review will examine how ACTCS manages remandees with regard to the unique needs of individuals who may not have been imprisoned before, and who may be facing protracted legal proceedings.
- While the review will also examine the non-separation of remand and sentenced detainees, the Inspector has indicated that he will not make recommendations about the building of a separate remand prison in the ACT.
- There is a legislative requirement for the Inspector to give a report on each any review conducted to the ACT Legislative Assembly within six months of completing the review.

Cleared as complete and accurate: 05/09/2018
Cleared by: Executive Director Ext: 70789
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation. The Inspector is required by legislation to examine and review each place declared to be a correctional centre under the *Corrections Management Act 2007* at least once every two years, and provide the findings of these reviews to the Legislative Assembly.
- The Inspector was established in response to recommendation 8 of the Moss Review.
- The Inspector is authorised to:
 - enter a correctional centre at any time on his own initiative
 - inspect:
 - any document, including a health record relating to a detainee
 - any other record required to be kept by the correctional centre
 - any part of the correctional centre
 - any vehicle or equipment used at a correctional centre or in the provision of correctional services
 - speak to, or privately interview
 - a person other than a detainee at the correctional centre
 - a person involved in the provision of correctional services
 - a consenting detainee.
 - take any equipment reasonably required to effectively conduct an inspection.

Cleared as complete and accurate: 05/09/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community
Safety

Ext: 70789

TRIM Ref: 2018/000084-031

Portfolio: Corrections and Justice Health**ISSUE: DETAINEE NUMBERS****Talking points:**

- On 19 June 2018, detainee numbers in the ACT reached a new high of 507.
- While detainee numbers have remained steady since that time, they remain high. Since 1 July 2018, the highest number of detainees recorded in the AMC was 501, on 10 July 2018.
- The increasing detainee population has placed pressures on accommodation for detainees at the AMC.
- To ameliorate the situation, ACT Corrective Services (ACTCS) expanded accommodation for male detainees in the Alexander Maconochie Centre (AMC) in 2016 and relocated female detainees to the Special Care Centre in late 2017.
- While this has increased the number of available beds within the AMC, the Government recognises that detainee numbers will continue to increase alongside the growth in the ACT's population.
- The Government is proactively managing the issues presented by increased detainee numbers through the Justice Reform Strategy and the Justice Reinvestment Strategy.

Female detainee numbers:

- Between 2014 and 2018, the ACT experienced a marked increase in female detainee numbers. Increases in the number of female detainees is not limited to the ACT; it is a national issue with all jurisdictions experiencing these increases.
- The ACT female imprisonment rate has increased from 14 per 100,000 of the female adult population on 30 June 2015 to 26 per 100,000 of the female adult population on 30 June 2017.

Cleared as complete and accurate: 04/09/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

- The average daily number of detained females in:
 - 2017-2018 financial year was 38
 - 2016-2017 financial year was 32
 - 2015-2016 financial year was 23
 - 2014-2015 financial year was 19
- On 5 June 2017, female detainee numbers in the ACT reached a new high of 45 detainees.
- Since 1 July 2018, the female detainee population in the ACT has consistently been within the range of 35 and 40.

Indigenous detainee numbers:

- The ACT has experienced a steady increase in Indigenous detainees from 2014 onwards.
 - On 30 June 2018, Indigenous detainees comprised 22 per cent of the AMC prisoner population
 - On 30 June 2014, Indigenous detainees comprised 16 per cent of the AMC prisoner population
- Likewise, the age standardised imprisonment rate for Indigenous detainees in the ACT has increased:
 - 30 June 2017 - 1,703 per 100,000 of the Indigenous adult population
 - 30 June 2014 - 1,219 per 100,000 of the Indigenous adult population
- Average daily number of Indigenous detainees in
 - 2017-2018 financial year - 103
 - 2016-2017 financial year - 92
 - 2015-2016 financial year - 92
 - 2014-2015 financial year - 68

Cleared as complete and accurate: 04/09/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

QUESTION TIME BRIEF

- On 13 March 2018, Indigenous detainee numbers in the ACT reached a new high of 115.
- From 1 July 2018 to date:
 - the highest number of male Indigenous detainees in the ACT was 96 on 22 July 2018
 - the highest number of female Indigenous detainees in the ACT was 15 between 1 July and 17 July 2018.

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level. Since 30 June 2016, the adult prisoner population has increased across all States and Territories except for the Northern Territory, which recorded a small decrease.

Cleared as complete and accurate: 04/09/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

ISSUE: BREACH OF PRIVACY/CONTRABAND FIND – USB DEVICE**Talking points:**

- In March 2018, an individual's privacy was inadvertently breached by ACT Corrective Services (ACTCS).
- I was disappointed to hear about this incident; however, I have spoken with the Executive Director of ACTCS and am confident that the matter is being handled appropriately.
- ACTCS has acted in accordance with the Office of the Australian Information Commissioner's (OAIC) *Data breach notification guide: A guide to handling personal information security breaches*.
- I understand the affected individual, as well as the ACT Human Rights Commissioner, and the OAIC, were notified of the incident.
- In April 2018, ACTCS conducted an Internal Management Review into the incident to consider how this situation occurred and how ACTCS could prevent any further incidents. This review was completed on 30 April 2018.
- In response to recommendations arising from the review, ACTCS has applied additional measures to ensure that personal detainee information is protected from unauthorised access, use, modification or disclosure. USB devices required for staff use at the Alexander Maconochie Centre (AMC) are now encrypted and recorded on a register and an internal server for file sharing between the Court Transport Unit (CTU) and the AMC has been implemented.
- On 10 July 2018 the OAIC informed ACTCS that, at this time, it did not intend to take any action in response to the data breach.

Key Information

- ACTCS briefed the Minister about this matter in April 2018 as part of a broader brief relating to contraband finds at the Alexander Maconochie Centre (see MIN:2018/001728).

Cleared as complete and accurate:	05/09/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

Background Information

Sch 2 s 2.2 (a)(ii)



Cleared as complete and accurate:	05/09/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	



QUESTION TIME BRIEF

TRIM Ref: 2018/000084-032

Portfolio: Corrections and Justice Health

ISSUE: FOI – JON STANHOPE: Alexander Maconochie Centre (AMC) Needle Syringe Program (NSP)

Mr Jon Stanhope, former Chief Minister, submitted a Freedom of Information (FOI) application on 3 May 2018, with a second application submitted on 14 August 2018 in relation to the NSP.

Talking points:

- The Justice and Community Safety Directorate (JACS) processed the application to identify relevant documents including the Department of Justice and Community Safety Union Collective Agreement 2007-2010, the first agreement that referred to a needle exchange and subsequent relevant Agreements.
- The Agreements included that no needle exchange program, however presented, shall be implemented without prior consultation and agreement on how such a program can be implemented. Agreement was required initially between parties to the Agreement and this was amended in later agreements to between the Department/Directorate and the union(s) covered by the Agreement.
- This clause was negotiated in 2007 between the then Chief Minister and Community Public Sector Union (CPSU) prior to the opening of the AMC, and drafted between the Chief Minister's office and his department.
- The inclusion of this clause was considered to be non-negotiable.
- On 1 April 2015, I signed the Deed of Agreement with the CPSU that included the establishment of a joint working group, a staff ballot process to determine the level of support for any proposed model, and the commitment not to implement any model without a majority of support from staff eligible to participate in the ballot.

Cleared as complete and accurate:	04/09/2018	
Cleared by:	Executive Director	Ext:50567
Information Officer name:	Danielle Krajina	
Contact Officer name:	Kaye Yen	Ext: 70566
Lead Directorate:	Justice and Community Safety	



QUESTION TIME BRIEF

- My aim remains to establish a safe needle syringe program within the AMC. However, I note that the working group was provided clear advice that needle and syringe programs can only succeed when they have the full support of staff.
- The current Enterprise Agreement nominally expires on 30 June 2017, with negotiations for the new agreement underway and does not include a reference to a NSP.
- The Deed of Agreement will remain in force until a new enterprise agreement commences.

Background Information

- The original application requested access to, a copy of all documents of whatever description, related to the granting of a so called veto to prison officers over the decision to introduce a needle program in the AMC.
- An FOI assessment of the requested documents was completed using the public interest test. The documents were released on 22 June 2018 to Mr Stanhope. On 6 July 2018, the documents were made publically available on JACS Disclosure Log in accordance with the legislative requirement.
- On 14 August 2018, Mr Stanhope, submitted a second FOI application. It requests access to, all documents in the possession of the ACT Government relevant to a Fair Work Australia decision on the interpretation of the enterprise agreement relevant to prison officers in so far as it relates to the operation of a needle program in the AMC, and additionally, all documents of whatever description provided to the Minister for Justice in relation to the operation of a needle exchange in the AMC. This current FOI is being progressed and an access decision is due to Mr Stanhope on 24 September 2018.
- Recent Canberra Times articles published (dated 10 August 2018); Shane Rattenbury targeted in scathing critique of needle swap inertia, and (dated 13 August 2018); Rattenbury hits back at Stanhope over needle exchange, have provided a public commentary on current events.
- A Canberra Times article (dated 20 April 2018) stated that when the AMC opened, then Chief Minister, Jon Stanhope, provided veto power to the Community Public Sector Union (CPSU) in the enterprise agreement. The article further quoted a spokeswoman for Minister Rattenbury stating that 'arrangements put in place in 2008, continue to stymie the process (of introducing a NSP).'

Cleared as complete and accurate:	04/09/2018	
Cleared by:	Executive Director	Ext:50567
Information Officer name:	Danielle Krajina	
Contact Officer name:	Kaye Yen	Ext: 70566
Lead Directorate:	Justice and Community Safety	



QUESTION TIME BRIEF

- The released documents showed that past government representatives have endeavoured not to create a fixed position of veto in relation to the NSP for AMC employees/Union for future negotiations. It should however be noted that Clause 262 of Department of Justice and Community Safety Union Collective Agreement 2007-2010, stated that no needle exchange program would be implemented without **prior consultation and agreement** by the parties to the Agreement on how such a program can be implemented.
- The Deed of Agreement (the Deed) signed by you in April 2015, resulted in a joint Working Group being established between the ACT Government and the CPSU, with the intention of creating an NSP model.

Cleared as complete and accurate:	04/09/2018	
Cleared by:	Executive Director	Ext:50567
Information Officer name:	Danielle Krajina	
Contact Officer name:	Kaye Yen	Ext: 70566
Lead Directorate:	Justice and Community Safety	

TRIM Ref: 2018/000084-001

Portfolio: Corrections and Justice Health**ISSUE: MOSS REVIEW****Talking points:**

- On 2 June 2016, I announced that the Government would conduct an independent inquiry into the circumstances surrounding Steven Freeman's care and treatment while in custody.
- The Review, undertaken by Mr Philip Moss AM, concluded on 7 November 2016. In the interests of transparency and full disclosure, I released the report publicly on 10 November 2016.
- On 15 February 2018, I provided an update to the Assembly on the implementation and key milestones of the Moss Review recommendations.
- On 20 June 2018, the Moss Implementation Steering Committee closed the project.
- Seven of the nine recommendations of the Moss Review have been found satisfied by the Steering Committee.
- Recommendation 5 relates to the introduction of Winnunga into the Alexander Maconochie Centre (AMC), and work to achieve this remains ongoing. Since 2 July 2018 staff from Winnunga have been present at the AMC developing protocols for service delivery. Winnunga will start delivering health services to detainees in October 2018.
- Recommendation 6 has not been achieved as it requires a commitment from Government to build another facility. No such decision has been made.
- I anticipate that a statement will be made to the ACT Legislative Assembly on the closure of the Moss Review Recommendations in October 2018.

Key Information

- Implementation of recommendations of the Moss Review was led by an Inter-Directorate Project team and overseen by a high-level Steering Committee. The Steering Committee was led by an independent Chair, Mr Russell Taylor AM, and had representatives from the Elected Body, Winnunga and the Aboriginal Legal Service on it.

Cleared as complete and accurate:	04/09/2018	
Cleared by:	Executive Director	Ext: 70847
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

QUESTION TIME BRIEF

- The implementation of the Moss Review recommendations has resulted in significant reform especially in ACT Corrective Services, other Government Directorates, and Statutory Office Holders, around the provision of health and custodial services at the AMC, to improve the health, safety and wellbeing of detainees.
- Mr Moss made nine recommendations for the improvement of services to all detainees at the AMC. It made eight specific recommendations and one overarching recommendation that seeks to address a number of other conclusions and suggestions relating to the justice system more broadly.

RECOMMENDATION STATUS REPORT

Rec	STATUS	Comment
1	Complete	On 22 November 2017 the Steering Committee decided that this recommendation has been satisfied.
2	Complete	On 12 December 2017 the Steering Committee decided that this recommendation has been satisfied.
3	Complete	On 12 December 2017 the Steering Committee decided that this recommendation has been satisfied.
4	Complete	On 25 January 2018 the Steering Committee decided that this recommendation has been satisfied.
5	Ongoing	ACT Health and ACTCS have worked collaboratively with Winnunga to develop and agree to a best practice model of Aboriginal and Torres Strait Islander health service delivery at the AMC. The Winnunga service commenced in the AMC on 1 July 2018.
6	Not Achieved	While agreed in principle, this recommendation requires a commitment to build another facility by Government to allow for the separation of remand and sentenced detainees.
7	Complete	On 14 March 2018 the Steering Committee decided that this recommendation has been satisfied.
8	Complete	On 14 March 2018 the Steering Committee decided that this recommendation has been satisfied.
9	Complete	On 20 June 2018 the Steering Committee found that this recommendation has been satisfied. The Steering Committee has handed ongoing monitoring of the Moss Review conclusions to other oversight agencies.

Background Information

- On 27 May 2016, 25 year old Aboriginal man, Steven Freeman, died whilst in custody at the AMC. Steven Freeman had been held in custody from 28 April 2015.
- Steven Freeman was the subject of a serious assault in the AMC shortly after he arrived at the AMC.

Cleared as complete and accurate: 04/09/2018
 Cleared by: Executive Director Ext: 70847
 Information Officer name: Jon Peach
 Contact Officer name: Sch 2 s 2.2 (a)(ii)
 Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- On 2 June 2016, I announced an independent inquiry into the management of the custody and care of Steven Freeman at the AMC. I appointed Philip Moss AM as the independent reviewer.
- The inquiry examined Steven Freeman's treatment during his period of incarceration, including whether ACTCS' systems operated effectively and in compliance with human rights obligations.
- Mr Moss titled the review *'So Much Sadness in our Lives, Independent Inquiry into the Treatment in Custody of Steven Freeman'*.
- As with all deaths in custody, Steven Freeman's death was the subject of a coronial inquest. The coronial hearings commenced on 27 February 2017 and the findings were handed down on 11 April 2018.
- Coroner Cook found that the quality of care, treatment and supervision afforded to Mr Freeman by ACT Corrective Services and ACT Health was not found to contribute to his death.
- A formal government response to the coroner's findings was tabled in the ACT Legislative Assembly in August 2018.

Cleared as complete and accurate: 04/09/2018

Cleared by: Executive Director

Ext: 70847

Information Officer name: Jon Peach

Contact Officer name: Sch 2 s 2.2 (a)(ii)

Lead Directorate: Justice and Community
Safety

TRIM Ref: 2018/000084-034

Portfolio: Corrections and Justice Health

ISSUE: AMC K9 Unit capability

Talking points:

- The ACT Corrective Services (ACTCS) K9 Unit conducts searches throughout the Alexander Maconochie Centre (AMC), including the visits area, accommodation blocks, mail and vehicles.
- Due to unexpected staff resignations, from 9 August 2018, ACTCS K9 Unit has been temporarily inoperative.
- ACTCS is in the process of recruiting new K9 handlers and arranging for appropriate K9 training.
- ACTCS has seconded three dog handlers and dogs from Victoria to resume PAD operations at the AMC. They will commence in mid-September 2018.
- A successful applicant has been identified and they are required to attend a 13 week PAD dog course.
- ACTCS has worked with Corrective Services NSW to secure a place for the successful applicant on the NSW facilitated K9 course, commencing 17 September 2018.
- The new ACT dog handler is expected to commence K9 duties at the AMC on 24 December 2018. There will be an overlap with the staff from Victoria to enable the new ACT dog handler to get exposure to the practices of experienced officers.
- The K9 unit is just one of many measures that ACTCS uses to assist with searches and prevent the entry of contraband into the AMC.
- The ACT Government has invested funding of \$8.8 million over the next three and a half years for security-related matters at the AMC.


Cleared as complete and accurate:	07/09/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

Key Information

- ACTCS previously had two operational dog units consisting of Rusty, a Border Collie, and Uno, a Labrador, and their handlers.
- Both handlers unexpectedly resigned from their positions with ACTCS, and both dogs were retired with their handlers.
- The correctional agency facilitating the K9 course will source PAD dogs for the handlers, as part of the course cost. Corrective Services NSW has available PAD dogs and places on the 17 September 2018 and early 2019 courses.

Background Information

- ACTCS uses PAD dog searches to reduce the introduction or possession of drugs or contraband through searching visitors, employees, detainees, and vehicles entering or accommodated in the AMC.
- An Expression of Interest for a dog handler positions was circulated to corrections officers on 13 August 2018. A successful applicant has been identified and is required to attend a 13 week PAD dog course.
- ACTCS does not have the operational capacity to facilitate a PAD dog course. Corrective Services NSW has a K9 course scheduled to begin 17 September 2018, with available PAD dogs, and will be in a position to include one ACTCS trainee dog handler. They have indicated that a course in early 2019 will have the capacity to include the other ACTCS trainee dog handler. Placement approval is subject to individual applications.

Cleared as complete and accurate: 07/09/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

TRIM Ref:2018/000084-023

Portfolio: Corrections and Justice Health**ISSUE: CORONER'S REPORT ON MR STEVEN FREEMAN'S DEATH****Talking points:**

- I would like to reiterate my deepest sympathy to the family and friends of Mr Steven Freeman, and ask that their privacy be respected.
- Mr Freeman's death in custody was the subject of a Coronial Inquest.
- The Coronial hearings commenced on 27 February 2017 and findings were handed down on 11 April 2018.
- The ACT Government notes the findings made by the Coroner that the quality of care, treatment and supervision afforded to Mr Freeman by ACT Corrective Services and ACT Health was not found to have contributed to his death.
- The Coroner made seven recommendations for the ACT Government to consider.
- A Government Response to the Coroner's recommendations was tabled in the ACT Legislative Assembly in August 2018.
- The Government Response agrees to four recommendations, and agrees in principle to three recommendations.
- ACT Health and ACT Corrective Services have already implemented a number of actions through the Government's response to the Moss Review that go towards implementing the Coroner's recommendations.

If asked about the family of Steven Freeman

- I again express my deep sympathy and condolences to Steven's mother, and his family for their loss and grief.
- I have reached out to via Ms Julie Tongs, CEO Winnunga, and offered to meet with her to discuss the coronial findings.
- I will continue to work with the family to ensure that appropriate actions are taken in response to the coronial findings and recommendations.

Cleared as complete and accurate: 06/09/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

Key Information

- The coronial inquest into the death of Mr Freeman commenced on 27 February 2017, ran for six days and was re-convened on 10 August 2017 for a further two days.
- During the eight days of the hearing, six ACT Government staff gave evidence, from both the Justice and Community Safety Directorate (JACS) Sch 2 s 2.2 (a)(ii) and Mr Don Taylor) and ACT Health (Sch 2 s 2.2 (a)(ii)).
- The ACT Government actively supported the coronial process and worked closely with the Coroner to provide all relevant documents and evidence during the Inquest.
- The ACT Government continues to prioritise work to improve services at the AMC for all detainees and to progress the response to the Health Services Commissioner's review into the Opioid Replacement Therapy (ORT) program at Alexander Maconochie Centre.

Background Information

On 27 May 2016, a 25 year old Aboriginal male detainee was found unresponsive in his cell. Attempts to revive him were unsuccessful. The Coronial Inquest heard evidence that at the time of his death he had recently been placed on the methadone program. Concerns were raised during the Inquest about the management of the methadone program within the AMC.

Methadone Management at AMC

- In response to recommendation 7 of the Moss Review, on 9 March 2018, the ACT Health Services Commissioner released the report into the review of the opioid replacement treatment program at the AMC.
- The administration of methadone to detainees at the AMC is undertaken by ACT Health – Justice Health. The clinical records of detainees are held and maintained by ACT Health – Justice Health. AMC custodial staff do not make decisions about medications or medical treatment for detainees.
- ACTCS and ACT Health – Justice Health have progressed changes in relation to the policy and procedures regarding the methadone program at the AMC.

ACT Government's Response to the Moss Review

- The response to the Moss Review is covered in detail in a separate QTB.

Cleared as complete and accurate:	06/09/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

TRIM Ref: 2018/000084-036

Portfolio: Corrections and Justice Health**ISSUE: AMC POLICIES: CLOTHING, EMAIL, VISITS, CONTRABAND, ASSAULTS IN CUSTODY****Talking points:**Email policy

- Detainee access to email is managed in accordance with the *Corrections Management (Email, Internet and Legal Education and Resource Network [LEARN]for Prisoners) Policy 2010*.
- Detainees request email contact with individuals and all applications are positively vetted in accordance with the above-mentioned policy. Individuals in the community are not able to make requests to email detainees. ACT Corrective Services (ACTCS) has identified that this would significantly increase the risk of victim contact as individuals may create an alias.
- Processing of applications is dependent on a number of factors, including the ability of ACTCS to contact the proposed recipient, staffing levels, and the number of applications that may require processing at any one time. Subject to these factors, ACTCS aims to have requests processed within 24 hours.

Dress codes at AMC

- Dress codes are imposed to reduce the opportunity for the introduction of contraband during visits, minimise the opportunity for the display of gang identification, and to ensure the safety of detainees, staff and visitors.
- Failure to comply with the dress code may lead to the visitor being denied entry and the visit being cancelled.
- Detainees are able to apply to have visitors to the Alexander Maconochie Centre (AMC) bring property.
- This will only be approved where the detainee is not already in possession of property in excess of the amounts specified in the policy.

Cleared as complete and accurate: 06/09/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

AMC Visits policy

- ACTCS encourages family and friends of detainees to visit them while in custody in order to maintain important ties with the community.
- The visits phone line is a call back service which is staffed 9am to 5pm, Monday to Friday.
- Bookings must be made at least 24 hours in advance, unless otherwise approved by the General Manager, Custodial Operations. The process for booking visits entails the visitor calling a booking line and providing details of the detainee they wish to visit, a preferred date and their contact details in a recorded message, which ensures that all visits are booked in the order that they are requested. This information, as well as the hours of operation, is conveyed in the recorded message for visits bookings.
- There is no current capacity to book visits online or via email. The telephone booking system was initially put in place to guarantee equal access to visits by ensuring that visit requests were processed in the order in which they were received.
- ACTCS is investigating alternate options, including the ability to book visits online, as part of a broader review of the visits booking process.
- ACTCS is trialling new software which, once operational, will mean that visitors no longer have to complete a visitor form each time they visit the AMC. Visitors still need to undergo an iris scan on entry for security reasons.
- For visitors coming to the AMC, there are rules to maintain the good order of the facility. These are publicly available and prominently displayed at the entrance to the AMC.
- Visitors are expected to behave courteously to AMC staff, other visitors and detainees, and to abide by the visitor dress code.
- Where a detainee or visitor breaches the AMC visits policy (for example, through the introduction, or attempted introduction, of contraband or because of unacceptable behaviour), they can have their visitation rights withdrawn, or they can be placed on closed visits, to ensure the good order and safety of the AMC.

- Detainees may visit other detainees within AMC where there is a confirmed relationship.
- Former detainees may apply to visit current AMC detainees.
- These applications will be reviewed by ACTCS on a case by case basis, and the applicant will be formally notified of the outcome.

Contraband

- ACTCS has various physical and static security measures to prevent entry of prohibited items into the AMC.
- ACTCS works closely with ACT Policing to prevent the introduction of contraband at the AMC including providing assistance with investigations, and exchanging information and intelligence.
- Medication has always comprised a high number and proportion of items seized as part of ACTCS contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.

Serious Assaults

- ACTCS staff work hard each day to ensure the safety of detainees and de-escalate and prevent serious incidents at the AMC.
- Within correctional facilities however, there is the inherent potential for conflict amongst some detainees. There is often pre-existing tension in the relationships between detainees at the AMC, resulting from interactions and associations, both in custody, and in the community.
- The Government's response to the Moss Review reflects our commitment to implementing transformational change and sharing with the community what we will do differently to improve the care, safety and health of detainees.
- Funding of \$8.8 million over the next three and a half years has been allocated for security-related matters at the AMC.
- This will assist ACTCS to combat assaults and other serious incidents.
- ACTCS continues to refer all serious assault allegations to ACT Policing for investigation.

- The Government also acknowledges the importance of ensuring that assaults, including those committed within the AMC, are thoroughly investigated with a view to holding offenders to account through prosecution of offences.

Key Information

AMC Visits Policy

- The AMC Executive Support Unit is responsible for the phone line and makes every effort to respond to all voicemail messages within 24 hours.
- The AMC can facilitate scheduled non-contact visits five days a week, however on application, the non-contact visit facilitates may be used during the remaining two days.
- ACTCS has seven non-contact visit rooms, two of which are large enough to facilitate group visits. On the five days allocated for scheduled visits, there is a total of 30 different sessions available.
- During the 2017-2018 period, 645 non-contact visits were facilitated.
- Anyone subject to a visitation ban will be notified in writing of the restriction and the period for which it applies.
- Appeals against visitor bans may be made, in writing, to the Executive Director, ACTCS.
- AMC intra-centre visits are subject to specific conditions, including that:
 - Both detainees have been in custody for 28 days before a visit is approved.
 - Both detainees submit a clean urine test prior to the visit being facilitated.
 - Both detainees must not have had any disciplinary action in the past 28 days.

Contraband

- In the 2017-18 financial year, corrections officers undertook 13,789 searches.
- The AMC perimeter is approximately 1.3 km in length and is strengthened by security measures including 525 closed circuit television (CCTV) cameras. Staff check the grounds.
- ACTCS undertakes measures to search visitors, staff, contractors, and their belongings entering the AMC. These include:
 - metal detectors;
 - X-Ray baggage scanner to scan property;
 - itemiser tests to detect traces of drugs and explosives; and

Cleared as complete and accurate: 06/09/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

- physical searches of all vehicles prior to entering and exiting the AMC including use of mirrors to search under the vehicles and random canine searches (except, for example, ambulances in case of emergency).
- Between 1 March 2018 and 30 June 2018, the Security Operations Team found 12 mobile phones, 22 mobile phone accessories (including charges and SIM cards), 18 USBs, 20 syringes and 61 drugs. The drugs category is broad and includes the seizure of multiple drugs, as well as the seizure of stockpiled or non-prescription medication.
- An updated prohibited items declaration for the AMC was published on 24 August 2018.

Serious Assaults

Report on Government Services Assaults data

- The 2018 Report on Government Services, released in January 2018, identified that the ACT had the highest prisoner serious assault rate in the country.
- The rate for 2016–17 was 3.59 per 100 prisoners/detainees, which was an increase from 0.75 per 100 prisoners/detainees in 2015–16. In terms of raw numbers there were 16 serious assault incidents in 2016–17, three in 2015-16, 11 in 2014-15 and eight in 2013-14.
- The ACT's prisoner on officer assault rate was the highest in Australia at a rate of 1.80 per 100 prisoners. This is a result of eight assault incidents against staff.

Moss Review

- In response to Recommendations 2 and 3 of the Moss Review, ACTCS and ACT Policing signed an amended Memorandum of Understanding (MoU) on 28 April 2017. The MoU included changes relating to information shared about assaults.

Background Information

Detainee property limits

- The AMC accommodates more than 450 detainees at any given time.
- Detainee property amounts are limited in order to reduce safety hazards, and to maintain the good order and hygiene of the facility.
- Detainees are able to apply to have visitors in the AMC bring additional items of clothing, in addition to what they already have within the AMC, subject to the limits specified in the policy.

Visits by Ex-Detainees

- The outcome of their application may be influenced by Intelligence Unit reports, past history of involvement with the AMC and, if under a supervision order with ACTCS, the status of that order.

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Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- Applications by detainees who are in breach of their supervision requirements or with outstanding warrants, will be declined.

Contraband

- The 'medication' classification relates to items that may have been prescribed to detainees housed within the AMC and subsequently stockpiled, diverted or simply kept past an expected time of use. The medications range from drugs that would be available over the counter in the community (paracetamol) through to pharmacy or prescription medications.

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TRIM Ref: 2018/000084-037

Portfolio: Corrections and Justice Health**ISSUE: FIRE INCIDENTS AND FIRE PREVENTION MEASURES****Talking points:**

- ACT Corrective Services (ACTCS) has adopted a risk-based approach to the provision and use of cigarette lighters within the Alexander Maconochie Centre (AMC).
- The risk of banning cigarette lighters has been shown to be greater than the risk of allowing detainees to have access to these items. Banning cigarette lighters results in detainees using riskier methods, such as using live electrical wires or the heating elements in kettles, to light cigarettes.
- Detainees are allowed to have cigarette lighters on their person at all times in the AMC.
- Detainees are not able to purchase matches.
- ACTCS is developing a broader strategic approach to emergency management.

ACTCS fire prevention measures

- From 9 July 2018, an ACT Fire & Rescue (ACTF&R) Commander has been seconded to the AMC for a three month period, to assist in improving the inter-operability between the AMC and ACTF&R.
- The primary objectives of the secondment are to ensure that:
 - AMC and ACTF&R operational procedures are consistent for fire related incidents;
 - To reduce the number of avoidable false alarms; and
 - To test newly developed fire response procedures.
- A draft Equipment Maintenance Agreement for Breathing Apparatus (BA) at the AMC has been developed in consultation with key stakeholders.

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- BA training has commenced. Currently nine Corrections Officers have attended refresher training. A further 60 staff are scheduled for refresher training between September 2018 and December 2018.
- ACTF&R input into the AMC emergency management plan continues. Draft procedures for structure fires and grass fires have been provided. Draft procedures for Hazmat incidents will be provided by 7 September 2018.
- ACTF&R will engage directly with AMC operations to ensure the proposed procedures are achievable. The proposed changes to the procedures could be comprehensive, and may require significant staff training efforts.
- ACTCS are considering options to reduce the burden of preventable false fire alarms. Options are currently being explored and ACTF&R will work with ACTCS on the solution to be adopted, to ensure that all emergency fire risks are identified and addressed.
- Initial investigation of key elements of the pre-incident plan, including development of an online platform has commenced, however, ACTCS policy and procedure needs to be finalised, or at least agreed in principle before full development can commence.
- The proposed online platform will promote greater cross agency exposure.
- Table top exercises between both agencies will be developed and tested once all other aspects of the project have been agreed in principle.

Key Information

- An Internal Management Review was conducted at the instruction of the Executive Director ACTCS following four cell fire incidents at the AMC in July 2017.
- The Chief Coroner also requested information regarding cell fires.
- The review made 14 recommendations for improvement and an Action Plan has been developed to implement the recommendations.
- Of the 14 recommendations, seven have been completed with the remainder still in progress.

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- Recommendations include updating procedures, strengthening notification and debrief requirements, improved accessibility to PPE, and a WHS review of fire incidents and BA compliance.

Background Information

- ACTCS is developing a broader strategic approach to emergency management, including fire management and prevention.
- The level of actual fire incidents at the AMC over the past three years has remained relatively low, despite a 30 per cent rise in detainee numbers.
- The reason for fires at the AMC are a mix of deliberately lit cell fires, mainly as part of ongoing non-compliance and protest/gain behaviours; and accidental fires due to discarded cigarette butts and wicks and burnt cooking.
- Strategies continue to be implemented to reduce preventable (false) fire alarms which are trending upwards.
- ACTF&R audited AMC BA equipment in June 2017 and recommended modernisation/replacement of the type and number of BA sets (from 8 to 16) and replacement of 24 air cylinders, to improve capability and service efficiency.

Smoking in the AMC

- The *Smoking (Prohibition in Enclosed Public Spaces) Act 2003* does not apply to correctional centres, but the *Corrections Management Act 2007* allows the Director-General or delegate to designate non-smoking areas within a correctional centre.
- Under the *Corrections Management (AMC Smoking) Policy 2009*, smoking is only permitted in designated smoking areas such as courtyards.
- ACTCS does not have any immediate plans to ban smoking in the AMC.

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Sch 2 s 2

TRIM Ref: 2018/00084-038

Portfolio: Corrections and Justice Health**ISSUE: AMC HEALTH SERVICES INCLUDING DRUG OVERDOSES****Talking points:****AMC HEALTH SERVICES**

- ACT Corrective Services (ACTCS) works closely with ACT Health to ensure the health and wellbeing of detainees at the Alexander Maconochie Centre (AMC).
- On 14 August 2017, the Directors-General of Justice and Community Safety (JACS) and ACT Health signed an Arrangement for the Delivery of Health Services to Detainees. It aims to improve health care and service delivery at the AMC by improving communications, information sharing and working relationships.
- The Arrangement goes towards the implementation of Recommendation 4 of the Moss Review, and recommendations from the *Independent Review of Mental Health Services at the Alexander Maconochie Centre*.
- ACTCS and ACT Health are currently working together to develop joint policies and procedures in the area of detainee health care.
- The Moss Review recommended that Winnunga Nimityjah Health and Community Services deliver their holistic and culturally safe services to detainees at the AMC.
- Since 2 July 2018, Winnunga have been present in the AMC developing processes and protocols to deliver the Winnunga model of care in the AMC. Winnunga will commence delivery of the service model in October 2018.

DRUG OVERDOSES

- During December 2017, there were a cluster of medical incidents in the AMC that were associated with detainee misuse, intoxication or overdose on prescribed medications and/or illicit drugs. Two detainees were admitted to the Canberra Hospital for medical care.

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- In response to each of these incidents, ACTCS' policies and procedures relating to medical incidents were followed appropriately.
- On 29 December 2017, the Executive Director, Mental Health, Justice Health and Alcohol and Drug Services (MHJAHDS) requested the Clinical Director of Justice Health Services (JHS) undertake a snap-shot medication and prescription audit at the AMC. The audit was to place particular focus on the availability and prescription of quetiapine to detainees.
- A copy of the audit report *Review of Overdose Incidents and Associated Medication Prescription in the AMC Audit Report January 2018* was provided to the JACS Directorate in February 2018.
- The audit found that none of the detainees who overdosed, or were suspected to have overdosed on quetiapine, between December 2017 and January 2018, had been prescribed this medication.
- ACTCS and JHS will continue to collaboratively work on the identified issues and recommendations in the audit report.
- On 10 February 2018 a detainee participating in the Opioid Substitution Treatment Program received a higher dose than usually prescribed due to an administrative error. The error was identified by ACT Health staff immediately and no medical intervention was required.

Key Information

Contraband

- ACTCS has both physical and static security measures in place to prevent the entry of contraband and prohibited items into the AMC. However, as with all jurisdictions, contraband continues to be a problem in correctional facilities. Detainees will attempt to find ways to circumvent security systems.
- Intercepting prohibited or contraband items such as illicit drugs, drug paraphernalia and technology (such as USBs and mobile phones) is one of the most challenging functions undertaken by corrections agencies.
- Medication discovered in the possession of a detainee who it was not lawfully prescribed to is also considered to be contraband.

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- ACTCS, like other jurisdictions, employs varied security measures designed to prevent entry of prohibited items into the AMC including:
 - physical searches by both corrections officers and Passive Alert Detector dogs, which are trained to detect illicit substances
 - metal detectors and x-ray scanners
 - the on-going exchange of information and intelligence with ACT Policing.
- A contraband strategy is currently being finalised to enhance current measures for the prevention of contraband introductions, but proactive activities have commenced and are proving to be highly successful.
- JACS, in partnership with the ACT Health Directorate, is in the draft stage of developing the AMC Drug Strategy and Blood Borne Virus Strategy 2018-2022. This strategy will focus on the three pillars of Harm Minimisation: demand reduction, supply reduction, and harm reduction. The strategy will focus on reducing the supply and demand of intravenous contraband into the AMC.

AMC Detainee Health and Drug Use

- JHS completes a brief drug and alcohol assessment for all new detainees entering the AMC. This information is used to support detainees who may be withdrawing or have recently taken illicit drugs or prescription medication. The assessment information is maintained in the detainee's individual clinical record.
- JHS does not keep data on the number of detainees who may be known to be using or recently used illicit drugs, or medication not prescribed to them.

Background Information

- There has been ongoing media interest in both illicit and licit drug misuse by detainees. This has included media reports on the overdose incidents that occurred in the AMC in December 2017.

Death of Mark Anthony O'Connor (not for public release) SENSITIVE: PERSONAL

- On 13 May 2017, detainee Mr Mark Anthony O'Connor collapsed in his cell at the AMC. Mr O'Connor was pronounced dead at approximately 8.00pm that day.
- Post-mortem toxicology tests, revealed a number of drugs and medications in Mr O'Connor's system.
- On 29 August 2018, Coroner Theakston held a directions hearing for an inquest into the death of Mr O'Connor at the AMC.
- The ACT Government Solicitor's Officer has advised ACTCS that the main issues to be examined by Coroner Theakston relate to the availability of drugs in the AMC, and the diversion of the prescribed drug Suboxone (buprenorphine).
- In accordance with normal practice and the *sub judice* principles, no public comment should be made in relation to the death or its circumstances during the currency of the Inquest.

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TRIM Ref: 2018/000084-039

Portfolio: Corrections and Justice Health**ISSUE: RECIDIVISM****Talking points:**

- The Parliamentary Agreement for the Ninth Legislative Assembly commits to reducing recidivism by 25 per cent by 2025.
- A whole of justice and human service system approach for the development and implementation of a long-term recidivism plan is well underway.
- The recidivism plan requires an understanding of locally relevant and evidence-based measures for reducing recidivism. It will also need to be carefully balanced to ensure public safety and community cohesion are maintained and further improved.
- Through a combination of prevention, diversion and system-level interventions, the recidivism plan seeks to reduce recidivism among all offenders, with an emphasis on reducing the over representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system, as both offenders and victims.
- The 2018-2019 ACT Budget has allocated \$1,021,000 towards a range of programs and initiatives across a number of Directorates to support families in contact with the justice system.
- The whole of justice recidivism plan reinforces a number of initiatives in the ACT Corrective Services (ACTCS) Strategic plan 2017-2019 “Resetting the Foundations”. These initiatives include:
 - Establishing a rehabilitation framework and reviewing the provision of offender behaviour programs;
 - Maximising purposeful activities by reviewing current opportunities for detainee education, training and employment;
 - Reviewing case management processes and working towards integrated offender management, including greater emphasis on holistic Throughcare;
 - Enhancing ACTCS’ focus on Aboriginal and Torres Strait Islander clients;

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Lead Directorate: Justice and Community Safety

- Developing an ACTCS Reconciliation Action Plan that is focused on strategies to reduce the over representation of Aboriginal and Torres Strait Islander peoples in custody; and
- Strengthening partnerships with service delivery organisations within government and externally.

Key Information

- The Australian Bureau of Statistics (ABS) – Australian Capital Territory, Prisoner Snapshot for 30 June, 2017, shows that 75 per cent of detainees in the Alexander Maconochie Centre (AMC) have previously been imprisoned under sentence. This is the largest proportion of any state or territory (the national average is 57 per cent).
- According to the ABS Australian Capital Territory Prisoner Snapshot for 30 June 2017, Aboriginal and Torres Strait Islander people in the ACT are 16 times more likely to be incarcerated than non-Indigenous people. Recidivism rates are also more pronounced, with the ACT recording the highest rate of recidivism among Aboriginal and Torres Strait Islander detainees of any Australian jurisdiction.
- Although the ACT recidivism results are high, the ACT consistently has the lowest imprisonment rate in Australia per head of population. In 2017, the adult imprisonment rate was 141 prisoners per 100,000 adult population compared to the national imprisonment rate of 216 prisoners per 100,000 adult population. This means that offenders sentenced to periods in prison typically have more endemic offending behaviour. A goal of the recidivism plan will be to change the trajectory of those in the justice system away from high cost government intervention.

Background Information

- ACTCS' recidivism statistics included in the 2017-2018 Justice and Community Safety (JACS) Annual Report show that there has been a decrease in the rate of return-to custody episodes from 41 per cent to 38.5 per cent. There was also a decrease in the percentage of those returning to ACTCS, be that detention or community-based orders. This was observed across all demographics with the highest decrease being seen in the Aboriginal and Torres Strait Islander female cohort. It should be noted that due to the small numbers, a change in the status of a small number of detainees will appear to have a significant impact on the rates of recidivism.
- It should also be noted that the data provided in the 2017-2018 JACS Annual Report is based on ACT detainees released during the 2014-2015 financial year. This allows for the collection of data on detainee and offender return-to-custody episodes for a two-year period, which is consistent with Report on Government Services reporting.

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Portfolio: Corrections and Justice Health**ISSUE: EXTENDED THROUGH-CARE****Talking points:**

- Transitioning back into the community after a period of imprisonment can be a daunting and critical time for detainees.
- The Extended Throughcare Program provides customised support for offenders by developing a release program that focuses on stabilising the offender as they re-enter the community. It ensures supports are established in the areas of housing, health, income, family and community connections, and other basic needs.
- This includes pre-release planning by the Assisted Release into Community Program and may include linking the client with an outreach provider to assist them reintegrate into the community.
- An evaluation of the Extended Throughcare Program in 2017 by the Social Policy Research Centre of the University of New South Wales (the Evaluation), found a reduction in return-to-custody episodes for participants and for those that did return to custody, they remained in the community for longer periods on average.
- The Evaluation also highlights that the cost benefit of the Extended Throughcare Program will increase over time. The Evaluation suggests that there will be significant cost savings to the Government (via the broader criminal justice system) based on the cost of running the program and the reduction in the recidivism rate. It is therefore vital that the ACT Government continue to invest in this program with ongoing recurrent funding.
- A further \$5.3 million over four years was provided in the 2017-2018 ACT Budget for the Extended Throughcare Program. This funding will also provide for a dedicated Aboriginal and Torres Strait Islander Coordination Officer. This Officer will deliver targeted support for Aboriginal and Torres Strait Islander detainees exiting the AMC and will be required to work closely with families to develop stronger supports upon release.

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- This initiative supports the Government’s goal of a 25 per cent reduction in recidivism by 2025, Justice Reinvestment programs, the ACTCS Strategic Plan 2017-2019, and the Aboriginal Justice Partnership 2015-2018.

Changes to Eligibility Criteria

- The Evaluation identified weaknesses in program eligibility criteria. In recognition of the recommendations made in the Evaluation, the eligibility criteria for the Extended Throughcare Program were amended. These changes came into effect on 1 April 2018, and have allowed ACTCS to appropriately target clients who are at most need of support. This has been achieved by setting a lower eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare can now be accessed by:
 - Women who have served greater than 30 days (one month) in custody;
 - Men who identify as Aboriginal or Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal or Torres Strait Islander and have served greater than 182 days (six months) in custody.
- These changes recognise that detainees subject to a lengthy period of remand require support to successfully reintegrate into the community.

Key Information

- Regardless of whether a detainee is subject to post-custody supervision or not, eligible detainees can access Extended Throughcare Program support for a period of up to 12 months following release. Clients access services and support voluntarily and the length of time a client engages with the program varies based on the individual’s needs. As such, clients do not ‘complete’ the program and the depth and duration of each client’s engagement will vary.
- Aboriginal and Torres Strait Islander clients are managed, where possible, by the Indigenous Throughcare Transition Officer. However, when the Indigenous Throughcare Transition Officer is unavailable or on leave, clients will be managed by other Throughcare staff. Similarly, the Indigenous Throughcare Transition Officer, may engage with non-Indigenous clients when an operational need arises.

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Background Information

- In the 2012-2013 Budget process the Government provided funding for the Extended Throughcare Pilot program over a two year period. Additional funding to continue the pilot program for an additional two years was provided in the 2014-2015 Budget.
- The Extended Throughcare Program team was nominated and selected as a finalist in the Citizen-Centred Innovation category of the 2018 Public Sector Innovation Awards. It was the only ACT Government program to be selected as a finalist at the awards.

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TRIM Ref: 2018/000084-042

Portfolio: Corrections and Justice Health**ISSUE: ABORIGINAL AND TORRES STRAIT ISLANDER ISSUES INCLUDING RECIDIVISM, EXTENDED THROUGH-CARE, AND INCARCERATION RATES****Talking points:**

- The rate of Aboriginal and Torres Strait people held in the AMC as a proportion of the total detainee population is a major concern to the ACT Government
- The ACT Government is committed to reduce recidivism by 25 per cent by 2025.
- The JACS Stretch Reconciliation Action Plan and Aboriginal and Torres Strait Islander Justice Partnership Agreement commit to reducing over-representation by reducing recidivism and increasing access to diversionary programs improving services and focusing on data collection and reporting.

Key InformationRecidivism

- ACTCS, through its Offender Services and Corrections Programs Unit, provides and facilitates services and programs tailored specifically towards Aboriginal and Torres Strait Islander detainees, both in custody and offenders in the community under supervision.
- The recidivism statistics in the 2017-18 Justice and Community Safety Annual Report show that the ACT had 38.5 per cent of all detainees (released in 2014-15) return to prison, decreasing from 41 per cent in the previous year. Recidivism statistics are not disaggregated by Indigenous status.
- The Government is committed to building and maintaining a strong Indigenous workforce in ACTCS. This improves ACTCS's ability to provide informed culturally appropriate and sensitive responses to specific Indigenous issues.
- Aboriginal and Torres Strait Islander detainees are able to access programs, services and education available to the general AMC population, as well as programs and services specifically targeted towards Aboriginal and Torres Strait Islander people.

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Extended Throughcare

- The ACT Government provided recurrent funding of \$5.347 million in the 2017-2018 Budget for the Extended Throughcare Program.
- This funding includes an additional full time employee in the designated position of Indigenous Throughcare Transition Officer, to focus on supporting Aboriginal and Torres Strait Islander ex-detainees reintegrating into the community.
- The University of New South Wales evaluation of the Throughcare program found positive outcomes for Aboriginal and Torres Strait Islander women engaged in the program, but highlighted an area for improvement in engaging Aboriginal and Torres Strait Islander men.

Incarceration Rates

- Aboriginal and Torres Strait Islander people continue to be significantly over-represented in the criminal justice system, as both victims and offenders, principally due to historical social disadvantage, social exclusion and systemic racism.
- March 2018 ABS quarter results show that Aboriginal and Torres Strait Islander prisoners represented 28 per cent of the total full-time adult prisoner population (nationally), while accounting for approximately two per cent of the total Australian population aged 18 years and over.
- On 5 September 2018, Aboriginal and Torres Strait Islander male detainees accounted for:
 - 21.6 per cent of the total AMC detainee population – 105 detainees out of a total of 487.
 - 20.6 per cent of the total AMC male population – 92 detainees out of 447
- On 5 September 2018 Aboriginal and Torres Strait Islander female detainees accounted for:
 - 2.7 per cent of the total AMC detainee population – 13 detainees out of a total of 487
 - 32.5 per cent of the total AMC female population – 13 detainees out of 40
- The ACT figures remain well below the national average for Aboriginal and Torres Strait Islander people as a percentage of the total detainee population.

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Background Information

Aboriginal and Torres Strait Islander Staff Profile

- ACTCS employs Indigenous staff in identified and non-identified positions which enhances its ability to provide culturally appropriate responses to Indigenous matters.
- As at 30 June 2018, ACTCS had 26 employees that identified as being from Aboriginal and Torres Strait Islander background. This represents 6.21 per cent of the total ACTCS workforce.
- ACTCS Community Corrections currently employs six identified staff members comprising a senior manager, Community Corrections Officers, and Aboriginal Client Support Officer and a Throughcare Officer.

Programs

- A range of culturally specific programs and services are offered at the AMC for Aboriginal and Torres Strait Islander detainees.
- ACTCS Cultural Programs by detainee sex and legal status:

Program	Women		Men	
	Remand	Sentenced	Remand	Sentenced
In-Custody				
<i>Culture and Land Management Program: Integrates traditional culture, art, music, horticulture and land management with language, literacy and numeracy skills. Delivered with community agencies including Winnunga Nimmityjah Aboriginal Health Service</i>	X	X	X	X
<i>ITCHY (Indigenous Traditional Culture Healing Yarning) Arts Program: An arts and music rehabilitation program delivered with Gugan Gulwan Youth Aboriginal Corporation and Winnunga Nimmityjah Aboriginal Health Service.</i>			X	X
<i>Winnunga Social Wellbeing Program</i>	X	X	X	X
<i>Elders and Community Leaders Visitation Program: A program strengthening cultural connection through visits to the AMC by local community Elders and other respected leaders.</i>	X	X	X	X
<i>Indigenous Pastoral Care: Culturally relevant pastoral care under a specific Aboriginal and Torres Strait Islander chapel service.</i>	X	X	X	X
<i>Indigenous Counselling: provided by Dhunlung Yarra Service staffed by Aboriginal professionals within Relationships Australia Canberra and Region.</i>	X	X	X	X
<i>Transitional Release Centre: Opportunity to undertake reintegration activities including approved day release. For Indigenous detainees, this includes the Winnunga Nimmityjah Aboriginal Health Service Men's Group.</i>				X
<i>NAIDOC Week AMC Family Day: An annual opportunity for family and friends to acknowledge and celebrate Aboriginal and Torres Strait Islander culture.</i>	X	X	X	X
<i>NAIDOC Community Art Exhibition: An exhibition of detainee and offender artwork at the Community Services #1 Gallery in Narrabundah.</i>	X	X	X	X

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QUESTION TIME BRIEF


Community-Based				
<i>NAIDOC Community Art Exhibition: (as above). Provided in the community for current or previous ACTCS clients</i>	X	X	X	X
<i>Yedding Mura (Good Pathways) Aboriginal Corporation: Additional casework support for Aboriginal and Torres Strait Islander people leaving custody.</i>	-	-	-	-
<i>Aboriginal Legal Service: Throughcare support to Aboriginal and Torres Strait Islander clients (provided as part of the Community Justice Programs).</i>	-	-	-	-
<i>Aboriginal Client Services Officer: An Identified Position within ACTCS for a Community Corrections Officer to act as a liaison point for Aboriginal and Torres Strait Islander people on probation or parole</i>		X		X
<i>Community Based Reporting Centre: Community Corrections clients may report to Winnunga Nimmityjah Aboriginal Health Service for supervised community-based orders</i>		X		X

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TRIM Ref: 2018/000084-043

Portfolio: Corrections and Justice Health**ISSUE: INDUSTRIES PROGRAMS AND EDUCATION****Talking points:****Prison Industries Programs**

- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities. Prison industries not only give detainees the opportunity to work and gain skills and qualifications, it introduces a meaningful daily routine, provides teamwork opportunities, helps to address offending behaviour and promotes pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individuals lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- ACT Corrective Services (ACTCS) has made significant progress in developing industry employment opportunities for detainees at the Alexander Maconochie Centre (AMC).
- In 2017, a new bakery, expanded laundry and the multi-purpose activities centre, increased industry employment opportunities for detainees in the AMC.
- Since then, prison industries at the AMC have been further expanded with the establishment of a second shift in the bakery and sheet metal manufacturing employment for a small number of detainees.
- These developments have increased the number of detainees employed across various industries by introducing multiple shifts over a greater number of working days and increased access to recognised accredited industry training.
- Future opportunities for prison industries expansion are currently being investigated by ACTCS. These options include the introduction of multiple shifts over a greater number of working days in the recycling area, the establishment of a sheet metal industry at the AMC and the extension of industrial cleaning and grounds maintenance crew capabilities.

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- The 2018 Report on Government Services (ROGS) for the 2016-2017 reporting period, highlighted that 74.7 per cent of eligible detainees were employed in the ACT, which is in line with the national average of 74.7 per cent.

Education and vocational training

- Detainees are able to access more than 20 accredited general education and vocational education and training (VET) industry units at the AMC. All accredited units of competency offered at the AMC are nationally recognised.
- All VET industry units completed in custody are recognised by registered training organisations in all Australian states and territories. This enables detainees to continue working towards qualification completion following their release from custody.
- These programs provide skill development and experience in a range of industry and vocational areas including: building and construction, asset maintenance, horticulture and land management, hairdressing, information technology, business studies and hospitality.
- A number of non-accredited courses are also offered at the AMC. These include life skills, recreational and cultural art and music courses.
- Additionally, throughout 2016-2017, over 20 detainees participated in some form of higher education, such as tertiary preparation, undergraduate and postgraduate courses, through distance learning arrangements. This rose to 30 detainees by the end of June 2017.
- The 2018 Report on Government Services (ROGS) for the 2016-2017 reporting period, highlighted that the ACT had 70.6 per cent of eligible detainees in education, which is well above the national average of 32.9 per cent.

Key Information

AMC Bakery

- The AMC bakery opened on 20 October 2017 and provided employment for up to eight female detainees.
- Detainees employed in the bakery learn basic hospitality and kitchen operations skills. These skills can lead into recognised trade qualifications after release.


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Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

- ACTCS has recently recruited a second baker. This has enabled a second shift, with the capacity to employ 10, strict-protection, male detainees.
- The commencement of a second shift at the AMC bakery has received positive feedback, detainees involved are enjoying the opportunity to learn new and transferrable skills.
- The addition of a second shift has eliminated the need for the AMC to rely on external suppliers of bakery products.

Background Information

Prison Industries:

- Development of the prison industries strategy included market research, and engagement with the local community and businesses to assess opportunities for commercial expansion.
- Any future plans to expand the scope of industries within the AMC have involved community and industry consultation, including potential negative impacts on local businesses. Decisions of this nature are bound by public sector competitive neutrality guidelines. Expansion is dependent on a full assessment on the potential impact on local business and the community.

Cleared as complete and accurate: 07/09/2018
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Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-044

Portfolio: Corrections and Justice Health**ISSUE: ACCOMMODATION PRESSURES****Talking points:**

- The Alexander Maconochie Centre (AMC) has been experiencing accommodation pressures for several years.
- The Government is proactively managing the issues presented by a continuing upward trend in detainee numbers. This requires a whole of government response to ensure the ongoing safety of detainees and corrective services staff, and to meet the future needs of a growing community.
- The AMC has an operational bed capacity of 511.
- The AMC has 28 special purpose beds. These beds are located in the Management, Crisis and Health Units and are used for specific health, mental health or behavioural management. They are not reflected in the operational capacity.
- ACT Corrective Services (ACTCS) will continue to consider options to deal with the increasing numbers of detainees, while maintaining safety and security.


Key Information

- Operational capacity refers to the total number of beds in a facility which are available for use to accommodate detainees. Not all operational capacity beds can be utilised at all times due to separation and surge issues. Separation refers to a need to separate cohorts of detainees with different classifications and characteristics (e.g. minimum from maximum; detainees who need protection from other detainees).
- The most recent measures to alleviate the increase in detainee numbers have been:
- new accommodation buildings in August 2016 (the Accommodation Unit and Special Care Centre); and
- relocating female detainees to the Special Care Centre in late 2017
- an additional 25 temporary bunk beds have been installed at the AMC.

Cleared as complete and accurate: 04/09/2018
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level.
- During 2013, the actual number of ACT detainees jumped significantly, from less than 240 in January 2013 to in excess of 340 in October 2013. The average daily number of detainees in:
 - 2014/15 financial year was 342, with a high of 411 in November 2015
 - 2015/16 financial year was 402, with a high of 446 in November 2016
 - 2016/17 financial year was 445, with a high of 473 on 20 May 2017
 - 2017/18 financial year was 474, with a high of 507 on 19 June 2018
- On 28 November 2017 all female detainees were moved to a single accommodation unit within the existing AMC campus. The move increased the beds available for female detainees from 29 to 57. However, decreased the beds available to male detainees by 28 beds.
- Work continues within the AMC to identify further options to install double bunking arrangements appropriately.

Cleared as complete and accurate: 04/09/2018
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

**MINISTER FOR CORRECTIONS AND JUSTICE HEALTH
QUESTION TIME BRIEFS**

23-25 October 2018 and 30- 1 November 2018

Question Time Briefs	
1.	Summary of Budget Initiatives
2.	Disability Data and Comments by ACT HRC
3.	Safety and Human Rights of Detainees
4.	Inspector of Correctional Services – Current Review
5.	Detainee Numbers
6.	USB Incident
7.	FOI – Jon Stanhope
8.	Moss Review
9.	AMC Dog Handlers
10.	Government Response and Coroners Report on Steven Freeman
11.	AMC Policies : Clothing, Email, Visits, Contraband, assaults in custody etc
12.	Fire incidents & Fire prevention measures
13.	AMC Health Services
14.	Recidivism
15.	Extended Throughcare
16.	Aboriginal and Torres Strait Islander Issues including Recidivism, Extended Throughcare, Incarceration Rates
17.	Industries, Programs and Education
18.	Accommodation Pressures
19.	Overdoses at the AMC
20.	Contraband
21.	Allocation of housing to known sex offenders
22.	Canberra Times Article - Detainee without running water

*2018*000084-030

Portfolio: Corrections and Justice Health**ISSUE: 2018-19 Budget Summary – Minister for Corrections****Talking points:**

The 2018-19 Budget will invest **\$21.5 million** in the ACT Corrective Services.

This includes:

- **\$15.5 million** over four years to provide additional staff resources associated with an increase in average detainee numbers at the AMC and to replace the mobile duress system
- **\$6 million** over three years to continue the Intensive Corrections Order Scheme to strengthen rehabilitation opportunities for offenders

Background Information

The ACT's budget announcements included initiatives relating to:

- More support for families and inclusion – Better resourcing for the Alexander Maconochie Centre;
- More support for families and inclusion – Intensive Corrections Orders;
- Better support when it matters - Enhancing security at the Alexander Maconochie Centre; and
- Better support when it matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre.

The 2017-18 2nd Appropriation provided:

- **\$11.6 million** over five years to enhance security and safety within the Alexander Maconochie Centre
- **\$6.8 million** over five years (JACS component) to introduce the Winnunga Model of Care at the Alexander Maconochie Centre. ACT Health component of \$1.6 million over two years will be offset against the Health Funding Envelope

Cleared as complete and accurate: 23/07/2018
Cleared by: Deputy Director-General Ext:50567
Information Officer name: David Pryce
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Lead Directorate: Justice and Community Safety

Portfolio: Corrections and Justice Health**ISSUE: DISABILITY ASSESSMENT AND DATA COLLECTION****Talking points:**

- Currently, individuals are requested to self-identify as having a disability as part of the induction process for detainees at the Alexander Maconochie Centre (AMC).
- Disability may refer to physical or intellectual disabilities, or developmental conditions such as Autism Spectrum Disorder (ASD).
- This information is captured on the Induction form. As it relies on self-identification, the data is likely to underrepresent actual figures.
- At this time, ACT Corrective Services (ACTCS) is unable to provide the definitive number of current detainees who identify as having ASD.
- If a detainee identifies as having a disability, this is taken into consideration during the development of their case management plan.
- The data related to the numbers of individuals who have identified as living with a disability is not captured in the current system in a format that allows for the data to be easily extracted.
- Once the new Corrective Services Information Management Solution (CSIMS) is deployed in 2019, detainee data will be collated into an online system. This will enable reports on detainee numbers and identifying factors, including disability status, to be generated.
- The information that will be captured in CSIMS will continue to rely on self-identification and it is likely that the data will continue to underrepresent actual figures.
- In addition to self-identification, Justice Health screen for possible disability or impairment as part of the induction health assessments of detainees. This information is noted in health records.
- Access to individualised services for detainees with an identified intellectual disability has increased since the introduction of the Corrections Psychological and Support Services (CPSS) unit.
- CPSS coordinates care for individuals identified as having significant complex presentations including living with a disability.

If asked about comments from ACT President of the Human Rights Commission

- I am aware of comments provided to the Editor of *The Canberra Times* by Dr Helen Watchirs OAM on 5 June 2018.
- Dr Watchirs advises that the ACT Human Rights Commission “*strongly supports the call for improved assessment and data collection in relation to the prevalence of disability in the prison population in the ACT, as recommended by the Auditor-General in 2015*”.
- I acknowledge that this type of data is important to help identify issues of systemic discrimination and service gaps.
- I am committed to seeing improvements in this area and will continue to work with the Human Rights Commission and ACTCS to achieve this.

Justice Disability Strategy

- As part of the 2018-19 Budget, the ACT Government has announced the investment of \$580,000 to develop a Disability Justice Strategy to respond to the disadvantages faced by people with disability when dealing with the justice system.
- The Disability Justice Strategy aims to reform the civil and criminal justice system to ensure people with disabilities are treated equally before the law, and can participate on an equal basis in civic life through participation in the justice system.
- The Community Services Directorate is leading the implementation of the Strategy in collaboration with the Justice and Community Safety Directorate (JACS).
- ACTCS is developing a Disability Framework. This framework will focus on actions that are specific to ACTCS to address disability related issues of clients of the agency. The framework will support the wider JACS Justice Strategy.

Key Information

- Data relies on detainees self-identifying, prior to undergoing further assessment by Justice Health.
- The current form only allows for a detainee to identify as having a ‘disability’. It does not specify the different types of disability.
- CSIMS is expected to be operational in 2019. ACTCS is investigating the potential inclusion of optional fields to specify the type of disability, including physical or intellectual.
- Only information critical to the operation of the prison is likely to be back-captured. However, ACTCS is still considering the notion of a broader, more comprehensive data migration.

Background InformationData

- In 2015, the ACT Auditor-General’s Report on ‘The Rehabilitation of Male Detainees at the Alexander Maconochie Centre’ recommended that ACTCS capture data on detainees with physical disabilities and intellectual disabilities, in order to improve services for these cohorts and to evaluate the effectiveness of activities and services.
- In November 2015, ACTCS added this data item to the tender specification of the CSIMS.

Hayes Ability Screening Index

- In an email to the Editor of *The Canberra Times* of 5 June 2018, Dr Watchirs, ACT President and Human Rights Commissioner, recommended that ACTCS screen new and current detainees using the Hayes Ability Screening Index (HASI).
- The HASI was piloted in the AMC in 2014 and administered to all detainees as part of induction. Due to the large numbers of detainees affected by drugs on admission, administering the HASI on admission was found to be unreliable. Key red flag questions are now included in the Induction form and if a disability is identified, appropriate referrals are made.
- The HASI is able to be administered by CPSS staff on referral from Justice Health or AMC staff. The HASI is administered to detainees who are suspected of having poor or low level cognitive and intellectual functioning, to determine whether referral to Justice Health Services for comprehensive assessment is required.

TRIM Ref: 2018/000084-028

Portfolio: Corrections and Justice Health**ISSUE: SAFETY AND HUMAN RIGHTS OF DETAINEES****Talking points:**Safety of detainees

- The safety and security of all detainees is a priority for ACT Corrective Services (ACTCS).
- Safety and security within the centre continues to be enhanced with the implementation of a new management structure and operating model at the Alexander Maconochie Centre (AMC).
- A centralised intelligence unit has been established across both Community and Custodial Corrections, to work with staff, detainees and ACT Policing (ACTP) to intercept acts prior to their perpetration.
- This unit will also participate in emerging security issues such as Outlaw Motor Cycle Gangs and countering violent extremism. The increased staffing to this unit will implement intelligence-driven security activities.
- ACTCS continues to work closely with ACTP in support of drug and contraband interdiction measures including providing assistance with investigations, and with the ongoing exchange of information.
- Recommendation 1 of the Moss Review called for improved CCTV quality and coverage at the AMC. The AMC has increased its use of CCTV to 525 cameras to monitor the movement and behaviour of detainees to ensure safety, security and good order at the AMC. The quality of the images that are captured by the CCTV System has also been improved to better support evidentiary outcomes.
- The Memorandum of Understanding (MoU) between ACTCS and ACTP was reviewed and updated to reflect the issues raised by Recommendations 2 and 3 of the Moss Report. The amended MoU was agreed by both agencies and signed on 28 April 2017. It sets out the arrangement between ACTP and ACTCS, including information-sharing, cooperative management arrangements relating to serious incidents and operations, and the nature of incidents to be reported to and responded by ACTP.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext:70879
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Lead Directorate: Justice and Community Safety

- The amended MoU includes arrangements for reporting serious assaults to Deputy Chief Police Officer level within ACTP to ensure investigations are appropriately prioritised and have appropriate oversight.

Human Rights Standards

- On 26 March 2018, the ACT Government released the Human Rights Standards ('the Standards') for ACTCS for community consultation.
- ACTCS already abides by the *Human Rights Act 2004*, other standards set in Commonwealth law and a number of international principles relating to human rights.
- These Standards detail the expectations that we as a community, and the ACT Government, have of adult correctional facilities.
- The Standards outline how detainees will be supported from their initial contact with ACTCS through to their release in the community. This support is provided across key areas including:
 - safety
 - respect and dignity
 - purposeful activity
 - rehabilitation and release planning.
- ACTCS will continue to consider human rights when developing policies, delivering services and making decisions.

ACT Inspector of Correctional Services

- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the new role of the Inspector of Correctional services ('the Inspector').
- The Inspector is a statutory independent office holder position. The Inspector works collaboratively with ACTCS and other oversight bodies such as the ACT Human Rights Commission, ACT Ombudsman, Public Advocate and the Official Visitors, to identify issues in adult corrections, and propose solutions to promote continuous improvement.

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Lead Directorate:	Justice and Community Safety	

- In June 2018, the Inspector initiated a formal review into the management and care of remand detainees at the AMC. This review is not yet finalised and will be provided to the Legislative Assembly in due course.
- The Inspector conducted a desk-top review of a critical incident at the AMC that occurred on 23 May 2018. The review was conducted under section 18(1)(c) of the *Inspector of Correctional Services Act 2017*. The incident involved a physical altercation between two detainees, and resulted in one detainee being admitted to hospital.
- A desk-top review involves the review of documents and reports, including audio/visual records if applicable, provided by ACTCS and other agencies. It does not involve interviewing staff or detainees and is more likely to be conducted where the circumstances of an incident are reasonably self-evident and unproblematic.
- A report on this matter will be delivered to the Legislative Assembly in the coming weeks.

Rehabilitation Framework

- ACTCS is undertaking extensive work to refresh and review existing policies and introduce pro-social methods of detainee management.
- ACTCS has finalised a rehabilitation framework which reflects the profile of the detainee population, outlines the therapeutic programs provided at the AMC, and guides the integration of rehabilitative activities and services through effective sentence planning and management.
- This over-arching framework will improve sentence management and the outcome of service delivery of offender rehabilitation programs.
- Recognising that security and safety are paramount, the Rehabilitation Framework will inform the operational philosophy for ACTCS.

Structured Day

- ACTCS has implemented a structured day in the new female accommodation unit. This will progress to a pro-social model of detainee management including the introduction of an incentive and earned privilege scheme within the AMC.
- These changes will be embedded across all detainee cohorts over time.

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Cleared by:	Executive Director	Ext:70879
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Lead Directorate:	Justice and Community Safety	

- The structured day includes initiatives that provide opportunities for detainees to participate in employment, programs, education and other pro-social activities.
- A structured day also enables detainees to develop personal responsibility, apply values that reinforce law-abiding behaviour, and contribute positively towards society after release.
- Where possible, detainee employment will be linked to accredited training to provide opportunities for detainees to develop skills that improve employment prospects upon release.

Employment

- ACTCS has made significant progress in developing industry employment opportunities for detainees at the AMC.
- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities.
- Prison industries not only give detainees the opportunity to work and gain skills and qualifications, it introduces a meaningful daily routine, provides teamwork opportunities, helps to address offending behaviour and promotes pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- The construction of enhanced industries, namely, a new bakery, expanded laundry and the multi-purpose activities centre at the AMC, was completed last year.
- The expansion of prison industries includes the recruitment of a second baker, the expansion of the recycling area and an extension of industrial cleaning and grounds maintenance crew capabilities.
- Additionally, the Extended Throughcare Program (Throughcare) works in conjunction with case management in the AMC to support individuals into training or employment options post release.

Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext:70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

- Throughcare has relationships with several training providers, and job network providers within the ACT, and continues to explore the Canberra work landscape to source and create new partnerships designed to support higher numbers of people into employment.

Housing

- Throughcare are actively engaged in the ACT Housing Strategy workshops.
- Throughcare supports individuals who have recently exited the AMC to explore their housing options, through referrals to available services, and liaising with those services.

Key Information

- ACTCS does not provide housing and employment supports for people exiting the AMC, other than the services provided by the Throughcare program.

Background Information

ACT Inspector of Correctional Services

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation.
- The Inspector was established in response to Recommendation 8 of the Moss Review.

Rehabilitation Framework

- The development of a rehabilitation framework addresses a number of recommendations made in external and internal reviews.
- As part of the Audit Office 2013-14 program, the Auditor-General undertook a performance audit of the AMC, with the final report tabled in the Assembly in 2015.
- Recommendation 1 of the audit recommended that ACTCS develop a rehabilitation framework for the AMC. You were briefed on the proposed framework in Min:2018/516.

Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext:70879
Information Officer name:	Jon Peach	
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Lead Directorate:	Justice and Community Safety	

Structured Day

- Implementation of a Structured Day has been recommended in a number of external reviews:
 - Human Rights Audit on the Conditions of Women at the Alexander Maconochie Centre (Recommendation 23)
 - Auditor-General's review of the Rehabilitation of Male Detainees at the Alexander Maconochie Centre (specifically Recommendation 1 and 10).
 - Conclusions of the Moss Review observed that the lack of a structured day at the AMC leads to boredom.

Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext:70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

ISSUE: INSPECTOR OF CORRECTIONAL SERVICES – CURRENT REVIEW**Talking points:**

- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the role of the Inspector of Correctional Services (the Inspector).
- The Inspector works collaboratively with ACT Corrective Services (ACTCS) and oversight agencies to identify issues in adult corrections, and propose solutions to promote continuous improvement.
- In June 2018, the Inspector initiated a formal review into the management and care of remand detainees at the Alexander Maconochie Centre (AMC).
- The review team, led by the Inspector, attended the AMC from 12 to 14 June 2018 to meet with remandees in accommodation areas.
- While the review is not yet finalised, the Inspector made a point to commend the professionalism, assistance and friendliness of the staff and detainees at the AMC during the review. It was reassuring to hear from an independent body, such as the Inspector, that there is a positive culture operating at the AMC.
- In recent years, ACTCS has undergone considerable organisational change, with further work identified through the ACTCS Strategic Plan 2017-19 'Resetting the foundations'.
- I look forward to seeing the review outcomes once finalised.

Key Information

- The Inspector has identified that the review will examine how ACTCS manages remandees with regard to the unique needs of individuals who may not have been imprisoned before, and who may be facing protracted legal proceedings.
- While the review will also examine the non-separation of remand and sentenced detainees, the Inspector has indicated that he will not make recommendations about the building of a separate remand prison in the ACT.
- There is a legislative requirement for the Inspector to give a report on any review conducted to the ACT Legislative Assembly within six months of completing the review.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70789
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation. The Inspector is required by legislation to examine and review each place declared to be a correctional centre under the *Corrections Management Act 2007* at least once every two years, and provide the findings of these reviews to the Legislative Assembly.
- The Inspector was established in response to recommendation 8 of the Moss Review.
- The Inspector is authorised to:
 - enter a correctional centre at any time on his own initiative
 - inspect:
 - any document, including a health record relating to a detainee
 - any other record required to be kept by the correctional centre
 - any part of the correctional centre
 - any vehicle or equipment used at a correctional centre or in the provision of correctional services
 - speak to, or privately interview
 - a person other than a detainee at the correctional centre
 - a person involved in the provision of correctional services
 - a consenting detainee.
 - take any equipment reasonably required to effectively conduct an inspection.

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Cleared by: Executive Director
Information Officer name: Jon Peach
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Lead Directorate: Justice and Community Safety

Ext: 70789



TRIM Ref: 2018/000084-031

Portfolio: Corrections and Justice Health**ISSUE: DETAINEE NUMBERS****Talking points:**

- On 19 June 2018, detainee numbers in the ACT reached a new high of 507.
- While detainee numbers have remained steady since that time, they remain high. Since 1 July 2018, the highest number of detainees recorded in the AMC was 501, on 10 July 2018.
- The increasing detainee population has placed pressures on accommodation for detainees at the AMC.
- To ameliorate the situation, ACT Corrective Services (ACTCS) expanded accommodation for male detainees in the Alexander Maconochie Centre (AMC) in 2016 and relocated female detainees to the Special Care Centre in late 2017.
- While this has increased the number of available beds within the AMC, the Government recognises that detainee numbers will continue to increase alongside the growth in the ACT's population.
- The Government is proactively managing the issues presented by increased detainee numbers through the Justice Reform Strategy and the Justice Reinvestment Strategy.

Female detainee numbers:

- Between 2014 and 2018, the ACT experienced a marked increase in female detainee numbers. Increases in the number of female detainees is not limited to the ACT; it is a national issue with all jurisdictions experiencing these increases.
- The ACT female imprisonment rate has increased from 14 per 100,000 of the female adult population on 30 June 2015 to 26 per 100,000 of the female adult population on 30 June 2017.

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Lead Directorate: Justice and Community Safety

- The average daily number of detained females in:
 - 2017-2018 financial year was 38
 - 2016-2017 financial year was 32
 - 2015-2016 financial year was 23
 - 2014-2015 financial year was 19
- On 5 June 2017, female detainee numbers in the ACT reached a new high of 45 detainees.
- Since 1 July 2018, the female detainee population in the ACT has consistently been within the range of 35 and 45.

Indigenous detainee numbers:

- The ACT has experienced a steady increase in Indigenous detainees from 2014 onwards.
 - On 30 June 2018, Indigenous detainees comprised 22 per cent of the AMC prisoner population
 - On 30 June 2014, Indigenous detainees comprised 16 per cent of the AMC prisoner population
- Likewise, the age standardised imprisonment rate for Indigenous detainees in the ACT has increased:
 - 30 June 2017 - 1,703 per 100,000 of the Indigenous adult population
 - 30 June 2014 - 1,219 per 100,000 of the Indigenous adult population
- Average daily number of Indigenous detainees in
 - 2017-2018 financial year - 103
 - 2016-2017 financial year - 92
 - 2015-2016 financial year - 92
 - 2014-2015 financial year - 68

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director
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QUESTION TIME BRIEF

- On 13 March 2018, Indigenous detainee numbers in the ACT reached a new high of 115.
- From 1 July 2018 to date:
 - the highest number of male Indigenous detainees in the ACT was 96 on 22 July 2018
 - the highest number of female Indigenous detainees in the ACT was 15 between 1 and 17 July 2018 and 26 and 30 September 2018.

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level. Since 30 June 2016, the adult prisoner population has increased across all States and Territories except for the Northern Territory, which recorded a small decrease.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

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ISSUE: BREACH OF PRIVACY/CONTRABAND FIND – USB DEVICE**Talking points:**

- In March 2018, an individual's privacy was inadvertently breached by ACT Corrective Services (ACTCS).
- I was disappointed to hear about this incident; however, I have spoken with the Executive Director of ACTCS and am confident that the matter is being handled appropriately.
- ACTCS has acted in accordance with the Office of the Australian Information Commissioner's (OAIC) *Data breach notification guide: A guide to handling personal information security breaches*.
- I understand the affected individual, as well as the ACT Human Rights Commissioner, and the OAIC, were notified of the incident.
- In April 2018, ACTCS conducted an Internal Management Review into the incident to consider how this situation occurred and how ACTCS could prevent any further incidents. This review was completed on 30 April 2018.
- In response to recommendations arising from the review, ACTCS has applied additional measures to ensure that personal detainee information is protected from unauthorised access, use, modification or disclosure. USB devices required for staff use at the Alexander Maconochie Centre (AMC) are now encrypted and recorded on a register and an internal server for file sharing between the Court Transport Unit (CTU) and the AMC has been implemented.
- On 10 July 2018 the OAIC informed ACTCS that, at this time, it did not intend to take any action in response to the data breach.


Key Information

- ACTCS briefed the Minister about this matter in April 2018 as part of a broader brief relating to contraband finds at the Alexander Maconochie Centre (see MIN:2018/001728).

Background Information

Sch 2 s 2.2 (a)(ii)



Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext: 70879
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Lead Directorate:	Justice and Community Safety	

TRIM Ref: 2018/000084-032

Portfolio: Corrections and Justice Health**ISSUE: FOI – JON STANHOPE: Alexander Maconochie Centre (AMC)
Needle Syringe Program (NSP)**

Mr Jon Stanhope, former Chief Minister, submitted a Freedom of Information (FOI) application on 3 May 2018, with a second application submitted on 14 August 2018 in relation to the NSP.

Talking points:

- I am aware the Justice and Community Safety Directorate (JACS) processed a FOI application to identify relevant documents including the Department of Justice and Community Safety Union Collective Agreement 2007-2010, the first agreement that referred to a needle exchange and subsequent relevant Agreements.
- The Agreements included provisions that no needle exchange program, however presented, shall be implemented without prior consultation and agreement on how such a program can be implemented. Agreement was required initially between parties to the Agreement and this was amended in later agreements to between the Department/Directorate and the union(s) covered by the Agreement.
- This clause was negotiated in 2007 between the then Chief Minister and Community Public Sector Union (CPSU) prior to the opening of the AMC, and drafted between the Chief Minister's office and his department.
- The inclusion of this clause was considered to be non-negotiable.
- On 1 April 2015, I signed the Deed of Agreement with the CPSU that included the establishment of a joint working group, a staff ballot process to determine the level of support for any proposed model, and the commitment not to implement any model without a majority of support from staff eligible to participate in the ballot.

Cleared as complete and accurate:	16/10/2018	
Cleared by:	Executive Director	Ext: 74813
Information Officer name:	Richard Glenn	Ext: 53504
Contact Officer name:	Kaye Yen	Ext: 70566
Lead Directorate:	Justice and Community Safety	

- I remain committed to supporting the National Drug Strategy, through the three pillars of harm reduction, supply reduction, and demand reduction. In support of this my aim remains to establish a safe needle syringe program within the AMC. However, I note that the working group was provided clear advice that needle and syringe programs can only succeed when they have the full support of staff.
- The current Enterprise Agreement nominally expires on 30 June 2017, with negotiations for the new agreement underway and does not include a reference to a NSP. The Deed of Agreement will remain in force until a new enterprise agreement commences.

Background Information

- The original application requested access to, a copy of all documents of whatever description, related to the granting of a so called veto to prison officers over the decision to introduce a needle program in the AMC. An FOI assessment of the requested documents was completed using the public interest test. The documents were released on 22 June 2018 to Mr Stanhope. On 6 July 2018, the documents were made publically available on JACS Disclosure Log in accordance with the legislative requirement.
- On 14 August 2018, Mr Stanhope, submitted a second FOI application. It requested access to, all documents in the possession of the ACT Government relevant to a Fair Work Australia decision on the interpretation of the enterprise agreement relevant to prison officers in so far as it relates to the operation of a needle program in the AMC, and additionally, all documents of whatever description provided to the Minister for Justice in relation to the operation of a needle exchange in the AMC. This second FOI has been completed and an access decision was provided to Mr Stanhope on 24 September 2018. On 8 October 2018, the documents were made publically available on JACS Disclosure Log in accordance with the legislative requirement.
- Recent Canberra Times articles published (dated 10 August 2018); Shane Rattenbury targeted in scathing critique of needle swap inertia, and (dated 13 August 2018); Rattenbury hits back at Stanhope over needle exchange, have provided a public commentary on current events.
- A Canberra Times article (dated 20 April 2018) stated that when the AMC opened, then Chief Minister, Jon Stanhope, provided veto power to the Community Public Sector Union (CPSU) in the enterprise agreement. The article further quoted a spokeswoman for Minister Rattenbury stating that 'arrangements put in place in 2008, continue to stymie the process (of introducing a NSP).'
- Clause 262 of Department of Justice and Community Safety Union Collective Agreement 2007-2010, stated that no needle exchange program would be implemented without prior consultation and agreement by the parties to the Agreement on how such a program can be implemented.

Cleared as complete and accurate:	16/10/2018	
Cleared by:	Executive Director	Ext: 74813
Information Officer name:	Richard Glenn	Ext: 53504
Contact Officer name:	Kaye Yen	Ext: 70566
Lead Directorate:	Justice and Community Safety	

TRIM Ref: 2018/000084-001

Portfolio: Corrections and Justice Health**ISSUE: MOSS REVIEW****Talking points:**

- On 2 June 2016, I announced that the Government would conduct an independent inquiry into the circumstances surrounding Mr Steven Freeman's care and treatment while in custody.
- The Review, undertaken by Mr Philip Moss AM, concluded on 7 November 2016. In the interests of transparency and full disclosure, I released the report publicly on 10 November 2016.
- The ACT Government agreed to eight of the nine recommendations made in the Moss report.
- On 15 February 2018, I provided an annual report update to the Assembly on the implementation and key milestones of the Moss Review recommendations.
- On 20 June 2018, the Moss Review Implementation Oversight Steering Committee agreed to close the project.
- The Independent Chair (the Chair) of the Oversight Steering Committee has written to me and reported that seven of the nine recommendations of the Moss Review have been found to be satisfied. The Chair also provided me with closure reports for this important work.
- A great deal of work has been undertaken to implement these recommendations and while some still require further attention, the Government is committed to ensuring that this work provides lasting benefits to all detainees at the Alexander Maconochie Centre (AMC).
- The observations and conclusions in the Moss Report will continue to inform ongoing efforts so that these changes can be sustained and are implemented in a culturally appropriate way. As a number of recommendations span several directorates, they will require long-term planning and coordination.
- I will be making a Minister Statement to the ACT Legislative Assembly on the closure of the Moss Review Recommendations during the October 2018 Sitting.

Cleared as complete and accurate:	06/10/2018	
Cleared by:	Executive Director	Ext: 70847
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

Key Information

- Implementation of recommendations of the Moss Review was led by an Inter-Directorate Project team and overseen by a high-level Steering Committee. The Steering Committee was led by an independent Chair, Mr Russell Taylor AM, and had representatives from the Elected Body, Winnunga and the Aboriginal Legal Service on it.
- The implementation of the Moss Review recommendations has resulted in significant reform especially in ACT Corrective Services (ACTCS), other Government Directorates, and Statutory Office Holders, around the provision of health and custodial services at the AMC, to improve the health, safety and wellbeing of detainees.
- The Independent Chair of the Oversight Steering Committee has reported that seven of the nine recommendations of the Moss Review have been found to be satisfied.
- The two recommendations that have not been fully satisfied are:
 - Recommendation 5 – which relates to Winnunga Nimmityjah Aboriginal Health and Community Services being integrated into the provision of health care at the AMC.
 - Recommendations 6 – that ACTCS establishes a separate remand prison within the AMC to ensure remand detainees are segregated from sentenced detainees.
- On 27 May 2016, 25 year old Aboriginal man, Mr Freeman, died whilst in custody at the AMC. Mr Freeman had been held in custody from 28 April 2015.
- Mr Freeman was the subject of a serious assault in the AMC shortly after he arrived at the AMC.
- On 2 June 2016, an independent inquiry into the management of the custody and care of Steven Freeman at the AMC was announced, with Mr Philip Moss AM as the independent reviewer. The inquiry examined Steven Freeman’s treatment during his period of incarceration, including whether ACTCS’ systems operated effectively and in compliance with human rights obligations.
- Mr Moss titled his review *‘So Much Sadness in our Lives, Independent Inquiry into the Treatment in Custody of Steven Freeman’*. Mr Moss made nine recommendations for the improvement of services to all detainees at the AMC. It made eight specific recommendations and one overarching recommendation that seeks to address a number of other conclusions.
- As with all deaths in custody, Steven Freeman’s death was also the subject of a coronial inquest. The coronial hearings commenced on 27 February 2017 and the findings were handed down on 11 April 2018.
- Coroner Cook found that the quality of care, treatment and supervision afforded to Mr Freeman by ACTCS and Canberra Health Services was not found to contribute to his death.
- A formal government response to the coroner’s findings was tabled in the ACT Legislative Assembly in August 2018.

Cleared as complete and accurate: 06/10/2018
Cleared by: Executive Director Ext: 70847
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-034

Portfolio: Corrections and Justice Health**ISSUE:** AMC K9 Unit capability**Talking points:**

- The ACT Corrective Services (ACTCS) utilises Passive Alert Detection (PAD) dogs in its K9 Unit to conduct searches throughout the Alexander Maconochie Centre (AMC), including the visits area, accommodation blocks, mail and vehicles.
- Due to unexpected staff resignations, the ACTCS K9 Unit ceased operations on 9 August 2018.
- To resume PAD operations as soon as a practicable, ACTCS has seconded three dog handlers and dogs from Victoria to rotate shifts at the AMC.
- The first handler commenced in mid- September 2018. It is anticipated that the dog handlers from Victoria will continue working at the AMC until December 2018, when ACTCS trainers will be trained to take over operation of the unit.
- ACTCS is in the process of recruiting two new dog handlers and arranging for appropriate K9 training.
- One successful applicant has been identified and they are currently undertaking a 13 week PAD dog course in NSW which commenced on 17 September 2018.
- Interviews will be conducted in November 2018 for the second dog handler position. The successful candidate will be required to attend the 13 week K9 program in NSW early in 2019.
- The first new ACT dog handler is expected to commence K9 duties at the AMC on 24 December 2018. There will be an overlap with the staff from Victoria to enable the new ACT dog handler to get exposure to the practices of experienced officers.
- The K9 unit is just one of many measures that ACTCS uses to assist with searches and prevent the entry of contraband into the AMC.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

The ACT Government has invested funding of \$8.8 million over the next three and a half years for security-related matters at the AMC. Key Information

- ACTCS previously had two operational dog units consisting of Rusty, a Border Collie, and Uno, a Labrador, and their handlers.
- Both handlers unexpectedly resigned from their positions with ACTCS, and both dogs were retired with their handlers.
- The correctional agency facilitating the K9 course will source PAD dogs for the handlers, as part of the course cost. Corrective Services NSW has available PAD dogs and places on the 17 September 2018 and early 2019 courses.

Background Information

- ACTCS uses PAD dog searches to reduce the introduction or possession of drugs or contraband through searching visitors, employees, detainees, and vehicles entering or accommodated in the AMC.

Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

TRIM Ref:2018/000084-023

Portfolio: Corrections and Justice Health**ISSUE: CORONER'S REPORT ON MR STEVEN FREEMAN'S DEATH****Talking points:**

- I would like to reiterate my deepest sympathy to the family and friends of Mr Steven Freeman, and ask that their privacy be respected.
- Mr Freeman's death in custody was the subject of a Coronial Inquest.
- The Coronial hearings commenced on 27 February 2017 and findings were handed down by Coroner Cook on 11 April 2018.
- The ACT Government notes the findings made by the Coroner that the quality of care, treatment and supervision afforded to Mr Freeman by ACT Corrective Services (ACTCS) and Canberra Health Services (CHS) was not found to have contributed to his death.
- The Coroner made seven recommendations for the ACT Government to consider.
- A Government Response to the Coroner's recommendations was provided to the ACT Legislative Assembly in August 2018.
- The Government Response agrees to four recommendations, and agrees-in-principle to three recommendations.
- Of the seven recommendations made, three related to ACTCS and one to CHS and ACTCS.
- In response to Recommendation 1, ACTCS is progressing a review of the policy and procedure for 'Detainee roll check'.
- In response to Recommendation 3, ACTCS has developed a broader contraband strategy to enhance measures for the prevention of contraband introductions into the Alexander Maconochie Centre (AMC).

Cleared as complete and accurate: 07/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

- In response to Recommendation 5, ACTCS and CHS have implemented a high-level agreement that provides for the sharing of information about detainee opioid replacement treatment and urinalysis drug screening. Recommendation 2 was agreed in principle and is unable to be progressed entirely as the *Corrections Management Act 2007* does not support the introduction of compulsory physical education or training sessions. However, ACTCS is embedding a structured day for all detainees, which will include dedicated time for physical activity and recreation.

If asked about the family of Steven Freeman

- I again express my deep sympathy and condolences to [Sch 2 s 2.2 (a)(ii)] Steven's mother, and his family for their loss and grief.
- I have continued to maintain contact with [Sch 2 s 2.2 (a)(ii)] via Ms Julie Tongs, CEO Winnunga, and will continue to ensure that appropriate actions are taken in response to the coronial findings and recommendations.

Key Information

- The coronial inquest into the death of Mr Freeman commenced on 27 February 2017, ran for six days and was re-convened on 10 August 2017 for a further two days.
- During the eight days of the hearing, six ACT Government staff gave evidence, from both the Justice and Community Safety Directorate [Sch 2 s 2.2 (a)(ii)] and Mr Don Taylor) and CHS [Sch 2 s 2.2 (a)(ii)] [redacted]
- The ACT Government actively supported the coronial process and worked closely with the Coroner to provide all relevant documents and evidence during the Inquest.
- The ACT Government continues to prioritise work to improve services at the AMC for all detainees and to progress the response to the Health Services Commissioner's review into the Opioid Replacement Therapy program at AMC.

Cleared as complete and accurate: 07/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: [Sch 2 s 2.2 (a)(ii)] [redacted]
Lead Directorate: Justice and Community Safety

Background Information

On 27 May 2016, Mr Steven Freeman, a 25 year old Aboriginal male detainee, was found unresponsive in his cell. Attempts to revive him were unsuccessful. The Coronial Inquest heard evidence that at the time of his death he had recently been placed on the methadone program. Concerns were raised during the Inquest about the management of the methadone program within the AMC.

Methadone Management at AMC

- In response to Recommendation 7 of the Moss Review, on 9 March 2018, the CHS Commissioner released her report into the review of the opioid replacement treatment program at the AMC.
- The administration of methadone to detainees at the AMC is undertaken by CHS – Justice Health. The clinical records of detainees are held and maintained by CHS – Justice Health. AMC custodial staff do not make decisions about medications or medical treatment for detainees.
- ACTCS and CHS – Justice Health have progressed changes in relation to the policy and procedures regarding the methadone program at the AMC.

ACT Government's Response to the Moss Review

- The response to the Moss Review is covered in detail in a separate QTB.

Cleared as complete and accurate:	07/10/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	Sch 2 s 2.2 (a)(ii)
Lead Directorate:	Justice and Community Safety	

TRIM Ref: 2018/000084-036

Portfolio: Corrections and Justice Health**ISSUE: AMC POLICIES: CLOTHING, EMAIL, VISITS, CONTRABAND, ASSAULTS IN CUSTODY****Talking points:**Email policy

- Detainee access to email is managed in accordance with the *Corrections Management (Email, Internet and Legal Education and Resource Network [LEARN]for Prisoners) Policy 2010*.
- Detainees request email contact with individuals and all applications are positively vetted in accordance with the above-mentioned policy. Individuals in the community are not able to make requests to email detainees. ACT Corrective Services (ACTCS) has identified that this would significantly increase the risk of victim contact as individuals may create an alias.
- Processing of applications is dependent on a number of factors, including the ability of ACTCS to contact the proposed recipient, staffing levels, and the number of applications that may require processing at any one time. Subject to these factors, ACTCS aims to have requests processed within 24 hours.

Dress codes at AMC

- Dress codes are imposed to reduce the opportunity for the introduction of contraband during visits, minimise the opportunity for the display of gang identification, and to ensure the safety of detainees, staff and visitors.
- Failure to comply with the dress code may lead to the visitor being denied entry and the visit being cancelled.
- Detainees are able to apply to have visitors to the Alexander Maconochie Centre (AMC) bring property.
- This will only be approved where the detainee is not already in possession of property in excess of the amounts specified in the policy.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

AMC Visits policy

- ACTCS encourages family and friends of detainees to visit them while in custody in order to maintain important ties with the community.
- The visits phone line is a call back service which is staffed 9am to 5pm, Monday to Friday.
- Bookings must be made at least 24 hours in advance, unless otherwise approved by the General Manager, Custodial Operations. The process for booking visits entails the visitor calling a booking line and providing details of the detainee they wish to visit, a preferred date and their contact details in a recorded message, which ensures that all visits are booked in the order that they are requested. This information, as well as the hours of operation, is conveyed in the recorded message for visits bookings.
- There is no current capacity to book visits online or via email. The telephone booking system was initially put in place to guarantee equal access to visits by ensuring that visit requests were processed in the order in which they were received.
- ACTCS is investigating alternate options, including the ability to book visits online, as part of a broader review of the visits booking process.
- ACTCS is trialling new software which, once operational, will mean that visitors no longer have to complete a visitor form each time they visit the AMC. Visitors still need to undergo an iris scan on entry for security reasons.
- For visitors coming to the AMC, there are rules to maintain the good order of the facility. These are publicly available and prominently displayed at the entrance to the AMC.
- Visitors are expected to behave courteously to AMC staff, other visitors and detainees, and to abide by the visitor dress code.
- Where a detainee or visitor breaches the AMC visits policy (for example, through the introduction, or attempted introduction, of contraband or because of unacceptable behaviour), they can have their visitation rights withdrawn, or they can be placed on non-contact visits, to ensure the good order and safety of the AMC.

Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

- Detainees may visit other detainees within AMC where there is a confirmed relationship.
- Former detainees may apply to visit current AMC detainees.
- These applications will be reviewed by ACTCS on a case by case basis, and the applicant will be formally notified of the outcome.

Contraband

- ACTCS has various physical and static security measures to prevent entry of prohibited items into the AMC.
- ACTCS works closely with ACT Policing to prevent the introduction of contraband at the AMC including providing assistance with investigations, and exchanging information and intelligence.
- Medication has always comprised a high number and proportion of items seized as part of ACTCS' contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.

Serious Assaults

- ACTCS staff work hard each day to ensure the safety of detainees and de-escalate and prevent serious incidents at the AMC.
- Within correctional facilities however, there is the inherent potential for conflict among some detainees. There is often pre-existing tension in the relationships between detainees at the AMC, resulting from interactions and associations, both in custody, and in the community.
- The Government's response to the Moss Review reflects our commitment to implementing transformational change and sharing with the community what we will do differently to improve the care, safety and health of detainees.
- Funding of \$8.8 million over the next three and a half years has been allocated for security-related matters at the AMC.
- This will assist ACTCS to combat assaults and other serious incidents.
- ACTCS continues to refer all serious assault allegations to ACT Policing for investigation.

- The Government also acknowledges the importance of ensuring that assaults, including those committed within the AMC, are thoroughly investigated with a view to holding offenders to account through prosecution of offences.

Key Information

AMC Visits Policy

- The AMC Executive Support Unit is responsible for the phone line and makes every effort to respond to all voicemail messages within 24 hours.
- The AMC can facilitate scheduled non-contact visits five days a week, however on application, the non-contact visit facilitates may be used during the remaining two days.
- ACTCS has seven non-contact visit rooms, two of which are large enough to facilitate group visits. On the five days allocated for scheduled visits, there is a total of 30 different sessions available.
- During the 2017-2018 period, 645 non-contact visits were facilitated.
- Anyone subject to a visitation ban will be notified in writing of the restriction and the period for which it applies.
- Appeals against visitor bans may be made, in writing, to the Executive Director, ACTCS.
- AMC intra-centre visits are subject to specific conditions, including that:
 - Both detainees have been in custody for 28 days before a visit is approved.
 - Both detainees submit a clean urine test prior to the visit being facilitated.
 - Both detainees must not have had any disciplinary action in the past 28 days.

Contraband

- In the 2017-18 financial year, corrections officers undertook 13,789 searches.
- The AMC perimeter is approximately 1.3 km in length and is strengthened by security measures including 525 closed circuit television (CCTV) cameras. Staff check the grounds.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

- ACTCS undertakes measures to search visitors, staff, contractors, and their belongings entering the AMC. These include:
 - metal detectors;
 - X-Ray baggage scanner to scan property;
 - itemiser tests to detect traces of drugs and explosives; and
 - physical searches of all vehicles prior to entering and exiting the AMC including use of mirrors to search under the vehicles and random canine searches (except, for example, ambulances in case of emergency).
- In the third quarter of 2018, the Security Operations Team found 10 mobile phones, 9 mobile phone accessories (including charges and SIM cards), 12 USBs, 12 syringes and 56 drugs. The drugs category is broad and includes the seizure of multiple drugs, as well as the seizure of stockpiled or non-prescription medication.
- An updated prohibited items declaration for the AMC was published on 24 August 2018.

Serious Assaults

Report on Government Services Assaults data

- The 2018 Report on Government Services, released in January 2018, identified that the ACT had the highest prisoner serious assault rate in the country.
- The rate for 2016–17 was 3.59 per 100 prisoners/detainees, which was an increase from 0.75 per 100 prisoners/detainees in 2015–16. In terms of raw numbers there were 16 serious assault incidents in 2016–17, three in 2015-16, 11 in 2014-15 and eight in 2013-14.
- The ACT's prisoner on officer assault rate was the highest in Australia at a rate of 1.80 per 100 prisoners. This is a result of eight assault incidents against staff.

Moss Review

- In response to Recommendations 2 and 3 of the Moss Review, ACTCS and ACT Policing signed an amended Memorandum of Understanding (MoU) on 28 April 2017. The MoU included changes relating to information shared about assaults.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

Detainee property limits

- The AMC accommodates more than 450 detainees at any given time.
- Detainee property amounts are limited in order to reduce safety hazards, and to maintain the good order and hygiene of the facility.
- Detainees are able to apply to have visitors in the AMC bring additional items of clothing, in addition to what they already have within the AMC, subject to the limits specified in the policy.

Visits by Ex-Detainees

- The outcome of their application may be influenced by Intelligence Unit reports, past history of involvement with the AMC and, if under a supervision order with ACTCS, the status of that order.
- Applications by detainees who are in breach of their supervision requirements or with outstanding warrants, will be declined.

Contraband

- The 'medication' classification relates to items that may have been prescribed to detainees housed within the AMC and subsequently stockpiled, diverted or simply kept past an expected time of use. The medications range from drugs that would be available over the counter in the community (paracetamol) through to pharmacy or prescription medications.

Cleared as complete and accurate:	08/10/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	


TRIM Ref: 2018/000084-037

Portfolio: Corrections and Justice Health**ISSUE: FIRE INCIDENTS AND FIRE PREVENTION MEASURES****Talking points:**Smoking in the AMC

- ACT Corrective Services (ACTCS) has adopted a risk-based approach to the provision and use of cigarette lighters within the Alexander Maconochie Centre (AMC).
- The risk of banning cigarette lighters has been shown to be greater than the risk of allowing detainees to have access to these items. Banning cigarette lighters results in detainees using riskier methods, such as using live electrical wires or the heating elements in kettles, to light cigarettes.
- Detainees are allowed to have cigarette lighters on their person at all times in the AMC.
- Detainees are unable to purchase matches.
- Under the *Corrections Management (AMC Smoking) Policy 2009*, smoking is only permitted in designated smoking areas such as courtyards.
- The designated smoking areas have recently been reviewed in response to complaints. The outcome of the review has resulted in designated smoking areas being relocated further away from the Health building.

ACTCS fire prevention measures

- ACTCS is developing a broader strategic approach to emergency management.
- From 9 July 2018, an ACT Fire & Rescue (ACTF&R) Commander has been seconded to the AMC, to assist in improving the inter-operability between the AMC and ACTF&R.

Cleared as complete and accurate: 06/09/2018
Cleared by: Executive Director Ext:70847
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

- The primary objectives of the secondment are to ensure that:
 - AMC and ACTF&R operational procedures are consistent for fire related incidents;
 - To reduce the number of avoidable false alarms; and
 - To test newly developed fire response procedures.
- A draft Equipment Maintenance Agreement for Breathing Apparatus (BA) at the AMC has been developed in consultation with key stakeholders.
- The installation points for BAs has been changed from three central points to all high security areas. The new installation points are considered more appropriate as these areas cannot self-evacuate and installation is currently underway.
- ACTF&R input into the AMC emergency management plan continues. Draft procedures for structure fires and grass fires have been provided. Draft procedures for Hazmat incidents are underway.
- ACTF&R will engage directly with AMC operations to ensure the proposed procedures are achievable. The proposed changes to the procedures could be comprehensive, and may require significant staff training efforts.
- ACTCS are considering options to reduce the burden of preventable false fire alarms. Options are currently being explored and ACTF&R will work with ACTCS on the solution to be adopted, to ensure that all emergency fire risks are identified and addressed.
- Initial investigation of key elements of the pre-incident plan, including development of an online platform has commenced, however, ACTCS policy and procedure needs to be finalised, or at least agreed in principle before full development can commence.
- The proposed online platform will promote greater cross agency exposure. Table top exercises between both agencies will be developed and tested once all other aspects of the project have been agreed in principle.

- ACTCS and the ACT Emergency Services Agency (ESA) have installed a direct line to the ESA Emergency Triple Zero Communication Centre. This line lists the AMC as an identified call and is beneficial as it will improve response time for the most appropriate fire resources. It will also improve community safety by slowing response vehicles to standard road speeds for false alarm call outs as AMC staff can notify the ESA Communication Centre of the situation.
- Recently the Statement of Requirement for the AMC fire systems contract has been reviewed and amended by qualified engineers. This will ensure appropriate changes are specified ahead of the upcoming fire system contract renewal.

ACTCS fire training

- Initial BA training courses commenced in 2017 and 68 staff completed this training. A number of refresher courses have been held throughout 2018 and 38 staff have attended this course.
- There has been an increased focus of fire awareness training. All new staff are required to attend a training day devoted to fire awareness. The training day includes lessons on the use of fire blankets, fire extinguishers, hose reels and incorporates live fire drills.
- In addition fire awareness refresher training forms part of ongoing custodial mandatory training. This training must be completed every two years. Since 1 January 2018, 65 staff have completed this training.


Key Information

- An Internal Management Review was conducted at the instruction of the Executive Director ACTCS following four cell fire incidents at the AMC in July 2017.
- The Chief Coroner also requested information regarding cell fires.
- The review made 14 recommendations for improvement and an Action Plan has been developed to implement the recommendations.
- Of the 14 recommendations, seven have been completed with the remainder still in progress.
- Recommendations include updating procedures, strengthening notification and debrief requirements, improved accessibility to PPE, and a WHS review of fire incidents and BA compliance.

Cleared as complete and accurate:	06/09/2018	
Cleared by:	Executive Director	Ext:70847
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

Background Information


- ACTCS is developing a broader strategic approach to emergency management, including fire management and prevention.
- The level of actual fire incidents at the AMC over the past three years has remained relatively low, despite a 30 per cent rise in detainee numbers.
- The reason for fires at the AMC are a mix of deliberately lit cell fires, mainly as part of ongoing non-compliance and protest/gain behaviours; and accidental fires due to discarded cigarette butts and wicks and burnt cooking.
- Strategies continue to be implemented to reduce preventable (false) fire alarms which are trending upwards.
- ACTF&R audited AMC BA equipment in June 2017 and recommended modernisation/replacement of the type and number of BA sets (from 8 to 16) and replacement of 24 air cylinders, to improve capability and service efficiency.
- The *Smoking (Prohibition in Enclosed Public Spaces) Act 2003* does not apply to correctional centres, but the *Corrections Management Act 2007* allows the Director-General or delegate to designate non-smoking areas within a correctional centre.
- ACTCS does not have any immediate plans to ban smoking in the AMC.

Cleared as complete and accurate: 06/09/2018
Cleared by: Executive Director Ext:70847
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/00084-038

Portfolio: Corrections and Justice Health**ISSUE: AMC HEALTH SERVICES****Talking points:****AMC HEALTH SERVICES**

- ACT Corrective Services (ACTCS) works closely with Canberra Health Services (CHS) to ensure the health and wellbeing of detainees at the Alexander Maconochie Centre (AMC).
- On 14 August 2017, the Directors-General of the Justice and Community Safety Directorate (JACS) and Canberra Health Services (CHS) signed an Arrangement for the Delivery of Health Services to Detainees. It aims to improve health care and service delivery at the AMC by improving communications, information sharing and working relationships.
- The Arrangement goes towards the implementation of Recommendation 4 of the Moss Review, and recommendations from the *Independent Review of Mental Health Services at the Alexander Maconochie Centre*.
- ACTCS and CHS are currently working together to develop joint policies and procedures in the area of detainee health care.
- The Moss Review recommended that Winnunga Nimityjah Health and Community Services (Winnunga) deliver their holistic and culturally safe services to detainees at the AMC.
- Since 2 July 2018, Winnunga have been present in the AMC developing processes and protocols to deliver the Winnunga model of care in the AMC.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

Key Information**Contraband**

- ACTCS has both physical and static security measures in place to prevent the entry of contraband and prohibited items into the AMC. However, as with all jurisdictions, contraband continues to be a problem in correctional facilities. Detainees will attempt to find ways to circumvent security systems.
- Intercepting prohibited or contraband items such as illicit drugs, drug paraphernalia and technology (such as USBs and mobile phones) is one of the most challenging functions undertaken by corrections agencies.
- Medication discovered in the possession of a detainee who it was not lawfully prescribed to is also considered to be contraband.
- ACTCS, like other jurisdictions, employs varied security measures designed to prevent entry of prohibited items into the AMC including:
 - physical searches by both corrections officers and Passive Alert Detector dogs, which are trained to detect illicit substances
 - metal detectors and x-ray scanners
 - the on-going exchange of information and intelligence with ACT Policing.
- A contraband strategy is currently being finalised to enhance current measures for the prevention of contraband introductions, but proactive activities have commenced and are proving to be highly successful.
- JACS, in partnership with the ACT Health Directorate, is in the draft stage of developing the AMC Drug Strategy and Blood Borne Virus Strategy 2018-2022. This strategy will focus on the three pillars of Harm Minimisation: demand reduction, supply reduction, and harm reduction. The strategy will focus on reducing the supply and demand of intravenous contraband into the AMC.

AMC Detainee Health and Drug Use

- JHS completes a brief drug and alcohol assessment for all new detainees entering the AMC. This information is used to support detainees who may be withdrawing or have recently taken illicit drugs or prescription medication. The assessment information is maintained in the detainee's individual clinical record.
- JHS does not keep data on the number of detainees who may be known to be using or recently used illicit drugs, or medication not prescribed to them.
- JHS does not keep data on the number of detainees who have, or were suspected, to have overdosed on licit or illicit drugs.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- There has been ongoing media interest in both illicit and licit drug misuse by detainees. This has included media reports on the overdose incidents that occurred in the AMC in December 2017.

Death of Mark Anthony O'Connor (not for public release) SENSITIVE: PERSONAL

- On 13 May 2017, detainee Mr Mark Anthony O'Connor collapsed in his cell at the AMC. Mr O'Connor was pronounced dead at approximately 8.00pm that day.
- Post-mortem toxicology tests, revealed a number of drugs and medications in Mr O'Connor's system.
- On 29 August 2018, Coroner Theakston held a directions hearing for an inquest into the death of Mr O'Connor at the AMC.
- The ACT Government Solicitor's Officer has advised ACTCS that the main issues to be examined by Coroner Theakston relate to the availability of drugs in the AMC, and the diversion of the prescribed drug Suboxone (buprenorphine).
- In accordance with normal practice and the *sub judice* principles, no public comment should be made in relation to the death or its circumstances during the currency of the Inquest.

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Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-039

Portfolio: Corrections and Justice Health**ISSUE: RECIDIVISM****Talking points:**

- The Parliamentary Agreement for the Ninth Legislative Assembly commits to reducing recidivism by 25 per cent by 2025.
- A whole of justice and human service system approach for the development and implementation of a long-term recidivism plan is well underway.
- The recidivism plan requires an understanding of locally relevant and evidence-based measures for reducing recidivism. It will also need to be carefully balanced to ensure public safety and community cohesion are maintained and further improved.
- Through a combination of prevention, diversion and system-level interventions, the recidivism plan seeks to reduce recidivism among all offenders, with an emphasis on reducing the over representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system, as both offenders and victims.
- The 2018-2019 ACT Budget has allocated \$1,021,000 towards a range of programs and initiatives across a number of Directorates to support families in contact with the justice system.
- The whole of justice recidivism plan reinforces a number of initiatives in the ACT Corrective Services (ACTCS) Strategic plan 2017-2019 “Resetting the Foundations”. These initiatives include:
 - Establishing a rehabilitation framework and reviewing the provision of offender behaviour programs;
 - Maximising purposeful activities by reviewing current opportunities for detainee education, training and employment;
 - Reviewing case management processes and working towards integrated offender management, including greater emphasis on holistic Throughcare;
 - Enhancing ACTCS’ focus on Aboriginal and Torres Strait Islander clients;

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- Developing an ACTCS Reconciliation Action Plan that is focused on strategies to reduce the over representation of Aboriginal and Torres Strait Islander peoples in custody; and
- Strengthening partnerships with service delivery organisations within government and externally.

Key Information

- The Australian Bureau of Statistics (ABS) – Australian Capital Territory, Prisoner Snapshot for 30 June, 2017, shows that 75 per cent of detainees in the Alexander Maconochie Centre (AMC) have previously been imprisoned under sentence. This is the largest proportion of any state or territory (the national average is 57 per cent).
- According to the ABS Australian Capital Territory Prisoner Snapshot for 30 June 2017, Aboriginal and Torres Strait Islander people in the ACT are 16 times more likely to be incarcerated than non-Indigenous people. Recidivism rates are also more pronounced, with the ACT recording the highest rate of recidivism among Aboriginal and Torres Strait Islander detainees of any Australian jurisdiction.
- Although the ACT recidivism results are high, the ACT consistently has the lowest imprisonment rate in Australia per head of population. In 2017, the adult imprisonment rate was 141 prisoners per 100,000 adult population compared to the national imprisonment rate of 216 prisoners per 100,000 adult population. This means that offenders sentenced to periods in prison typically have more endemic offending behaviour. A goal of the recidivism plan will be to change the trajectory of those in the justice system away from high cost government intervention.

Background Information

- ACTCS' recidivism statistics included in the 2017-2018 Justice and Community Safety (JACS) Annual Report show that there has been a decrease in the rate of return-to custody episodes from 41 per cent to 38.5 per cent. There was also a decrease in the percentage of those returning to ACTCS, be that detention or community-based orders. This was observed across all demographics with the highest decrease being seen in the Aboriginal and Torres Strait Islander female cohort. It should be noted that due to the small numbers, a change in the status of a small number of detainees will appear to have a significant impact on the rates of recidivism.
- It should also be noted that the data provided in the 2017-2018 JACS Annual Report is based on ACT detainees released during the 2014-2015 financial year. This allows for the collection of data on detainee and offender return-to-custody episodes for a two-year period, which is consistent with Report on Government Services reporting.

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Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-040

Portfolio: Corrections and Justice Health**ISSUE: EXTENDED THROUGH-CARE****Talking points:**

- Transitioning back into the community after a period of imprisonment can be a daunting and critical time for detainees.
- The Extended Throughcare Program provides customised support for offenders by developing a release program that focuses on stabilising the offender as they re-enter the community. It ensures supports are established in the areas of housing, health, income, family and community connections, and other basic needs.
- This includes pre-release planning by the Assisted Release into Community Program and may include linking the client with an outreach provider to assist them reintegrate into the community.
- An evaluation of the Extended Throughcare Program in 2017 by the Social Policy Research Centre of the University of New South Wales (the Evaluation), found a reduction in return-to-custody episodes for participants and for those that did return to custody, they remained in the community for longer periods on average.
- The Evaluation also highlights that the cost benefit of the Extended Throughcare Program will increase over time. The Evaluation suggests that there will be significant cost savings to the Government (via the broader criminal justice system) based on the cost of running the program and the reduction in the recidivism rate. It is therefore vital that the ACT Government continue to invest in this program with ongoing recurrent funding.
- A further \$5.3 million over four years was provided in the 2017-2018 ACT Budget for the Extended Throughcare Program. This funding will also provide for a dedicated Aboriginal and Torres Strait Islander Coordination Officer. This Officer will deliver targeted support for Aboriginal and Torres Strait Islander detainees exiting the Alexander Maconochie Centre (AMC) and will be required to work closely with families to develop stronger supports upon release.

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Lead Directorate: Justice and Community Safety

- This initiative supports the Government’s goal of a 25 per cent reduction in recidivism by 2025, Justice Reinvestment programs, the ACTCS Strategic Plan 2017-2019, and the Aboriginal Justice Partnership 2015-2018.

Changes to Eligibility Criteria

- The Evaluation identified weaknesses in program eligibility criteria. In recognition of the recommendations made in the Evaluation, the eligibility criteria for the Extended Throughcare Program were amended. These changes came into effect on 1 April 2018, and have allowed ACTCS to appropriately target clients who are at most need of support. This has been achieved by setting a lower eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare can now be accessed by:
 - Women who have served greater than 30 days (one month) in custody;
 - Men who identify as Aboriginal or Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal or Torres Strait Islander and have served greater than 182 days (six months) in custody.
- These changes recognise that detainees subject to a lengthy period of remand require support to successfully reintegrate into the community.

Key Information

- Regardless of whether a detainee is subject to post-custody supervision or not, eligible detainees can access Extended Throughcare Program support for a period of up to 12 months following release. Clients access services and support voluntarily and the length of time a client engages with the program varies based on the individual’s needs. As such, clients do not ‘complete’ the program and the depth and duration of each client’s engagement will vary.
- Aboriginal and Torres Strait Islander clients are managed, where possible, by the Indigenous Throughcare Transition Officer. However, when the Indigenous Throughcare Transition Officer is unavailable or on leave, clients will be managed by other Throughcare staff. Similarly, the Indigenous Throughcare Transition Officer, may engage with non-Indigenous clients when an operational need arises.

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Lead Directorate: Justice and Community Safety

Background Information

- In the 2012-2013 Budget process the Government provided funding for the Extended Throughcare Pilot program over a two year period. Additional funding to continue the pilot program for an additional two years was provided in the 2014-2015 Budget.
- The Extended Throughcare Program team was nominated and selected as a finalist in the Citizen-Centred Innovation category of the 2018 Public Sector Innovation Awards. It was the only ACT Government program to be selected as a finalist at the awards.

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TRIM Ref: 2018/000084-042

Portfolio: Corrections and Justice Health**ISSUE: ABORIGINAL AND TORRES STRAIT ISLANDER ISSUES INCLUDING RECIDIVISM, EXTENDED THROUGH-CARE, AND INCARCERATION RATES****Talking points:**

- The rate of Aboriginal and Torres Strait people held in the Alexander Maconochie Centre (AMC) as a proportion of the total detainee population is a major concern to the ACT Government
- The ACT Government is committed to reduce recidivism by 25 per cent by 2025.
- The JACS Stretch Reconciliation Action Plan and Aboriginal and Torres Strait Islander Justice Partnership Agreement commit to reducing over-representation by reducing recidivism and increasing access to diversionary programs improving services and focusing on data collection and reporting.

Key InformationRecidivism

- ACT Corrective Services (ACTCS), through its Offender Services and Corrections Programs Unit, provides and facilitates services and programs tailored specifically towards Aboriginal and Torres Strait Islander detainees, both in custody and offenders in the community under supervision.
- The recidivism statistics in the 2017-18 Justice and Community Safety Annual Report show that the ACT had 38.5 per cent of all detainees (released in 2014-15) return to prison, decreasing from 41 per cent in the previous year. Recidivism statistics are not disaggregated by Indigenous status.
- The Government is committed to building and maintaining a strong Indigenous workforce in ACTCS. This improves ACTCS's ability to provide informed culturally appropriate and sensitive responses to specific Indigenous issues.
- Aboriginal and Torres Strait Islander detainees are able to access programs, services and education available to the general AMC population, as well as programs and services specifically targeted towards Aboriginal and Torres Strait Islander people.

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Lead Directorate: Justice and Community Safety

Extended Throughcare

- The ACT Government provided recurrent funding of \$5.347 million in the 2017-2018 Budget for the Extended Throughcare Program.
- This funding includes an additional full time employee in the designated position of Indigenous Throughcare Transition Officer, to focus on supporting Aboriginal and Torres Strait Islander ex-detainees reintegrating into the community.
- The University of New South Wales evaluation of the Throughcare program found positive outcomes for Aboriginal and Torres Strait Islander women engaged in the program, but highlighted an area for improvement in engaging Aboriginal and Torres Strait Islander men.
- On 1 April 2018, the Extended Throughcare Program made amendments to the program eligibility criteria. The changes allowed ACTCS to lower the eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare can now be accessed by:
 - All women who have served greater than 30 days
 - Men who identify as Aboriginal and Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal and Torres Strait Islander and have served greater than 182 (six months) in custody.

Incarceration Rates

- Aboriginal and Torres Strait Islander people continue to be significantly over-represented in the criminal justice system, as both victims and offenders, principally due to historical social disadvantage, social exclusion and systemic racism.
- March 2018 ABS quarter results show that Aboriginal and Torres Strait Islander prisoners represented 28 per cent of the total full-time adult prisoner population (nationally), while accounting for approximately two per cent of the total Australian population aged 18 years and over.
- On 2 October 2018 , Aboriginal and Torres Strait Islander male detainees accounted for:
 - 18.4 per cent of the total AMC detainee population – 90 detainees out of a total of 488.
 - 20.3 per cent of the total AMC male population – 90 detainees out of 442.

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- On 2 October 2018 Aboriginal and Torres Strait Islander female detainees accounted for:
 - 3.2 per cent of the total AMC detainee population – 16 detainees out of a total of 488
 - 34.7 per cent of the total AMC female population – 16 detainees out of 46
- The ACT figures remain well below the national average for Aboriginal and Torres Strait Islander people as a percentage of the total detainee population.

Background Information

Aboriginal and Torres Strait Islander Staff Profile

- ACTCS employs Indigenous staff in identified and non-identified positions which enhances its ability to provide culturally appropriate responses to Indigenous matters.
- As at 30 June 2018, ACTCS had 26 employees that identified as being from Aboriginal and Torres Strait Islander background. This represents 6.21 per cent of the total ACTCS workforce.
- ACTCS Community Corrections currently employs six identified staff members comprising a senior manager, Community Corrections Officers, and Aboriginal Client Support Officer and a Throughcare Officer.

Programs

- A range of culturally specific programs and services are offered at the AMC for Aboriginal and Torres Strait Islander detainees.
- ACTCS Cultural Programs delivered in AMC and the Community include;

Program	Description
In Custody	
Culture and Land Management Program:	Integrates traditional culture, art, music, horticulture and land management with language, literacy and numeracy skills. Delivered with community agencies including Winnunga Nimmityjah Aboriginal Health and Community Service (Winnunga).
ITCHY (Indigenous Traditional Culture Healing Yarning) Arts Program	An arts and music rehabilitation program delivered with Gugan Gulwan Youth Aboriginal Corporation and Winnunga.
Winnunga Social Wellbeing Program	Winnunga provide access to an Indigenous support officer and counselling within the AMC and referrals to health and community services during the transition from AMC to the community.
Elders and Community Leaders Visitation Program:	A program strengthening cultural connection through visits to the AMC by local community Elders and other respected leaders.
Indigenous Pastoral Care:	Culturally relevant pastoral care under a specific Aboriginal and Torres Strait Islander chapel service.

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 Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

Indigenous Counselling:	Dhunlung Yarra Service, Relationship Australia offer individualised counselling by trained Aboriginal mental health professionals.
Transitional Release Centre:	ACTCS offer an opportunity to undertake reintegration activities including approved day release. For Indigenous detainees, this includes the Winnunga Men's Group.
NAIDOC Week AMC Family Day:	An annual opportunity for family and friends to acknowledge and celebrate Aboriginal and Torres Strait Islander culture. In 2018, the event attracted approximately 350 family, friends and detainees.
NAIDOC Community Art Exhibition:	An exhibition of detainee and offender artwork at the Community Services #1 Gallery in Narrabundah. In 2018, the launch of the exhibition attracted approximately 50 people with artwork displayed and sold throughout the subsequent three weeks.
In Community	
Yedding Mura (Good Pathways) Aboriginal Corporation	Additional casework support for Aboriginal and Torres Strait Islander people leaving custody.
Aboriginal Legal Service	Throughcare support to Aboriginal and Torres Strait Islander clients (provided as part of the Community Justice Programs).
Aboriginal Client Services Officer	An Identified Position within ACTCS for a Community Corrections Officer to act as a liaison point for Aboriginal and Torres Strait Islander people on probation or parole.
Community Based Reporting Centre	Community Corrections clients may report to Winnunga for supervised community-based orders.

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 Lead Directorate: Justice and Community Safety


Ext: 70879



TRIM Ref: 2018/000084-043

Portfolio: Corrections and Justice Health**ISSUE: INDUSTRIES PROGRAMS AND EDUCATION****Talking points:****Prison Industries Programs**


- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities including the Alexander Maconochie Centre (AMC).
- Prison industries offer many benefits for detainees. They give detainees the opportunity to work and gain skills and qualifications that can be utilised after their release from the AMC.
- Prison industries also introduce a meaningful daily routine, provide teamwork opportunities, help address offending behavior and promote pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- ACT Corrective Services (ACTCS) has made significant progress in developing industry employment opportunities for detainees at the AMC.
- In 2017, a new bakery, expanded laundry and the multi-purpose activities centre, increased industry employment opportunities for detainees in the AMC.
- Since then, prison industries at the AMC have been further expanded with the establishment of a second shift in the bakery.
- The addition of a second shift has allowed male detainees to work at the bakery. Previously this opportunity was only available to female detainees.
- The second shift has eliminated the need for the AMC to rely on external suppliers of bakery products. All bread products are now produced in-house.

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Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

- The ACTCS has extended the term of the Tip Top contract for a further one year. The contract extension is a contingency plan to ensure the AMC has a constant supply of bakery goods during the initial ‘teething period’ of the AMC bakery.
- The extended contract with Tip Top enables the supply of bread on an as needs basis.
- These developments have increased the number of detainees employed across various industries by introducing multiple shifts over a greater number of working days and increased access to recognised accredited industry training.
- Future opportunities for prison industries expansion are currently being investigated by ACTCS. These options include the introduction of multiple shifts over a greater number of working days in the recycling area, the establishment of a sheet metal fabrication industry, and the extension of industrial cleaning and grounds maintenance crew capabilities.
- ACTCS is currently in the process of recruiting a Prison Industry Manager (SOG B) who will oversee the strategic development of AMC Industries.
- The 2018 Report on Government Services (ROGS) for the 2016-2017 reporting period, highlighted that 74.7 per cent of eligible detainees were employed in the ACT, which is in line with the national average of 74.7 per cent.

Education and vocational training

- Throughout 2016-2017, over 20 detainees participated in some form of higher education, such as tertiary preparation, undergraduate and postgraduate courses, through distance learning arrangements. This rose to 30 detainees by the end of June 2017.
- The 2018 ROGS for the 2016-2017 reporting period, highlighted that the ACT had 70.6 per cent of eligible detainees in education, which is well above the national average of 32.9 per cent.
- ACTCS have novated the education and training contract to Foresite Training from Campbell Page. All staff have transitioned with the new provider with no service disruption.

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- Detainees are able to access more than 20 accredited general education and vocational education and training (VET) industry units at the AMC. All accredited units of competency offered at the AMC are nationally recognised.
- All VET industry units completed in custody are recognised by registered training organisations in all Australian states and territories. This enables detainees to continue working towards qualification completion following their release from custody.
- These programs provide skill development and experience in a range of industry and vocational areas including: building and construction, asset maintenance, horticulture and land management, information technology, business studies and hospitality.
- A number of non-accredited courses are also offered at the AMC. These include life skills, recreational and cultural art and music courses.
- The ANU regularly runs a 'Prison Legal Literacy Clinic' for detainees at the AMC. The program comprises of six sessions over six weeks and provides legal information, rather than legal advice. The program is designed to empower detainees, by improving their experience and promoting social justice through legal knowledge.
- The Worldview Foundation Self Development and Employment Opportunity (Worldview) is a federally funded prison to work program aimed at Aboriginal and Torres Strait Islander detainees. It aims to provide individuals with the opportunity to access holistic wellness and employment through education and training while transitioning from the AMC to the community. Worldview formally commenced at the AMC on the 1 July 2018.


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Lead Directorate:	Justice and Community Safety	

Key Information**AMC Bakery**

- The AMC bakery opened on 20 October 2017 and provided employment for up to 10 female detainees.
- Detainees employed in the bakery learn basic hospitality and kitchen operations skills. These skills can lead into recognised trade qualifications after release.
- ACTCS has recently recruited a second baker. This has enabled a second shift, with the capacity to employ 10, strict-protection, male detainees.
- The commencement of a second shift at the AMC bakery has received positive feedback, detainees involved are enjoying the opportunity to learn new and transferrable skills.

Background Information**Prison Industries:**

- Development of the prison industries strategy included market research, and engagement with the local community and businesses to assess opportunities for commercial expansion.
- Any future plans to expand the scope of industries within the AMC have involved community and industry consultation, including potential negative impacts on local businesses. Decisions of this nature are bound by public sector competitive neutrality guidelines. Expansion is dependent on a full assessment on the potential impact on local business and the community.

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Information Officer name: Jon Peach
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Lead Directorate: Justice and Community
Safety


TRIM Ref: 2018/000084-044

Portfolio: Corrections and Justice Health**ISSUE: ACCOMMODATION PRESSURES****Talking points:**

- The Alexander Maconochie Centre (AMC) has been experiencing accommodation pressures for several years.
- The Government is proactively managing the issues presented by a continuing upward trend in detainee numbers. This requires a whole of government response to ensure the ongoing safety of detainees and corrective services staff, and to meet the future needs of a growing community.
- The AMC has an operational bed capacity of 511.
- The AMC has 28 special purpose beds. These beds are located in the Management, Crisis and Health Units and are used for specific health, mental health or behavioural management. They are not reflected in the operational capacity.
- ACT Corrective Services (ACTCS) will continue to consider options to deal with the increasing numbers of detainees, while maintaining safety and security of the AMC


Key Information

- Operational capacity refers to the total number of beds in a facility which are available for use to accommodate detainees. Not all operational capacity beds can be utilised at all times due to separation and surge issues. Separation refers to a need to separate cohorts of detainees with different classifications and characteristics (e.g. minimum from maximum; detainees who need protection from other detainees).
- The most recent measures to alleviate the increase in detainee numbers have been:
- new accommodation buildings in August 2016 (the Accommodation Unit and Special Care Centre); and
- relocating female detainees to the Special Care Centre in late 2017
- an additional 25 temporary bunk beds have been installed at the AMC.

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Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level.
- During 2013, the actual number of ACT detainees jumped significantly, from less than 240 in January 2013 to in excess of 340 in October 2013. The average daily number of detainees in:
 - 2014/15 financial year was 342, with a high of 411 in November 2015
 - 2015/16 financial year was 402, with a high of 446 in November 2016
 - 2016/17 financial year was 445, with a high of 473 on 20 May 2017
 - 2017/18 financial year was 474, with a high of 507 on 19 June 2018
- On 28 November 2017 all female detainees were moved to a single accommodation unit within the existing AMC campus. The move increased the beds available for female detainees from 29 to 57. However, decreased the beds available to male detainees by 28 beds.
- Work continues within the AMC to identify further options to install double bunking arrangements appropriately.

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Information Officer name: Jon Peach
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Lead Directorate: Justice and Community Safety

TRIM Reference: MIN:2018/000084-046

Portfolio/s: Corrections and Justice Health**ISSUE: CONTRABAND****Talking points:**

- ACT Corrective Services (ACTCS) employs a range of physical and static security measures to prevent the introduction of contraband into the Alexander Maconochie Centre (AMC). This includes physical barriers, closed circuit television surveillance, intelligence led interventions, patrols by Corrections Officers and Passive Alert Detector (PAD) dog searches.
- ACTCS utilises a number of measures to search visitors, staff, contractors, and their belongings, entering the AMC. These include:
 - metal detectors;
 - x-ray baggage scanner to scan property;
 - itemiser tests to detect traces of drugs and explosives; and
 - physical searches of all vehicles entering and existing the AMC, including use of mirrors to search under vehicles and random PAD dog searches (except, for example, ambulances in case of an emergency).
- ACTCS works closely with ACT Policing to prevent the introduction of drugs and other contraband into the AMC, including providing assistance with investigations and exchanging information and intelligence.
- Between 1 July and 30 September 2018, ACTCS conducted 1329 searches of cellular accommodation, cottage rooms and other common areas. A total of 146 contraband items were seized as a result of these operations. In addition to these searches:
 - 247 searches of staff and contractors. No contraband was located during these searches, however one ancillary staff member was required to store a quantity of cash outside of the AMC;
 - 183 targeted searches of detainees. A targeted search is prompted by intelligence information.

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- The number and contraband types discovered during searches of detainees and detainee areas between 1 July 2018 and 30 September 2018 included:
 - Mobile telephones – 10;
 - Phone accessories (sim cards, chargers etc.) - Nine;
 - USBs - 12;
 - Syringes (includes other injecting items) -12; and
 - Drugs (includes excess, expired or stockpiled medications) – 56.
- The greater use of intelligence and targeted operations has seen an increase in searches and contraband found within the AMC since December 2017.
- ACTCS secured an additional \$8.8 million over 3.5 years in the 2017-18 Mid-Year Budget to fund improvements in security-operations at the AMC, and across ACTCS generally. This funding has been used to create a new centralised intelligence unit within ACTCS, which has enhanced ACTCS' capacity to address emerging issues, including the detection and interception of contraband.
- The establishment of a centralised intelligence unit has enabled ACTCS to utilise proactive and intelligence-led strategies to detect and intercept contraband. This has seen an increase in the number and profile of security operations within the AMC, including more targeted operations and staff searching.

Key Information

- In the 2017-18 financial year, ACTCS conducted 13,789 searches for contraband, 875 of which located contraband. Of these searches:
 - 4,065 were random. A random search refers to an approach generated by a matrix;
 - 1,098 were targeted. A targeted search is prompted by intelligence information;
 - 243 were routine searches as part of the operation of the AMC. This includes searches when a detainee is relocated to another cell; and
 - 8,383 were PAD dog searches.

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- Medication has always comprised a high number and proportion of items seized as part of ACTCS' contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.
- The medication classification relates to items that may have been prescribed to detainees and subsequently stockpiled, diverted or simply kept past an expected time of use. Medications can range from drugs that would be available over the counter in the community (such as paracetamol) through to pharmacy or prescription medications.
- The AMC perimeter is approximately 1.3 kilometres in length and is strengthened by security measures including 525 closed circuit television cameras. Corrections Officers check the grounds every morning.
- In 2017-18, ACTCS intercepted visitors attempting to introduce contraband into the AMC on 17 occasions.
- An updated prohibited items declaration for the AMC was published on 24 August 2018. The declaration now incorporates items that utilise new technologies, such as watches with mobile phone, USB or internet capabilities. A copy of the prohibited items declaration is at Attachment A.

Background Information

- On 20 October 2018, ABC Radio Canberra reported that there had been a 14 per cent increase in the number of times contraband had been found at the AMC in the 2017-18 financial year. It was further reported that the rise in contraband finds was the result of increased searches of detainees and visitors.

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Lead Directorate:	Justice and Community Safety	

Australian Capital Territory

Corrections Management (Prohibited Things) Declaration 2018

Notifiable instrument NI2018-476

made under the

Corrections Management Act 2007, s81 (Prohibited things)

1 Name of instrument

This instrument is the *Corrections Management (Prohibited Things) Declaration 2018*.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration

Pursuant to section 81 of the *Corrections Management Act 2007*, I declare that each item listed in Schedule 1 of this instrument to be a prohibited thing.



Jon Peach
Executive Director
ACT Corrective Services
16 August 2018

SCHEDULE 1

Prohibited Things

Pursuant to sections 81, 82(2) and 145(2) of the *Corrections Management Act 2007*, the following items are declared as prohibited things. Approval for a person to possess certain prohibited things in a correctional centre may be authorised by the Executive Director, ACT Corrective Services or the General Manager, Custodial Operations, therefore the item becomes a restricted thing.

- Aerosol pressure spray cans
- Alcohol and alcohol based products (excluding alcohol ‘fat based substances’ contained in toiletries, Medicines etc.)
- Bags (non-transparent - brief cases, backpacks, small / large bags)
- Blu Tack
- Cameras or other photographic devices
- Candles
- Chewing gum
- Communication devices including mobile phones
- Currency / Money
- Drug paraphernalia
- Electric items that are rechargeable (toothbrushes, razors, clippers)
- Explosives
- Firearms
- iWatch or similar devices
- Flammable liquids
- Game console with ability for wireless connection to internet i.e. Playstation, Xbox & Nintendo
- Gang related property and materials
- Glass containers
- Hair dye
- Illicit drugs
- Incense
- Keys (other than privacy / cell keys or visitor locker keys)
- Knitting needles (metal)
- Laptop
- Lighters
- Matches
- Medication (herbal)
- Medication (over-the-counter)
- Medication (prescribed)
- Metal cutlery (personal)
- MP3 players and iPods
- Multi-media items (videos, DVD’s, CD’s, Floppy disks)
- Paint (oil-based)
- Personal Cuff Keys
- Plastic bags and wrap
- Recording devices
- Restricted publications such as pornography and objectionable material

- Rose oil
- Scissors
- Shavers (bladed razors)
- Tattooing materials
- Tools
- Umbrellas with sharp points
- USB storage devices
- Watches with mobile phone, USB or internet capabilities
- Weapons (authorised and excluding firearms)
- Weights (free).

TRIM Reference: MIN: 2018/000084-047

Portfolio: Corrections and Justice Health**ISSUE: ACT Corrective Services Housing Assessment Information:
Allocation of housing to known sex offenders****Talking points:**

- When applicable ACT Corrective Services (ACTCS) staff conduct an individual risk assessment on known sex offenders. The assessment is only conducted for detainees being released on parole. This assessment includes issues that may impact on an offenders risk of reoffending such as:
 - the level or risk of re-offending;
 - the type and nature of the offence;
 - the time a person has been offence free;
 - specific offence-related factors such as age/gender of victim; and
 - cultural sensitivity; and any other needs of the person (e.g. disability, age, mobility).
- ACTCS undertake individual home visit assessments for the following groups of Alexander Maconochie Centre (AMC) detainees who are being released on parole:
 - All parolees;
 - All offenders and detainees being assessed for an Intensive Corrections Order;
 - Offenders being supervised in the community under the terms of a Good Behaviour Order who have a current or past child related offence; and/or
 - Offenders being supervised in the community who have a current domestic violence offence with a risk level of medium or above.
- When conducting a home visit assessment on known sex offenders, ACT Community Corrections Officers liaise with Child and Youth Protection Services, ACT Housing and the Australian Federal Police including the Child Sex Offender Registry Team.

Cleared as complete and accurate:	26/10/2018	
Cleared by:	Executive Director	Ext: 72965
Information Officer name:	Jon Peach	
Contact Officer name:	David Pryce	Ext: 50567
Lead Directorate:	Justice and Community Safety	

- As part of this assessment, consideration is given to issues such as the specifics of the offenders history and risks such as the proximity of accommodation to child-care centres, schools and places where children gather.

Key Information

- ACTCS, Community Corrections Officers conduct an individual home visit assessment on known sex offenders regarding the suitability of their accommodation when being assessed to be released on a Community Based Order.
- An individual home visit assessment for known sex offenders includes the level or risk of re-offending, the type of offence, the time a person has been offence free, specific offence-related factors (such as age/gender of victim), cultural sensitivity and any other needs of the person (e.g. disability, age, mobility), all of which may impact on their risk of reoffending.
- If a known sex offender is being released from the AMC, a Pre Release Home Visit Assessment is conducted by a Community Corrections Officer which triggers the assessor to consider any child protection issues.

Background Information – NA

Cleared as complete and accurate:	26/10/2018	
Cleared by:	Executive Director	Ext: 72965
Information Officer name:	Jon Peach	
Contact Officer name:	David Pryce	Ext: 50567
Lead Directorate:	Justice and Community Safety	

TRIM Ref: *2018*000084-048

Portfolio/s: Corrections and Justice Health**ISSUE: CANBERRA TIMES ARTICLE – DETAINEE WITHOUT RUNNING WATER****Talking points:**

- Over the last six months two faults were reported in June and September of this year. On each occasion, the issue was investigated.
- ACT Corrective Services (ACTCS) has organised for the replacement of all system components (timer, pushbuttons and solenoids) as a priority.
- This work is expected to be completed by the end of this week.
- The detainee has been offered alternative accommodation within the Alexander Maconochie Centre (AMC), however, this offer has been declined.
- Detainees in this area of the AMC have electric kettles in their cells and usually keep cordial bottles as water jugs. Additionally, the common area has a filtered zip hot/cold water tap which detainees can access during their time out of cell.
- ACTCS is taking steps to ensure this issue does not reoccur and is establishing proactive systems to ensure facility maintenance issues are addressed early.
- ACTCS has not received a formal complaint on this matter.

Key Information

- Whilst there is a fault at this time, ACTCS disputes the assertion that the detainee has been continuously without water.

Background Information

- ACTCS believes this fault was caused by detainees blocking the sink spout with a stick or similar.
- An external plumber has been engaged to assist with maintenance at the AMC.
- ACTCS is investigating further contractors to assist with plumbing jobs. Plumbing work at the AMC requires an additional custodial officer resource to escort them throughout the secure facility.

Cleared as complete and accurate: 01/11/2018
Cleared by: Executive Director
Information Officer name: Sch 2 s 2.2 (a)(ii)
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community
Safety

Ext:





ACT
Government

Justice and Community Safety

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MINISTER FOR CORRECTIONS AND JUSTICE HEALTH

2017-18 Annual Report Hearings

14 November 2018

12:00 to 1:00pm

Strategic and Accountability Indicators

1. Output Class 2 – Corrective Services Strategic and Accountability Indicators

Output Class Financial Summaries

2. Output Class 2 – Corrective Services Financial Summary

CORPORATE

3. Rollovers from 2017-18 into 2018-19 and forward years

4. Staffing Profile (ACTCS specific)

5. JACS Staff Survey (ACTCS specific)

6. Bullying and Harassment (ACTCS)

7. Special Employment Arrangements and Attraction and Retention Incentives (whole of Directorate)

8. Voluntary redundancies (whole of Directorate)

9. Procurement

10. Fraud and Integrity (whole of Directorate)

11. Public Interest Disclosures (whole of Directorate)

12. Freedom of Information statistics (whole of Directorate)

13. Freedom of Information (whole of Government)

14. Travel undertaken by Directorate Staff (whole of Directorate)

15. Work, Health and Safety Performance (ACTCS only)

16. JACS Sustainability (whole of Directorate)

17.	JACS Better Infrastructure Fund (BIF) (former CUP)
18.	Internal Audit
19.	JACS Executive Retreat
20.	Misconduct Matters
<u>ACT Corrective Services</u>	
21.	CORIS System
22.	Employment for detainees upon release from AMC
23.	Summary of Budget Initiatives
24.	Disability Data and Comments by ACT HRC
25.	Safety and Human Rights of Detainees
26.	Inspector of Correctional Services – Current Review
27.	Detainee Numbers
28.	USB Incident
29.	FOI – Jon Stanhope
30.	Moss Review
31.	AMC Dog Handlers
32.	Government Response and Coroners Report on Steven Freeman
33.	AMC Policies : Clothing, Email, Visits, Contraband, assaults in custody etc
34.	Fire incidents & Fire prevention measures
35.	AMC Health Services
36.	Recidivism
37.	Extended Throughcare
38.	Aboriginal and Torres Strait Islander Issues including Recidivism, Extended Throughcare, Incarceration Rates
39.	Industries, Programs and Education
40.	Accommodation Pressures

41.	Overdoses at the AMC (Joint with Health)
42.	Contraband
43.	Housing Assessment Information: Allocation of housing to known sex offenders
44.	CT Article – Detainee without running water

TRIM Ref: JACS2018/1130-018-001

Portfolio/s: Minister for Corrections and Justice Health

Output Class 2 Corrective Services					
Output 2.1 Corrective Services					
Description	Provision of safe and secure custody for detainees with a strong focus on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community based corrections programs, and providing advice and services to the ACT justice system.				
	2017-18 Original Target	2017-18 Amended Target	2017-18 Actual	Variance %	Note
Total Cost (\$'000)	78,233		79,394	1%	
Controlled Recurrent Payments (\$'000)	68,771		69,055	0%	
Accountability Indicators					
a	Completion rates of Community Corrections Orders:				
-	80%		68%	(15%)	1
-	60%		62%	3%	
b	Average cost per detainee per day for all detainees ⁱ				
	\$310		\$316	2%	
c	Average cost per day for community based offenders				
	\$39		\$34	(13%)	2
The above Accountability Indicators should be read in conjunction with the accompanying notes.					
The above Accountability Indicators were examined by the ACT Audit Office in accordance with the <i>Financial Management Act 1996</i> . The Total Cost and Controlled Recurrent Payments measures were not examined by the ACT Audit Office in accordance with the <i>Financial Management (Statement of Performance Scrutiny) Guidelines 2017</i> .					
Note					
i	This indicator closely aligns with the Report of Government Services (ROGS) reporting from net recurrent expenditure per community based offenders per day. This does not include superannuation and depreciation, in line with the ROGS counting method.				
Explanation of Material Variances ($\geq \pm 10\%$)					
1	The lower than target result is due to a combination of factors including more breaches identified by improved compliance activity.				
2	The decrease in average cost per day for community based offenders is due to an increase in the average number of offenders.				

Strategic Objective 2 – Safe Community

Strategic Indicator 2: Crime-Related Community Safety

An effective criminal justice system underpins the safety of the community. Although neither the directorate or the ACT Government can control all of the factors that impact on community safety, effectiveness can be measured by examining the level of crime against people and property and whether the justice system deals with offenders in a way that reduces the risk of further offending.

Table 41 Crime related community safety

Success	Strategic Indicator	2013– 2014 Result	2014– 2015 Result	2015– 2016 Result	2016– 2017 Result	2017– 2018 Result
Escapes/ abscondments from custody	Number of escapes or abscondments per 100 detainees	0	0	0.25	0.45 ²⁰	0

²⁰In September 2017, two detainees escaped from the Alexander Maconochie Centre. The result is based on the yearly daily average number of detainees in secure custody.

**ISSUE: 2017-2018 CORRECTIVE SERVICES STRATEGIC AND
ACCOUNTABILITY INDICATORS****Talking points:****Accountability Indicator 2.1(a)**

- The number of supervision orders successfully completed has an unfavourable variance in the 2017-2018 accountability indicator – the 2017-2018 result of 68% is a variation of 15% from the target of 80%.
- The number of court orders expected to be successfully completed is 4247. Out of this, 1362 or 32% court orders were breached by offenders.
- The lower than target result is due to a combination of factors including more breaches identified by improved compliance activity.

Accountability Indicator 2.1(c)

- A decrease in the average cost per day for community-based offenders from a target of \$39 to \$34 has been achieved.
- This variation of 13% is due to an increase in the average number of offenders being supervised.

Strategic Indicator 2

- In 2017-2018 there were no escapes from custody.

Key Information**Accountability Indicator 2.1(a)**

- This indicator calculates how many Community Corrections clients completed their court ordered Community Corrections supervision order without breaching within the expiry period.
- It also calculates the total hours of all community work order conditions against the completed community work hours within the counting period.
- Successful completion of these supervision orders is the responsibility of the offender by routinely reporting to their community corrections officer, attending case plan referrals such as counselling or drug treatment and following basic conditions such as maintaining good behaviour and not committing further offences. For those subject to community work orders, successful completion means attending an organisation such as the Salvation Army and completing their hours of community service within a set period.

Cleared as complete and accurate: 07/11/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Therese Goodman Ext: 78297
Lead Directorate: Justice and Community
Safety

Accountability Indicator 2.1(c)

- This indicator calculates the total cost of providing corrective services to community offenders during the reporting period, divided by the total number of offender days during the reporting period.
- The decrease in average cost per offender per day for Community Corrections is primarily due to increased offender numbers.

Background Information**Accountability Indicator 2.1(b)**

- The indicator average cost per detainee per day for all detainees is closely aligned with the Report of Government Services (ROGS) reporting and does not include superannuation and depreciation in line with the ROGS counting method.

Cleared as complete and accurate: 07/11/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Therese Goodman Ext: 78297
Lead Directorate: Justice and Community
Safety

Portfolio/s: Minister for Corrections and Justice Health**ISSUE:** **Output Class 2 – Corrective Services Financial Summary****Context**

This brief explains the Justice and Community Safety Directorate (JACS) 2017-18 Operating Statement for Output Class 2 – Corrective Services – page 234

Talking points2017-18 Actual to 2017-18 Budget Variance Explanation**Income**

- *Total Income:* the increase of \$0.3m in the 2017-18 actual from the original budget is due to higher:
 - *Controlled Recurrent Payments* relating to:
 - \$1.8m from 2017-18 2nd appropriation including Implementing Morison Security Review Recommendations (\$0.964m), Winnunga Model of Care (\$0.7m) and Drug and Alcohol Court Development and Design (\$0.085m).

Partially offset by:

- \$1m net re-profiling of funding for existing initiatives from 2016-17 to 2017-18 and then to 2018-19; and
- 0.5m of other adjustments.

Expenses

- *Total Expenses:* the increase of \$1.2m in the 2017-18 actual from the original budget is due to higher:
 - *Employee Expenses:* of \$0.803m relating to:
 - \$1.4m from 2017-18 2nd appropriation including Implementing Morison Security Review Recommendations (\$0.7m), Winnunga Model of Care (\$0.6m) and Drug and Alcohol Court Development and Design (\$0.070m).
 - \$0.3m from wage agreement increases.

Cleared as complete and accurate: 13/11/2018
Cleared by: Chief Finance Officer Ext: 54389
Information Officer name: Dragana Cvetkovski
Contact Officer name: Yun Chen Ext: 54837
Lead Directorate: Justice and Community Safety

Partially offset by:

- \$0.6m re-profiling of funding for Winnunga Model of Care from 2017-18 to 2018-19.
- \$0.2m from lower long service leave expenses due to changes in present value discount rate.
- *Supplies and Services*: the increase of \$0.7m is mainly due to higher than expected utility usage due to the increased number of detainees at AMC.
- *Superannuation Expenses*: the increase of \$0.3m is mainly due to wage agreement increases and indexation and additional staffing associated with new budget initiatives.
- *Other Expenses*: the increase of \$0.1m is mainly due to the disposal of AMC assets at the end of the financial year.

These are partially offset by lower:

- *Depreciation and Amortisation*: the decrease of \$0.7m is mainly due to the delayed project completion for AMC Detainee Industries and Activities Enforcement and ACT Corrective Services Information Management.

2017-18 Actual to 2016-17 Actual Variance Explanation

Income

- *Total Income*: the decrease of \$0.2m in the 2017-18 actual from the 2016-17 actual is due to:
 - *Other Gains*: the decrease of \$3.4m is due to the recognition of the leasehold asset for 2 Constitution Avenue in 2016-17.
 - *Resources Received Free of Charge*: the decrease of \$2.2m actual is mainly relating to workers' compensation supplementation associated with lower premium rate driven by better claim performance.

Cleared as complete and accurate: 13/11/2018
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Partially offset by higher:

- *Controlled Recurrent Payments:* the increase of \$5.4m is mainly due to:
 - \$3m from 2017-18 new budget initiatives, including Implementation of the Moss Review recommendations (\$1m), Operations for Prison Industries (\$0.5m) and Extended Throughcare Program (\$1.3m).
 - \$0.8m net funding step-up for existing initiatives from 2016-17 year.
 - \$0.9m S16B rollovers from 2016-17 to 2017-18.
 - \$0.7m from wage agreement increases, indexation and other net adjustments.

Expenses

- *Total Expenses:* the increase of \$2.6m in the 2017-18 actual from the 2016-17 actual is mainly due to higher:
 - *Supplies and Services:* the increase of \$1.9m is mainly due to:
 - \$2.2m from new initiatives in 2017-18, including Implementation of Moss Review recommendations (\$1.4m), Extended Throughcare Program (\$0.6m), and Operations for Prison Industries (\$0.2m).
 - \$0.8m S16B rollovers from 2016-17 to 2017-18.

Partially offset by:

- \$1.1m from re-profiling of funding to 2018-19 for existing initiatives.
- *Superannuation Expenses:* the increase of \$0.3m is due to wage agreement increases and indexation, and additional staffing associated with new budget initiatives.
- *Depreciation and Amortisation:* the increase of \$0.3m is due the capitalisation of various AMC facilities, including AMC laundry, bakery, detainee footpath, gym, recycling unit and sally port.

Cleared as complete and accurate: 13/11/2018
Cleared by: Chief Finance Officer Ext: 54389
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Contact Officer name: Yun Chen Ext: 54837
Lead Directorate: Justice and Community Safety

TRIM: JACS2018/1130-009-012

Portfolio/s: Minister for Corrections and Justice Health and Minister for Justice, Consumer Affairs & Road Safety

ISSUE: Rollovers from 2017-18 into 2018-19 and forward years

Talking points:

- **Appendix A** provides details of rollovers relating to the Minister for Corrections and Justice Health' portfolio from 2017-18 to 2018-19 and forward years through the 2018-19 Budget process. These total \$11.651 million as follows:
 - \$9.193 million rollover of capital funding; and
 - \$2.458 million rollover of recurrent funding, of which \$0.915 million relates to my and other Ministers' portfolios.
- **Appendix B** provides details of proposed FMA section 16B rollovers, subject to the Treasurer's approval, from 2017-18 by capital project and recurrent program relating to the Minister for Corrections and Justice Health portfolio. The following amounts totalling \$1.243 million are proposed to be rolled:
 - \$0.343 million rollover of capital funding; and
 - \$0.900 million rollover of recurrent funding, which relates to my and other Ministers' portfolios.
- **Appendix B** also provides details of the approved FMA section 16B rollovers for the Better Infrastructure Fund.

If asked about significant re-profiling to 2019-20 year

Capital works projects by their very nature experience variations in delivery. The Capital Works Funding Framework provides flexibility to respond to slower or faster delivery of individual projects. The Directorate has re-profiled significant capital funding to 2018-19 and 2019-20 years to better reflect financial completion of projects.

Cleared as complete and accurate: 10/10/2018
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Information Officer name: Dragana Cvetkovski
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Lead Directorate: Justice and Community Safety

[Return to Index](#)

Background Information

- Section 16B of the Financial Management Act 1996 (FMA), ‘Rollover of Undispersed Appropriation’, allows, in certain circumstances, unspent appropriation to be rolled over to the following year by an instrument signed by the Treasurer.
- A Whole of Government re-profiling exercise has resulted in a significant proportion of 2017-18 funding being re-profiled to 2018-19 and 2019-20 years. This has created a misalignment between physical completion date and the financial re-profiling.
- In particular, this is evident for the Digital Canberra – New Digital Radio Communication System where majority of re-profiled funding was moved to 2019-20 while the project is expected to be physically completed in December 2018.
- This re-profiling will not slow down or delay any projects. Directorate will work closely with Treasury regarding any further changes to cash flow requirements in 2018-19.

Cleared as complete and accurate: 10/10/2018
Cleared by: Chief Finance Officer Ext: 54389
Information Officer name: Dragana Cvetkovski
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Lead Directorate: Justice and Community
Safety

Appendix A - Rollover from 2017-18 to 2018-19 and forward years through the 2018-19 Budget process

Recurrent /Capital (R/C)	Type	OC	No.	Projects	Reason for rollover	2017-18 \$'000	2018-19 \$'000	2019-20 \$'000	Original Completion Date	Revised Completion Date	Minister
Controlled Recurrent Payment Re-profiling											
R	R	2	1	Better Support When It Matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre	A design consultant is currently being sourced to produce the designs required for the provision of the Temporary accommodation solution. Project is expected to complete in 2018-19.	-732	732		Jun-18	Jun-19	MoC
R	R	2	2	Implementation of Moss Review Recommendations	<u>\$476k - Feasibility review to inform the strategic accommodation needs for detainees in the ACT</u> Rollover required to allow ACTCS continues to progress accommodation options with the environmental survey and temporary bed planning work to address the continued pressure on AMC bed capacity. <u>\$335k - Inspector of Correctional Services</u> Delays in engagement have resulted in the rollover requirement.	-811	811		Jun-18	Jun-19	MoC
R	R	1 2 4	3	Strategic Asset Management Plan	To allow for project continuity and completion.	-200	200		Jun-18	Jun-19	MPES MoC AG
R	R	1 2 3 4	4	Learning Management System	To allow for project continuity and completion.	-235	235		Jun-18	Jun-19	MPES MoC AG
R	R	1 2 3 4	5	Implement Strategic Priorities	To allow for project continuity and completion.	-480	480		Jun-18	Jun-19	MPES MoC AG
Total Recurrent Re-profiling						-2,458	2,458	0			
Capital Injection Re-profiling						\$'000	\$'000	\$'000			
C	C	2	1	Better Support When It Matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre	A Project manager has been engaged from Infrastructure Finance Capital Works. Engagement of an architect has been completed. First draft design brief for both the health centre refurbishment and the floor plan of the modular building is with Justice Health within ACT Health for approval. The rollover is required to align the project's expected cash flows with the program of work.	-2,011	-1,400	3,411	Jun-19	Jun-20	MoC
C	C	2	2	Alexander Maconochie Centre – Detainee Industries and Activities Enforcement Project	The 2017-18 funding is to complete oval rectification and to address any matters arising in the defects liability period. The oval was completed in April 2018. Current identified defects include the impact of waste through additional cells. This increased capacity adversely affected the liquid trade waste from the AMC and its subsequent impact on the sewer network. A rollover is required to align the cash flow with expected work program with the liquid waste solution.	-731	731		Jan-17	Jun-19	MoC
C	I	2	3	ACT Corrective Services – Information Management	The solution design and sandbox stage have been delayed due to changes in key resources within the vendor's project team. The rollover is required to align the project's expected cash flows with the contract milestones.	-6,002	998	5,004	Jun-18	Jun-19	MoC
C	I	2	4	Digital Canberra – New Digital Radio Communication System	Roll over due to the delay of procurement and establishment of the WHoG contract for mobile radio devices.	-449	90	359	Jun-18	Dec-18	MoC
Total Capital Re-profiling						-9,193	419	8,774			
BREAKDOWN											
Direct											
Total Re-profiling (Capital)						-9,193	419	8,774			
Total Reprofiling (Recurrent)						-1,543	1,543	0			
Across Ministers											
Total Re-profiling (Capital)						0	0	0			
Total Reprofiling (Recurrent)						-915	915	0			
TOTAL						-11,651	2,877	8,774			

Appendix B - Proposed s16B Rollover of Undisbursed Appropriation from 2017-18 to 2018-19

Recurrent /Capital (R/C)	Type	OC	No.	Projects	Reason for rollover from 2017-18 to 2018-19	2018-19 \$'000	Original Completion Date	s16B Revised Completion Date	Minister
Controlled Recurrent Payment ROLLOVERS									
R	R	1, 2 &4	1	2017-18 Workers' Compensation True-up	The rollover is required to enable payment of the 2017-18 true-up invoice which was accrued in 2017-18 and is expected to be received for payment by October 2018.	900	Jun-18	Oct-18	AG MoC MPES
Operating Total						900			
CAPITAL INJECTION ROLLOVERS - DIRECTORATE						\$'000			
					Reason for rollover from 2017-18 to 2018-19				
C	C	2	2	ACT Corrective Services - Accommodation fit out	The rollover is required to finalise 2017-18 accrued invoices and matters arising during the defects liability period.	147	Dec-17	Sep-18	MoC
C	I	2	3	ACT Corrective Services Information Management Solution	The rollover is required to due to timing of invoices.	75	Jun-19	Jun-19	MoC
C	I	2	4	Digital Canberra - New Digital Radio Communications System	The rollover is required to due to timing of invoices.	121	Dec-18	Dec-18	MoC
TOTAL DIRECTORATE CAPITAL S16B ROLLOVER REQUESTS						343			
BREAKDOWN									
Direct									
Total Re-profiling (Capital)						343			
Total Re-profiling (Recurrent)						0			
Across Ministers									
Total Re-profiling (Capital)						0			
Total Re-profiling (Recurrent)						900			
TOTAL DIRECTORATE S16b ROLLOVER REQUESTS (CRP/Capital)						1,243			

Portfolio/s: Minister for Corrections and Justice Health**ISSUE: STAFFING PROFILE (ACTCS Specific)**

This issue is referenced in Section B.8 Human Resources Management on pages 194-207 of the 2017-2018 Annual Report.

Talking points:

Agency staffing profile information specific to ACT Corrective Services (ACTCS):

- As at 27 June 2018 (the last captured pay period in the reporting period), ACTCS employed 419 people. The full time equivalent (FTE) was 404.4 (AR p204 Table 61).
- This was an increase of one headcount from 418 in June 2017, and an increase of 1.8 FTE from 402.6 FTE.
- There were 217 Correctional Officers in June 2018 – 53 female (which represents 24.4 per cent of the workforce) and 164 male (which represents 75.6 per cent of the workforce) (AR p205 Table 63).
- Numbers of Correctional Officers remains relatively static. In comparison with June 2017 there were 213 Correctional Officers – 53 female (24.9 per cent), 160 male (75.1 per cent).
- The majority of the remaining 202 staff in June 2018 were predominately employed in administrative stream classifications (including senior officers) with a small number engaged as Executives, Health Professionals, General Service Officers and Professional Officers.

Cleared as complete and accurate:	26/10/2018	
Cleared by:	Executive Director	Ext: 55132
Information Officer name:	Virginia Hayward	
Contact Officer name:	Doreen Tan	Ext: 70995
Lead Directorate:	Justice and Community Safety	

Key Information

- Staff profile by classification group and gender (AR p205 Table 63):

Classification Group	Female	Male	Total	% Female
Administrative Officers	80	50	130	61.5%
Correctional Officers	53	164	217	24.4%
Executive Officers	1	3	4	25.0%
General Service Officers and Equivalent		7	7	0.0%
Health Professional Officers	5		5	100.0%
Professional Officers		1	1	0.0%
Senior Officers	32	23	55	58.2%
TOTAL	171	248	419	40.8%

Note: Community Corrections Officers carry Administrative, Professional and Senior Officer classifications.

- ACTCS had 383 permanent employees, 28 temporary employees and eight casuals (AR p205 Table 64). In June 2017, ACTCS had 363 permanent employees, 47 temporary employees and eight casuals.
- Staff profile by employment category and gender (AR p205 Table 64):

Employment Category	Female	Male	Total Headcount
Casual	2	6	8
Permanent Full-time	140	230	370
Permanent Part-time	11	2	13
Temporary Full-time	17	9	26
Temporary Part-time	1	1	2
Total	171	248	419

- ACTCS had 26 employees who identified as Aboriginal and/or Torres Strait Islander (AR p206 Table 65). This was an increase from 23 in June 2017, and represented 6.2 per cent of the total ACTCS workforce.

Cleared as complete and accurate: 26/10/2018
 Cleared by: Executive Director Ext: 55132
 Information Officer name: Virginia Hayward
 Contact Officer name: Doreen Tan Ext: 70995
 Lead Directorate: Justice and Community Safety

- As at 27 June 2018, there were 1,781.0 FTE in JACS (810.4 FTE female and 970.5 FTE male) (AR p204 Table 61).

Background Information

- The 2017-2018 Justice and Community Safety Directorate (JACS) Annual Report reported the ACTCS headcount as 419. The headcount is an increase from 418 from the previous year.
- In 2017, ACTCS conducted bulk recruitment process for Correctional Officers and attracted over 300 applicants. Of these, 17 new recruits were selected to complete the 10 week training course and all graduated in November 2017. In addition, two existing correctional officers, appointed from the applicants, moved from permanent to casual officer status.
- Nine females applied for positions of Correctional Officers in the bulk recruitment drive in 2017. Of these five were appointed, including two Aboriginal and/or Torres Strait Islander women.
- Relevant to managing an operational environment is the fact that rostered staff must be back filled or otherwise covered in order for normal operations to be maintained. Absences can be related due to unplanned leave, maternity leave, annual leave and a number of other absences.

Cleared as complete and accurate: 26/10/2018
Cleared by: Executive Director Ext: 55132
Information Officer name: Virginia Hayward
Contact Officer name: Doreen Tan Ext: 70995
Lead Directorate: Justice and Community
Safety

TRIM Ref: JACS2018/1130-018-002

Portfolio/s: Minister for Corrections and Justice Health**ISSUE: JACS STAFF SURVEY**

The Canberra Times published a news article “Justice Directorate staff are concerned about bullying and harassment” on Monday 9 April 2018 at 2:57 pm

Talking points:

- The information collected in the 2017 Justice and Community Safety (JACS) Staff Survey provides valuable information on staff perception at that point in time on what works well in JACS and identifies opportunities for improvement.
- The survey is one tool that assists the Directorate in understanding the broad culture of the organisation and makes an assessment of the level of staff engagement.
- It is important to note that while there is room for improvement, Directorate’s results reflect that JACS is average when compared to other large public sector organisations.
- The results are also reflective of the diverse nature of the functions and services it delivers. For example the functions undertaken by Corrections and Emergency Services by their very nature are high risk and staff operate in high pressure environments, which can have an impact on organisational culture.
- JACS is committed to improving its workplace culture and has a Workforce Strategy 2017-2019 to help achieve this. The survey results are used by the Directorate and Business Heads to inform other work that is being delivered across the Directorate as part of its Workforce Strategy.
- It should be noted that responses related to favouritism, harassment and bullying have statistically improved over time, with nearly 10 per cent more employees reporting that they felt free from bullying and harassment in the last survey, compared with the 2015 data.

Cleared as complete and accurate: 07/11/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community Safety

Ext: 70879

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Background Information

- The JACS Staff Survey was conducted during April and May 2017. The next survey will be conducted in 2020.
- JACS is committed to continuing the process of undertaking staff surveys, to understand what is happening and work on how to respond and improve the organisation as a whole. This is part of the whole of JACS workforce strategy.
- In support of this, business units are working with staff on the results of the survey.
- JACS will continue to progress actions to facilitate a more engaged, enabled and empowered workforce.
- Detailed results from the JACS staff surveys, including those of ACT Corrective Services, are not made public for a number of reasons:
 - the assurances made to staff about the confidentiality of their responses and the risks of undermining staff confidence and participation in future surveys (which is voluntary);
 - the commercial value and intellectual property of Best Practice Australia as the survey provider would be compromised; and
 - the nature of the reports, which are designed as working documents by executives and managers within the organisation.
- The following information relates to the 2015 and 2017 Staff Survey responses on bullying and harassment questions. To achieve the almost 10% improvement involved combining these 2 questions and averaging across 2 survey year population sizes.

Staff Survey	Response to “A workplace that is free from harassment”	Response to “A workplace that is free from bullying”
2015	57% (731)	52% (729)
2017	66% (861)	59% (865)

Cleared as complete and accurate: 07/11/2018
 Cleared by: Executive Director
 Information Officer name: Jon Peach
 Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
 Lead Directorate: Justice and Community Safety

Ext: 70879

ISSUE: Bullying and Harassment**Talking points:**

- In 2017-18, the Justice and Community Safety Directorate (JACS) undertook a total of seven preliminary assessments relating to allegations of bullying and harassment and sexual harassment. All processes were conducted in accordance with Section H of the relevant ACT Public Service (ACTPS) Enterprise Agreement.
- All of the preliminary assessments undertaken were from ACT Corrective Services (ACTCS). Five related to allegations of bullying and harassment and two related to allegations of sexual harassment.
- No bullying and harassment or sexual harassment complaints were received from the ACT Emergency Services Agency (ESA) in the 2017-18 financial year.
- However, since the commencement of the 2018-19 financial year three female staff members from the ACT Ambulance Service (ACTAS) have raised workplace behaviour concerns by some male staff.
- A preliminary assessment was undertaken into these matters, with systemic issues identified. An action plan, including support mechanisms to be provided to the individual staff members, is currently being developed.

Bullying and Harassment

- Of the five preliminary assessments related to allegations of bullying and harassment:
 - one progressed to a formal misconduct investigation which was subsequently ceased prior to the finalisation of the investigation. This was due to a lack of evidence in support of the claims and both parties agreeing to participate in other remedial action;
 - three were found to have insufficient evidence to support the allegation/s at the preliminary assessment stage; and

Cleared as complete and accurate: 26/10/2018
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Information Officer name: Virginia Hayward
Contact Officer name: Justine Lowder Ext: 53307
Lead Directorate: Justice and Community Safety

- one was managed by other remedial action without the need for a formal misconduct investigation.

Sexual Harassment

- Of the two preliminary assessments relating to allegations of sexual harassment:
 - one was found to have insufficient evidence to support the allegation following the preliminary assessment; and
 - one progressed to a formal misconduct investigation which was found to be substantiated. The individual resigned prior to a final sanction being given.
- Since 2015, the directorate has captured more detailed data including information relating to complainants. This data shows that during the 2017-18 financial year, the majority of allegations made were against staff in the senior officers classification or equivalent.

Compensation

- In 2017-2018, the directorate had a total of 10 compensation claims lodged where the claimant indicated bullying and harassment was involved. Liability was accepted for five of these.

	JACS Other	ACTCS	ESA
Compensation Claims	0	3	7
Liability Accepted	0	2	3

- The number of preliminary assessments undertaken and compensation claims received do not match for a number of reasons including:
 - data is from a different source; not all preliminary assessments have a corresponding compensation claim, or the process may have different timing. For example, the preliminary assessment may be undertaken prior to any claim, and timing could be several months apart.
 - claims are coded by Comcare and reflect what is entered by the claimant on their initial claim, and may reflect a one-off incident rather than bullying and harassment.

Cleared as complete and accurate: 26/10/2018
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 Lead Directorate: Justice and Community Safety

Staff Training

- Respect, Equity and Diversity (RED) training, which includes bullying prevention and management, has been mandatory for all staff since the launch of the ACTPS RED Framework in December 2010. In addition, the directorate Inclusion Statement 2016-2019 (launched in 2015-2016) continues to set the foundation to build inclusiveness within the workplace.
- Since the launch of the ACTPS RED Framework in 2010, there has been 1,672 staff have attended RED training across the directorate (inclusive of separated staff).
- During 2017-2018, a total of 142 JACS staff participated in RED training.

	JACS Other	ACTCS	ESA
RED Training	37	54	51

- At the end of 2017-2018, the directorate had a total of 35 RED contact officers (including one from Public Trustee and Guardian).

	JACS Other	ACTCS	ESA
RED Contact Officers	9	8	18

- JACS provide ongoing promotion and implementation of the *ACTPS Resolving Workplace Bullying, Harassment and Discrimination Guidelines* which included RED in the induction program for all new employees.
- A total of 157 JACS staff attended induction in 2017-2018, at which the RED Framework and Social Inclusion were discussed.

	JACS Other	ACTCS	ESA
Induction training	40	52	65

Key Information

- All reports of bullying and harassment and sexual harassment were from ACTCS.

Cleared as complete and accurate: 26/10/2018
 Cleared by: Executive Director Ext: 55132
 Information Officer name: Virginia Hayward
 Contact Officer name: Justine Lowder Ext: 53307
 Lead Directorate: Justice and Community Safety

ANNUAL REPORT HEARING BRIEF

- A total of 10 compensation claims were lodged where the claimant indicated bullying and harassment, with liability being accepted for five claims. Three claims were from ACTCS and seven claims were from ESA.
- During the reporting year, 142 JACS staff attended RED training. 54 were from ACTCS, 51 were from ESA and 37 were from the Attorney-General's portfolio.
- At the end of 2017-2018, the directorate had a total of 35 RED contact officers. Eight were from ACTCS, 18 were from ESA and nine were from the Attorney-General's portfolio.

Background Information

- Information regarding investigation into alleged breaches of Section 9 of the *Public Sector Management Act 1994*, which includes bullying and harassment, are reported on an annual basis in the ACT Government State of Service Report 2016-2017 and are not disaggregated to Directorate level.
- Misconduct information for JACS was also recently provided in response to a Question on Notice (QON) reference document MIN: 2018/003809.

Cleared as complete and accurate: 26/10/2018
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Lead Directorate: Justice and Community
Safety

ISSUE: Attraction and Retention Incentives – Whole of Directorate

Talking points:

- Attraction and Retention Incentives (ARIns) may be offered:
 - where a position is deemed critical to the operation of the Directorate
 - if employees with specialist qualifications or specialist or high level skills are required
 - the skills required by the employee who occupies the position are in high demand in the marketplace
 - the position would incur significant costs to replace
- An ARIn may contain enhanced pay rates, provision for privately plated vehicles or other terms and conditions of employment where the Director-General and Head of Service considers there is a clear, unambiguous and exceptional need.
- As at 30 June 2018 the Justice and Community Safety (JACS) Directorate had eight Attraction and Retention Incentives (ARIns) in place.
- This includes two group ARIns. One group ARIn for the ACT Ambulance Service (ACTAS) and one group ARIn for ACT Fire and Rescue (ACTF&R).
- Seven ARIns were terminated during the 2017-18 financial year.
- Due to the small number of ARIns within the Directorate, for privacy purposes, it is not possible to provide further information.
- ARIns must be reviewed at least annually, with a comprehensive review to be undertaken every three years.

Cleared as complete and accurate: 26/10/2018
Cleared by: Executive Director Ext: 55132
Information Officer name: Virginia Hayward
Contact Officer name: Donna Burns Ext:53831
Lead Directorate: Justice and Community Safety

Key Information

- Information pertaining to ARIns for JACS is contained on page 203 of the Annual Report.
- ARIns within the Directorate:

Description	Number of Individual ARIns
Number of ARIns at 30 June 2018	8
Number of new ARIns commenced during the reporting period	1
Number of ARIns for employees who have transferred from Special Employment Arrangements (SEAs) during the period	0
Number of ARIns terminated during the period	7
Number of ARIns providing for privately plated vehicles as at 30 June 2018	0

- Table - Individual ARIns

Classification Range	Remuneration as at 30 June 2018
SOGA and Equivalent	\$146,138 to \$167,363
Fire Brigade (FB) 8	\$140,614

Background Information

- The use of ARIns is made available through relevant Enterprise Agreements.
- ARIns are used in limited circumstances and only where it is necessary to attract and/or retain employees with specialist skills.

Cleared as complete and accurate: 26/10/2018
 Cleared by: Executive Director Ext: 55132
 Information Officer name: Virginia Hayward
 Contact Officer name: Donna Burns Ext:53831
 Lead Directorate: Justice and Community Safety

TRIM Ref: JACS2018/1130-010-008

Portfolio/s: JACS Ministers

ISSUE: Voluntary Redundancies (whole of Directorate)

Talking points:

- In the 2017-2018 financial year, two employees accepted an offer of voluntary redundancy (VR).
- Of the two:
 - one related to the change of arrangements for the Managed Accommodation Program (MAP) for Corrections; and
 - one related to restructuring in the ACT Courts and Tribunal.
- Due to the small numbers no more information can be provided regarding the specifics of each voluntary redundancy as it may identify the individuals concerned.
- The delegation for voluntary redundancies is held by all executives, and usually exercised by business units heads only.
- Any restructure that may result in excess staff is referred to the JACS People and Workplace Strategy Unit to ensure that the provisions of the relevant enterprise agreement are followed, including consultation with affected staff and/or their representative.

Key Information

- In the 2017-2018 financial year, there were two voluntary redundancies in JACS. This is a reduction of four from the previous financial year.
- None were related to requirements to make efficiency savings.

Cleared as complete and accurate: 15/10/2018
Cleared by: Executive Director Ext: 55132
Information Officer name: Virginia Hayward
Contact Officer name: Justine Lowder Ext: 53307
Lead Directorate: Justice and Community Safety

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Background Information

- Where an employee becomes excess to requirements, the Directorate endeavours to identify a suitable position for them to transfer to. Where there are limited opportunities to redeploy excess staff within the ACT Public Service, an offer of voluntary redundancy can be made to the employee. A proportion of excess staff accept an offer of voluntary redundancy. The process for redeployment and redundancy are provided in the relevant enterprise agreement.
- The length of time between the changes to the MAP and the offer of VR was due to the individual finding temporary/project roles only in the interim and was unable to be permanently redeployed.

Cleared as complete and accurate: 15/10/2018
Cleared by: Executive Director Ext: 55132
Information Officer name: Virginia Hayward
Contact Officer name: Justine Lowder Ext: 53307
Lead Directorate: Justice and Community
Safety

TRIM Reference: JACS2018/1130-012-005

Portfolio/s: JACS Ministers**ISSUE: PROCUREMENT****Talking points:**

- The Justice and Community Safety Directorate (JACS) has scheduled Procurement Fraud Risk Assessments to be completed each financial year as part of the JACS Strategic Internal Audit Program 2018-21.
- In March 2018, JACS engaged an external provider to conduct an audit of the procurement processes undertaken for the 12 Moore Street Accommodation project. The audit assessed the extent to which the procurement was undertaken in accordance with relevant legislation, government policies and guidelines.
- A number of areas of good practice were highlighted in this audit including a gap analysis of the JACS Procurement Framework and other guidelines noting that all key requirements had been covered; review of detailed budget and expenditure relating to the procurement; and that approvals from the Director-General / Executive were adequately documented and in place prior to committing funds for the procurement.
- The key observations made in the final report focused on formalising the Procurement, Contract Management and Assurance Framework (the Framework), documenting key aspects of procurement, providing training to staff who undertake procurement and ensuring records are maintained.
- In 2018-19 JACS will engage external service providers to undertake audits of procurement, project management and invoice payments to identify fraud risk and improve processes.

Cleared as complete and accurate: 15/10/2018
Cleared by: Director Ext: 6207 5066
Information Officer name: Kaye Yen
Contact Officer name: Kirilee Crump Ext: 6207 9033
Lead Directorate: Justice and Community Safety

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Key Information

- Prior to the review's completion JACS published a new Procurement, Contract Management and Assurance Framework in December 2017. This Framework includes procurement tools and templates.
- The ACT Government Goods and Services Procurement division delivered training sessions to JACS staff in September 2017, and in February and March 2018. Ongoing training is now provided to capture new staff.

Background Information

- On 4 October 2018 the Canberra Times published an article stating that ACT Government staff approved up to \$1.4 million worth of work in relation to the 2017 Floriade festival without adequately following procurement processes.
- To inform this article, CMTEDD was asked to provide further information on procurement reviews and subsequent findings in other ACT Government directorates.

Cleared as complete and accurate: 15/10/2018
Cleared by: Director Ext: 6207 5066
Information Officer name: Kaye Yen
Contact Officer name: Kirilee Crump Ext: 6207 9033
Lead Directorate: Justice and Community
Safety

TRIM Reference: *2018*1130-012-001

Portfolio/s: JACS Ministers**ISSUE: Fraud and Integrity (whole of Directorate) (Annual Report page 189)****Talking points:**

- Two (2) instances of alleged or suspected cases of fraud were reported in 2017-2018. These were identified as a result of reporting and review mechanisms within the directorate.
- Both allegations related to amounts less than \$500.
- The first, a false reimbursement claim related to travel. The matter was investigated in accordance with the misconduct provisions of the relevant enterprise agreement, with the individual resigning prior to the process being finalised.
- The second, where an amount was unaccounted for from a petty cash tin resulted in the implementation of strengthened cash management and handling processes.
- The JACS directorate continues to raise awareness of fraud and corruption risks through various mechanisms such as the directorate intranet, the newsletter and regular all staff emails from the Senior Executive Responsible for Business Integrity Risk (SERBIR).
- Fraud and ethics training is mandatory for all directorate staff. This also increases staff awareness in relation to ethics, integrity, and fraud and corruption prevention through staff training and development.
- In 2017-2018, the directorate conducted five programmed sessions, which supported the attendance of 71 staff.

Key Information

- The awareness program for supervisor and manager-level employees focuses on understanding accountabilities, identification of fraud/ethical risks and promotion of ethical workplaces.
- The awareness program for all staff focuses on understanding responsibilities and reporting suspected fraud or corruption. Elements of the all-staff awareness program have also been incorporated into the induction program for new starters.

Cleared as complete and accurate: 24/10/2018
Cleared by: Executive Director Ext: 74813
Information Officer name: Liz Beattie
Contact Officer name: Kirilee Crump Ext: 79033
Lead Directorate: Justice and Community
Safety

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Background Information

- Two incidents of alleged fraud were reported to the SERBIR in 2017-2018.
- In the first incident, a ACT Courts and Tribunal staff member falsely claimed reimbursement for the use of a private motor vehicle while undertaking travel for work. After consideration internally, the directorate has referred the incident to the Professional Standards Unit to conduct a misconduct investigation. In addition, in May 2018 the directorate engaged an external service provider to undertake an internal audit of the directorate's travel policy and forms.
- In the second incident, \$140 was found to be missing from a cash tin in the ACT Courts and Tribunal. An internal review did not identify any misconduct, however strengthened cash management and handling processes were implemented.

Cleared as complete and accurate: 24/10/2018
Cleared by: Executive Director Ext: 74813
Information Officer name: Liz Beattie
Contact Officer name: Kirilee Crump Ext: 79033
Lead Directorate: Justice and Community
Safety

TRIM Reference: JACS2018/1130-012-002

Portfolio/s: JACS Ministers**ISSUE: Public Interest Disclosures****Talking points:**

- The Justice and Community Safety Directorate (JACS) received no (0) Public Interest Disclosures (PID) in the 2017/18 year.
- JACS relies on the Public Interest Guidelines 2017 as notified by the then Public Sector Standards Commissioner in June 2017 as its guidelines.
- Matters under the *Public Interest Disclosure Act 2012* (PID Act) are reviewed to determine if they fit the criteria of what constitutes a disclosable conduct, which includes any of the following:
 - (a) conduct of a person that could, if proved—
 - (i) be a criminal offence against a law in force in the ACT; or
 - (ii) give reasonable grounds for disciplinary action against the person;
 - (b) action of a public sector entity or public official for a public sector entity that is any of the following:
 - (i) maladministration that adversely affects a person's interests in a substantial and specific way;
 - (ii) a substantial misuse of public funds;
 - (iii) a substantial and specific danger to public health or safety;
 - (iv) a substantial and specific danger to the environment.
- If a matter can be appropriately managed by another mechanism a decision maker may choose not to investigate the matter under the PID Act.

Key Information

That there were no PIDs received by the Directorate in 2017/18.

Background

In 2016/17 there were 6 matters received by the Directorate for consideration under the PID Act and 2 in 2015/16.

Cleared as complete and accurate:	06/11/2018	
Cleared by:	Deputy Director-General	Ext: 53995
Information Officer name:	Richard Glenn	
Contact Officer name:	Liz Beattie	Ext:
Lead Directorate:	Justice and Community Safety	

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ISSUE: Freedom of Information Statistics (Directorate)

The Freedom of Information Act 1989 and the Freedom of Information Act 2016 require all ACT Government Agencies to publish details of the number of Freedom of Information (FOI) applications received during the financial year, processing and decision timeframes through annual reporting.

Talking points:

- *The Freedom of Information Act 2016* commenced on 1 January 2018, which means the annual report 2017-2018 will contain information about access applications made under both FOI Act 2016 and FOI Act 1989.
- In 2017-2018, the Justice and Community Safety Directorate received 70 FOI access request in total, including 38 requests under the FOI Act 1989 and 32 requests under the FOI Act 2016*.

	Initial requests to access documents	Full access	Partial access	Refused access	Decision pending
July – December 2017, under <i>Freedom of Information Act 1989</i>	38	4	21	16	0
January – June 2018, under <i>Freedom of Information Act 2016</i>	32	5	17	7	N/A**

*Not all requests received in 2017-2018 financial year were processed by the Directorate in that financial year.

** Number of decisions pending is not a reporting requirement under the *Freedom of Information Act 2016*.

- The majority of FOI requests resulted in full or partial release of documents requested.
- Access to documents was withheld most commonly where the documents was already publicly available.
- The annual report captures the FOI processing time reporting requirements under both FOI Acts.

Cleared as complete and accurate: 15/10/2018
 Cleared by: Executive Director Ext: 76244
 Information Officer name: Kaye Yen
 Contact Officer name: Julia Bowden Ext: 74558
 Lead Directorate: Justice and Community Safety

ANNUAL REPORT HEARING BRIEF

July – December 2017, under <i>Freedom of Information Act 1989</i>	31 days or less	31-45 days	46-60 days	61-90 days	91 days or more	Decision pending	Withdrawn
	25	2	6	3	0	0	0
January – June 2018, under <i>Freedom of Information Act 2016</i>	Access Application decided within time to decide		Access Application not decided within time to decide		Additional number of days taken to decide over the time to decide		
	24		3		1, 6, 1		

- Of the 70 application processed in 2017-2018, 49 were completed within the statutory time to decide for FOI access requests. Applicants agreed to extensions to all the FOI requests that were not processed within the statutory timeframe.
- The *Freedom of Information Act 2016* also requires ACT Government Directorates to report on the publishing of Open Access Information. Between January and June 2018, Justice and Community Safety Directorate has published 123 Open Access documents. JACS is committed to continue the frequent publishing of Open Access information.

Key Information

- The 70 FOI requests received by the Directorate during 2017-2018 related to the following business units:

Business unit	Number of requests Jul-Dec 2017	Number of requests Jan-Jun 2018
ACT Corrective Services	17	11
JACS Corporate	5	10
Emergency Services Agency	4	6
ACT Law Courts and Tribunal	2	1
Public Trustee	1	1
Human Rights Commission	4	0
Transferred to other agencies	5	3
Total	38	32

Cleared as complete and accurate: 15/10/2018
 Cleared by: Executive Director Ext: 76244
 Information Officer name: Kaye Yen
 Contact Officer name: Julia Bowden Ext: 74558
 Lead Directorate: Justice and Community Safety

Background Information

- The ACT Legislative Assembly passed the *Freedom of Information Act 2016* on 11 August 2016.
- The new FOI Act commenced on 1 January 2018 and is weighted towards pro-disclosure. The new regime will also include an obligation to proactively release information as part of the Open Access scheme.

Cleared as complete and accurate: 15/10/2018
Cleared by: Executive Director Ext: 76244
Information Officer name: Kaye Yen
Contact Officer name: Julia Bowden Ext: 74558
Lead Directorate: Justice and Community
Safety

JACS2018/1130-012-006

Portfolio/s: JACS Ministers

ISSUE: Freedom of Information Statistics (Whole of Government)

The Freedom of Information Act 1989 and the Freedom of Information Act 2016 require all ACT Government Agencies to publish details of the number of Freedom of Information (FOI) applications received during the financial year, processing and decision timeframes through annual reporting.

Talking points:

- *The Freedom of Information Act 2016* commenced on 1 January 2018, which means the annual report 2017-2018 will contain information about access applications made under both FOI Act 2016 and FOI Act 1989.
- The new FOI Act commenced on 1 January 2018 and is weighted towards pro-disclosure. The new regime also includes an obligation to proactively release information as part of the Open Access scheme.
- In 2017-2018, the ACT Government received 867 FOI access request in total, including 394 requests under the *FOI Act 1989* and 473 request under the *FOI Act 2016**.

	Initial requests to access documents	Full access	Partial access	Refused access	Decision pending
July – December 2017, under <i>Freedom of Information Act 1989</i>	394	70	184	97	15
January - June 2018, under <i>Freedom of Information Act 2016</i>	473	48	165	62	N/A**

* Not all requests received in 2017-2018 financial year were processed by the ACT Government in that financial year. Not all requests proceed to a formal decision on access, as in some cases documents can be released informally or a request may be withdrawn.

** Number of decisions pending is not a reporting requirement under the *Freedom of Information Act 2016*.

- The majority of FOI requests resulted in full or partial release of documents requested.

Cleared as complete and accurate: 15/10/2018
 Cleared by: Deputy Director-General Ext: 53504
 Information Officer name: Richard Glenn
 Contact Officer name: Kaye Yen Ext:75066
 Lead Directorate: Justice and Community Safety

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ANNUAL REPORT HEARING BRIEF

- Access to documents was withheld most commonly where the documents were already publicly available or were not in the public interest to be disclosed.
- The annual report captures the FOI processing time reporting requirements under both FOI Acts.

July – December 2017, under Freedom of Information Act 1989	31 days or less	31-45 days	46-60 days	61-90 days	91 days or more	Decision pending	Withdrawn
	199	68	40	22	31	15	48
January – June 2018, under Freedom of Information Act 2016	Access Application decided within time to decide				Access Application not decided within time to decide		
	247				84		

- The majority of the applications processed in July – December 2017 were completed within the statutory time to decide for FOI access requests. Applicants agreed to extensions to all the FOI requests that were not processed within the statutory timeframes.
- The new FOI Act has changed the FOI decision time reporting requirements to improve transparency. Between January – June 2018, 247 FOI requests were decided within the time to decide under Section 40 of the new Act. Extensions were granted by the applicants or the Ombudsman for the 84 applications that were not decided within the time to decision. Additional processing days for ACT Government Directorates and agencies are recorded in Table 3.1.3 in Section O.2 of the Justice and Community Safety Annual report.
- The new FOI Act also requires ACT Government Directorates to report on the publishing of Open Access Information for greater accountability and transparency. Between January to June 2018, the ACT Government has published 2774 Open Access documents. To date, the ACT Government has published over 3693 Open Access documents and is committed to continue the frequent publishing of Open Access information.
- The new Act (Section 96) requires each Minister, for each financial year, to prepare a report on the operation of this Act in relation to the Minister during the year (the Minister’s Annual Report).

Cleared as complete and accurate: 15/10/2018
 Cleared by: Deputy Director-General Ext: 53504
 Information Officer name: Richard Glenn
 Contact Officer name: Kaye Yen Ext:75066
 Lead Directorate: Justice and Community Safety

ANNUAL REPORT HEARING BRIEF

- All required information in regards to the Minister's Annual Report has been included in the Justice and Community Safety Directorate Annual Report.

Key Information

- The 867 FOI requests received by the ACT Government during 2017-2018 related to the following Directorates:

Directorates and the relevant portfolio bodies	Number of requests Jul-Dec 2017	Number of requests Jan-Jun 2018
ACT Ministers	1	1
Officer of the Legislative Assembly	0	0
Chief Minister, Treasury and Economic Development Directorate	137	163
Community Services Directorate	70	82
Environment, Planning and Sustainable Development Directorate	57	87
ACT Health Directorate	19	43
Education Directorate	26	13
Transport Canberra and City Services Directorate	46	52
Justice and Community Safety Directorate	38	32
Total	394	473

Background Information

- The ACT Legislative Assembly passed the *Freedom of Information Act 2016* on 11 August 2016.

Cleared as complete and accurate: 15/10/2018
 Cleared by: Deputy Director-General Ext: 53504
 Information Officer name: Richard Glenn
 Contact Officer name: Kaye Yen Ext:75066
 Lead Directorate: Justice and Community Safety

ANNUAL REPORT HEARING BRIEF

TRIM Ref: JACS2018/1130-013-001

Portfolio/s: JACS Ministers

ISSUE: International travel undertaken by the Justice and Community Safety for 2017-2018

Talking points:

- The Justice and Community Safety Directorate (JACS) purchased 22 international airfares in the 2017-2018 financial year at a cost of \$57,089.46. (Note this cost is for airfares only and does not include accommodation.)
- The majority of international travel for 2017-2018 financial year was to New Zealand.
- All international travel requires Ministerial approval

Key Information

2017-2018 International Travel

Division	Airfares	Cost	Reason for travel	Destination
ACT Corrective Services	1	\$1,426.42	Conference (1)	(1) New Zealand
ACT Courts & Tribunal	3	\$6,893.76	Conference (3)	(2) New Zealand (1) Phillippines
Emergency Services Agency	9	\$19,209.09	Training (3) Workshop (2) Site Visits (2) Meeting (1) Working Group (1)	(6) New Zealand (3) USA
ACT Government Solicitors	8	\$26,397.13	Expert Witness Conference (4) Medico-legal appointments (4)	(6) New Zealand (2) United Kingdom
JACS Director General	1	\$3,163.06	Overseas meeting with ACT Head of Service and Director-General delegation	(1) Singapore
Total	22	\$57,089.46		

Cleared as complete and accurate: 16/10/2018
 Cleared by: Executive Director Ext: 78420
 Information Officer name: Moira Crowhurst
 Contact Officer name: Natalie Tanchevski Ext: 71123
 Lead Directorate: Justice and Community Safety

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Portfolio/s: Minister for Corrections and Justice Health

**ISSUE: Work health and safety performance (ACTCS only)
Annual Report pages 192-193**

Talking points:

- The national work health and safety targets are:
 1. Reduce the incidence rate of claims resulting in one or more weeks off work by at least 30 percent
 2. Reduce the incidence rate of claims for musculoskeletal disorders (MSD) resulting in one or more weeks off work by at least 30 percent
- **Target 1** – In 2017/18 the number of claims resulting in one or more weeks off work during the reporting period increased from six to 10.
 - While these injuries are both physical and psychological and caused via a number of mechanisms, the majority (9 of the 10) are physical.
 - While there are specific injury prevention strategies in place, this figure reflects the risk profile of the work undertaken by our Correctional Officers.
 - The Directorates' WHS Team is actively working with ACT Corrective Services to implement prevention strategies and to conduct root cause analysis of incidents resulting in one or more days off work to reduce the number of incidents resulting in claims within this category.
- **Target 2** – In 2017/18 the number of musculoskeletal disorders (MSD) resulting in one or more weeks off work increased from two (2) in 2016/17 to eight (8) in 2017/18. The Directorates' WHS team continues to work with ACTCS to promote access to the ACT Government physiotherapy early intervention program.

Cleared as complete and accurate:	18/10/2018	
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Lead Directorate:	Justice and Community Safety	

ISSUE: SUSTAINABILITY (B.9 Ecologically Sustainable Development)**Talking points:**

- The JACS Sustainability Management Plan 2018-20 was developed to align with the ACT Carbon Neutral Government Framework and provide a roadmap for JACS to transition to zero greenhouse emissions by 2020.
- It outlines a shift in strategy to drive value for money energy efficiency infrastructure upgrades with a return on investment at high usage and greenhouse emitting sites. These include the Alexander Maconochie Centre (AMC) and some ACT Policing sites.
- JACS dedicates funding for energy efficiency works through the Better Infrastructure Fund (BIF). This is used across selected sites within the JACS property portfolio.
- In 2017-18, energy efficiency BIF works were completed at ESA sites, including the Joint Emergency Services Centre at Gungahlin, the ESA Training Centre at Hume and the ACT Rural Fire Service (ACTRFS) at Jerrabomberra.
- Baseline energy audits for the AMC and priority ACTP sites commenced in 2017-18 have been completed. These energy audits have identified an energy efficiency program of works to reduce greenhouse emissions.
- Planning for energy efficiency works at the AMC is now underway. Energy efficiency solutions are also planned to be incorporated in the Upgrading ACT Policing Facilities project which commenced in 2018-19 at the Winchester Police Centre (WPC) and Tuggeranong Police Station (TPS).

If asked about Carbon Budget and Targets:

- The JACS 2018-19 Carbon Budget aims to cap greenhouse emissions at 2017 levels. The 2018-19 target focuses on greenhouse emissions from gas. It is intentionally ambitious given the lead times to deliver gas consumption reductions.
- The JACS 2017-18 Carbon Budget target was a 1.5 per cent reduction in stationary energy (electricity and gas) consumption compared to the 2016 calendar year baseline. The directorate did not achieve this target

Cleared as complete and accurate: 01/11/2018
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Safety

and realised an increase of 4.9 per cent in stationary energy consumption.

- Gas consumption increases were primarily attributed to weather variation and operational growth, in particular, construction at the ACT Courts precinct, the addition of the Aranda Ambulance and Fire and Rescue Station, and expansion at the AMC.

Key Information

Governance

- Senior JACS executives are driving sustainability action across the directorate as part of their performance and development plans.
- JACS recruited a dedicated Sustainability Manager in 2017-18 to provide guidance to the directorate in the development and implementation of a sustainability plan.

2017-18 JACS Carbon Budget results

- Increases in gas consumption between 2017-18 and 2016 were primarily attributed to the ACT Courts precinct (increase of 39 per cent), the Aranda Ambulance and Fire and Rescue Station (increase of 249 per cent) and the Alexander Maconochie Centre (AMC) (increase of 4 per cent).
- These results are consistent with infrastructure development at each site:
 - a. construction at the ACT Courts began in April 2016 and ramped up in the intervening period
 - b. the Aranda Ambulance and Fire and Rescue Station came online in August 2017
 - c. the AMC increased detainee numbers, expanded the facility's laundry and added a bakery in late 2016-17.

Energy efficiency BIF works

- In 2017-18, JACS expended \$262k on energy efficiency works:
 - a. Gungahlin, Joint Emergency Services Centre (JESC) upgrade of the building management system and lighting.
 - b. ACT ESA Training Centre heating and ventilation improvements and building management system upgrade.
 - c. ACT RFS Jerrabomberra external lighting upgrade.
 - d. The 2017-18 appropriation energy efficiency BIF of \$290k.

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- e. \$251k of the expenditure was from the Better Infrastructure Fund. \$11k was cash managed internally.
- In 2018-19, \$290k is allocated energy efficiency works from the BIF.

Water

- The SMP commits to development of a water management plan. The AMC is the primary user of water across the JACS portfolio. The water plan will build on water sensitive infrastructure at the AMC including water collection tanks and grey water recycling.
- In 2017-18, JACS water use increased by 37.5 per cent. This was predominantly due to infrastructure and detainee growth at the AMC (including added multipurpose centre, laundry, bakery and sporting field).

Waste

- In 2017-18, JACS achieved a significant decrease in waste to land fill, paper and cardboard through rationalisation of the existing waste arrangements in the previous year.

Transport

- The directorate has adopted the ACT transition to zero emissions vehicles action plan 2018-21. In 2017-18, the directorate commenced liaison with EPSDD and CMTEDD in relation to the ACT transition to zero emissions vehicles action plan 2018-21, specifically in relation to the transition of light passenger vehicles to electric vehicles.

Background Information

- In accordance with the CNG Framework, all agencies are required to develop a SMP to set sustainability objectives and progress towards the ACT Government achieving carbon neutrality across its operations by 2020.
- In 2015-16, the CNG Framework established annual Carbon Budgets. The purpose of the Carbon Budget is to set an annual target to work towards zero greenhouse emissions by 2020.
- The CNG Framework provides funding for energy efficiency projects with a payback of 10 years or less.
- A review of the Sustainability Committee purpose, operation and terms of reference is currently being reviewed to align with the shift in the sustainability strategy and implementation of the new SMP.

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ISSUE: JACS 2017-18 BETTER INFRASTRUCTURE FUND

Talking points:

- The JACS Better Infrastructure Fund (BIF) in 2017-18 was \$1.769m including \$0.268m for Territorial assets and \$1.501m for Directorate assets.
- The program of works were physically and financially completed by 30 September 2018.
- The JACS 2017-18 BIF was allocated between various business units and agencies to upgrade various facilities across the Justice and Community Safety portfolio, with particular emphasis on work health and safety, and security.

If asked how much was spent on various business units.

Total expenditure was:

- Emergency Services Agency - \$0.456 million
- ACT Policing – Territorial assets - \$0.265 million
- Corrective Services - \$0.641 million
- Other JACS business units including JACS Energy Efficiency work program across JACS - \$0.475 million

Cleared as complete and accurate: 30/10/2018
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Lead Directorate: Justice and Community Safety

Background Information

- The JACS 2017-18 BIF program of works comprised the following:

Projects	Actual Cost \$'000
ACT Ambulance Service Fyshwick privacy and dignity upgrade	81
ACT Fire and Rescue Technical Operation Support Service ablutions upgrade	250
ESA Hume Training Centre retention pond works	99
JACS ESA Back up Communication Centre deck replacement	17
JACS ESA State Emergency Service Belconnen roof safety sytem upgrade	9
ESA TOTAL	456
Winchester Police Centre upgrades	265
ACT Policing - Territorial total	265
AMC audio visual capability upgrade	46
AMC cottage windows upgrade	236
AMC detainee admissions area upgrade	23
AMC emergency and exit lighting upgrade	81
AMC fall protection rails installation	209
AMC internal service roads upgrade	46
Corrections TOTAL	641
ACT Government Solicitor facility improvement	72
Director of Pulic Prosecutions Criminal Law Resource Centre physical re-fit	29
Forensic Medical Centre resurfacing of autopsy benches	77
JACS Energy Efficiency works program	265
Magistrates Court lock replacement program	10
SEMB ASNET Access Security Controls	22
Other JACS TOTAL	475
Total Expenditure	1,837
Total overspend	68

Cleared as complete and accurate: 30/10/2018
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 Lead Directorate: Justice and Community Safety

ANNUAL REPORT HEARING BRIEF

- The majority overspends are listed as below (slightly offset by some underspend in other projects):

Projects	Overspend \$'000	Reasons
ACT Fire and Rescue Technical Operation Support Service ablutions upgrade	33	Underground services not identified on "Dial before you dig"
AMC Cottage Windows Upgrade	23	Due to installation complexity
JACS Energy Efficiency Program	14	Additional lighting at the ESA Technical Operations Support Service
Total overspend	70	

The overspend was managed internally by the Directorate.

Future JACS BIF planning will be informed by updated Strategic Asset Management Plans, building condition assessments and energy efficiency audits.

Cleared as complete and accurate: 30/10/2018
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 Lead Directorate: Justice and Community Safety

TRIM Ref: JACS2018/1130-012-004

Portfolio/s: JACS Ministers**ISSUE: INTERNAL AUDIT****Talking points:**

- The JACS internal audit function is an independent, objective assurance and consulting activity designed to add value, and improve the directorate's operations.
- The JACS Strategic Internal Audit Program is developed annually using a risk-based methodology to identify areas of strategic and operational risk with those having a high or above risk rating given a greater priority for inclusion in the audit program.
- All actions taken by business units to address recommendations identified in each external and internal audit are monitored and reported to the Audit and Performance Improvement Committee (APIC) on a quarterly basis.

Key Information

- As part of the annual audit program, ten audits and reviews were presented to the APIC for consideration in 2017-18:
 - JACS Assurance Map
 - A Procurement Audit
 - AMC Detainee Trust Account Fraud Risk Assessment
 - Review of Security of Ambulance Medication Kits
 - HP Records Manager 8 Access Controls Review
 - Warrant Procedural Review
 - Accountability Indicators Review
 - Statement of Performance Recommendations Review
 - Human Rights Commission, Public Trustee and Guardian, and 12 Moore Street Business Continuity Tests
 - Bushfire Preparedness Risk Assessment.

Cleared as complete and accurate: 01/11/2018
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Lead Directorate: Justice and Community Safety

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- Field work was in progress for a further two audits at the end of the financial year. These audits are:
 - ACT Courts Travel Entitlements
 - Security and Emergency Management Branch Grant Management

The ACT Courts travel audit was completed and presented to APIC in September 2018.

Background Information

- The approach to developing the 2017-18 Strategic Internal Audit Program included:
 - undertaking a selection of information gathering interviews across the directorate
 - reviewing relevant parts of the directorate's strategic risk profile to identify areas of importance and risk to the directorate, or where the potential for loss or failure is greatest
 - considering emerging internal audit topics as identified by APIC
 - understanding the need for compliance reviews in selected areas
 - reviewing past internal and external audit activities/findings
- In 2017-18, \$105,187 was spent by Governance to conduct internal audits and engage the Audit and Performance Improvement Committee Chair.
- Of the audits finalised in 2017-18, seven were undertaken by external service providers, these include:
 - JACS Assurance Map (O'Connor Marsden)
 - A Procurement Audit (RSM)
 - AMC Detainee Trust Account Fraud Risk Assessment (KPMG)
 - Warrant Procedural Review (KPMG)
 - Statement of Performance Recommendations Review (O'Connor Marsden)
 - Human Rights Commission, Public Trustee and Guardian, and 12 Moore Street Business Continuity Tests (Oakton)
 - Bushfire Preparedness Risk Assessment (Euan Fergusson Pty Ltd)
- An additional three reviews were completed internally, these include:
 - Accountability Indicators Review
 - Review of Security of Ambulance Medication Kits
 - HP Records Manager 8 Access Controls Review

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TRIM Ref: JACS2018/1130-010-010

Portfolio/s: JACS Ministers

ISSUE: JACS EXECUTIVE RETREAT

This issue is referenced to a question on notice for ACT Health regarding expenditure on their executive retreats.

Talking points:

- JACS have held two Executive Retreats in 2018, on 27 March and 2 October, at the Yarramundi Reach Cultural Centre.
- The Retreats were designed for executives across the directorate to share their experiences and challenges; strengthen their leadership capabilities; enhance collaboration; ensure compliance across the directorate; discuss topics relating to strategic priorities and social inclusion; and build the organisational culture.
- The total expenditure for the October Retreat including speaker fees was \$5,116.36 (excluding GST).
- The catering providers for the retreat were Koori Kulcha Aboriginal Corporation which is a Canberra Business Region Joint Organisation (CBRJO) Indigenous Supplier, and the Alexander Maconochie Centre (AMC) Bakery. Both social enterprises were engaged as part of the Directorate's commitment to support services via social procurement.

Key Information

- The October 2018 Executive Retreat covered the following topics relating to JACS strategic priorities and was facilitated by internal and external stakeholders and speakers.

Topics	Facilitators
Our leadership in human rights	Dr Helen Watchirs, President, ACT Human Rights Commission
Our leadership in workplace health and safety	Elissa Clarke, Principal Solicitor, ACT Government Solicitor
Our leadership in engaging people with disability	Wayne Herbert, Member of Government ACT Disability Reference Group, and Deputy Chairman of the ACT LBGTIQ Ministerial Advisory Council

Cleared as complete and accurate: 19/10/2018
 Cleared by: Executive Director Ext: 55132
 Information Officer name: Virginia Hayward
 Contact Officer name: Ext:
 Lead Directorate: Justice and Community Safety

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ANNUAL REPORT HEARING BRIEF

Our leadership in preventing and responding to men’s violence against women	Penny Pestano, Service Director, Canberra Rape Crisis Centre; Simon Port, Coordinator Violence Prevention Services, EveryMan; and Dearne Weaver, Client Services Director, Domestic Violence Crisis Service (DVCS)
Leadership Commitment and Close	Alison Playford, Director-General

- To organise the program, the Directorate procured services from the following social enterprises and/or with cultural significance:

Service Provider	Item	Cost (ex GST)
Yarramundi Reach Cultural Centre	Venue Hire for the session	\$636.36
Koori Kulcha Aboriginal Corporation	Catering of lunch	\$2,200.00
Alexander Machonochie Centre Bakery	Morning tea	\$280.00
Inform Communicate Motivate International (ICMI)	Wayne Herbert – Speaker Fee	\$2,000.00
TOTAL		\$5,116.36

Background Information

- As part of their leadership development, JACS executives meet twice a year with the purpose for them to seek to strengthen their leadership capabilities, ensure compliance across the Directorate and build organisational culture.

Cleared as complete and accurate: 19/10/2018
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 Lead Directorate: Justice and Community Safety

Portfolio/s: Minister for Corrections and Justice Health**ISSUE: Misconduct matters (ACTCS specific)****Talking points:**

- During the 2017-2018 financial year the Justice and Community Safety Directorate (JACS) undertook a total of 25 preliminary assessments, 20 of which related to ACTCS.
- The number of matters represents an increase from eight undertaken in the 2016-2017 financial year.
- Of the 20 preliminary assessments, seven matters related to bullying and harassment.
- Eight matters progressed to a formal misconduct investigation; of these, one matter related to bullying and harassment and one matter related to sexual harassment. Of the six remaining matters,
 - Two matters related to Use of Force (UOF)
 - One matter related to inappropriate behaviour
 - One matter related to inappropriate use of Territory email
 - One matter related to Failure to exercise reasonable care and skill
 - One matter related to theft.
- Of the 20 preliminary assessments, 12 matters did not progress beyond a preliminary assessment.
 - Five of these were determined to have insufficient evidence
 - Three staff members were written to formally reminding them of their obligations following the preliminary assessment process
 - One staff member separated from the service prior to the final sanction
 - Two matters were resolved via remedial action (mediation)
 - One matter was referred from the directorate's HR area to ACTCS to be resolved.

Cleared as complete and accurate: 13/11/2018
Cleared by: Executive Director Ext: 55132
Information Officer name: Virginia Hayward
Contact Officer name: Donna Burns Ext:53831
Lead Directorate: Justice and Community Safety

Key Information

- The directorate remains committed to addressing all allegations of misconduct, including bullying and harassment, with a view to ensuring that appropriate action is undertaken.
- This commitment is demonstrated by the ongoing undertaking of processes outlined in relevant Enterprise Agreements, including preliminary assessments, formal misconduct investigations and/or remedial actions including counselling and mediation.
- The directorate is also committed to the ongoing provision of Respect, Equity and Diversity (RED) training, attended by both new and existing employees.

Background Information

- Information regarding investigations into alleged breaches of Section 9 of the *Public Sector Management Act 1994*, including bullying and harassment are reported in the ACT Government State of the Service Report 2017-2018.
- All data captured is reported collectively for all directorates.
- Misconduct data for JACS was also recently provided in response to a Question on Notice (QON), reference document MIN:2018/003809.
- Detailed data relating to misconduct matters has been captured since 2015 and provided in the 2015-2016 financial year:
 - Seven preliminary assessments were conducted with one matter relating to bullying and harassment.
 - Four matters progressed to a formal misconduct investigation, none of which related to bullying and harassment.
 - Three matters did not proceed beyond a preliminary assessment. Two matters were determined as having insufficient evidence. One matter was finalised via remedial action.

For the 2016-2017 financial year:

- Eight preliminary assessments were conducted, with four matters relating to bullying and harassment.
- Five matters progressed to a formal misconduct investigation, with one matter relating to bullying and harassment.
- Three matters did not proceed beyond a preliminary assessment due to insufficient evidence.

Cleared as complete and accurate: 13/11/2018
Cleared by: Executive Director Ext: 55132
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Lead Directorate: Justice and Community Safety

Portfolio: Minister for Corrections and Justice Health**ISSUE: UPDATE ON ACT CORRECTIONAL SERVICES NEW OFFENDER MANAGEMENT SYSTEM – CORIS®****Talking points:**

- ACT Correctional Services (ACTCS) identified a need to replace the current offender management system, the Custodial and Offender Information System which has been in used in ACTCS since 2004.
- In July 2016, ACTCS entered into a contract with Canadian-based company Abilis Solutions to provide and manage a new offender management system, known as CORIS®, that provides comprehensive coverage of correctional business processes.
- The CORIS® system is used in several jurisdictions internationally and the ACT will be the first Australian jurisdiction where it will be implemented.

Implementation Timeframes

- Abilis Solutions was contracted to implement the system by mid-2018 and to provide ongoing hosting and support. This timeframe has since changed and it is now estimated that implementation will occur by mid-2019.
- The delay in implementation is predominately due to changes in key staff members assigned to the project by the vendor. This changeover of staff required extensive knowledge transfer activities which contributed to the delay.
- The total payment made to Abilis Solutions, based on milestones completed, is \$1.195 million. ACTCS have not progressed milestone payments to the vendor for delayed milestones.

Key Information

- ACTCS have contracted Abilis Solutions to provide and manage a new offender management system known as CORIS®.
- The project has experienced delays and is now estimated to be implemented by mid-2019.

Cleared as complete and accurate: 09/11/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- ACTCS is implementing CORIS® as an ‘out-of-the-box’ solution, to replace an aging system and myriad spreadsheets and other documents that the agency currently uses to manage detainees and offenders.
- Abilis is contracted to implement the system by mid-2018 and to provide ongoing hosting and support.
- Since mid-2016, the Abilis team has conducted a number of preliminary gap analysis and detailed analysis sessions, with the support of the Corrective Services Information Management Solution Project (CSIMS) subject matter experts and key staff from the various business areas of the agency.
- Information collected in these session has been used to configure CORIS® to ACTCS requirements, for ‘proving’ in a ‘sandbox’ environment.
- The project budget is \$7.773 million.

Cleared as complete and accurate: 09/11/2018
Cleared by: Executive Director
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Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
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Portfolio/s: Minister for Corrections and Justice Health**ISSUE: EMPLOYMENT OPPORTUNITIES FOR DETAINEES UPON RELEASE FROM THE ALEXANDER MACONOCHIE CENTRE****Talking points:**

- ACT Corrective Services (ACTCS) supports improved employment outcomes for detainees and former detainees in a range of ways relative to the individual's needs. Support is provided while in custody and, if participating in the Extended Throughcare Program, for 12 months post-release. Support can include:
 - Provision of training within the Alexander Maconochie Centre (AMC);
 - Placement in a vocational training course in the community;
 - Provision of training required in certain industries such as white cards and Asbestos Awareness training;
 - Provision of appropriate clothing for interview, or specific clothing required when a job is secured, such as steel-capped boots and high visibility clothing;
 - Facilitation of work crew and transitional release work options, including access to paid work opportunities from the Transitional Release Centre; and
 - Job interview preparation, support and debriefing.
- ACTCS is currently recruiting for an Employment Specialist. This role will work with detainees and former detainees to assist them to achieve sustainable employment or training outcomes upon or post release. The Employment Specialist will also maintain relationships with the ACT employment and training sector to maximise opportunities for detainees and former detainees to access employment and training.
- Additionally, ACTCS supports other government agencies in placing detainees and former detainees, such as work release placements through the Transitional Release Centre.

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Cleared by: Executive Director
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Lead Directorate: Justice and Community Safety

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Time to Work Employment Service

- The Commonwealth sought service providers to implement the ‘Time to Work Employment Service’, which aims to prepare Aboriginal and Torres Strait Islander detainees to find employment, reintegrate into the community, and minimise the likelihood of recidivism.
- On 21 December 2017, ACTCS and ACT Health signed a Memorandum of Understanding (MoU) with the Commonwealth Department of Employment (now known as the Department of Jobs and Small Business) in relation to the Time to Work Employment Service.
- The MoU outlines service providers' access to the AMC, eligible detainees, and their information.
- PeoplePlus Enterprises Pty Ltd is the appointed provider for the Time to Work Employment Service in the ACT. Formal service commenced on 8 May 2018.
- The service reports directly to the Department of Jobs and Small Business and ACTCS does not currently hold records of detainee engagement.

Worldview Foundation Program

- The Department of the Prime Minister and Cabinet funded a pilot proposal from the Worldview Foundation for a ‘Wellbeing and Employment Readiness’ program.
- The program focuses on disadvantaged Aboriginal and Torres Strait Islander people in the ACT and incorporates holistic wellbeing, mentoring and employment training to prepare detainees prior to release.
- The Worldview program began the 13 week pre-release program in the AMC on 28 August 2018, following an intensive two week consultation period.
- The program has engaged approximately 25 Indigenous detainees who attend the program daily in preparation for their transition to release.
- Worldview staff have provided throughcare support, accommodation and employment for six former AMC detainees.

Cleared as complete and accurate: 23/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- In 2016, the Council of Australian Governments released the Prison to Work Report, which highlighted the challenges Aboriginal and Torres Strait Islander people face when trying to find and retain work following their release from prison.
- The Worldview Foundation programs have been developed through extensive stakeholder engagement in addition to domestic and international program evaluation and research.
- The Worldview Foundation programs include:
 - Housing Transitions;
 - Personal and Success Coaching;
 - Health and Nutrition;
 - Social Connection;
 - Cultural Identity;
 - Training and Education; and
 - Employment and Financial Independence.
- The Time to Work Employment Service is a new national, in-prison employment service targeted at adult sentenced Aboriginal and Torres Strait Islander prisoners. The service is voluntary and assists people to access the support they need to better prepare them to find employment and reintegrate into the community upon their release from the AMC.
- As part of the Time to Work Employment Service, participants receive:
 - a comprehensive assessment of their employment barriers,
 - assistance to develop a detailed transition plan, and
 - a facilitated transfer from their in-prison service provider to their post-release employment service provider.

Data – offender employment post-release

- ACTCS does not have the capacity to provide post-release employment information for ex-detainees.

Cleared as complete and accurate: 23/10/2018
Cleared by: Executive Director
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Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community Safety

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*2018*000084-030

Portfolio: Corrections and Justice Health**ISSUE: 2018-19 Budget Summary – Minister for Corrections****Talking points:**

The 2018-19 Budget will invest **\$21.5 million** in the ACT Corrective Services.

This includes:

- **\$15.5 million over four years** to provide additional staff resources associated with an increase in average detainee numbers at the AMC and to replace the mobile duress system
- **\$6 million over three years** to continue the Intensive Corrections Order Scheme to strengthen rehabilitation opportunities for offenders

Background Information

The ACT's budget announcements included initiatives relating to:

- More support for families and inclusion – Better resourcing for the Alexander Maconochie Centre
- More support for families and inclusion – Intensive Corrections Orders
- Better support when it matters - Enhancing security at the Alexander Maconochie Centre
- Better support when it matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre.

The 2017-18 2nd Appropriation provided:

- **\$11.6 million over five years** to enhance security and safety within the Alexander Maconochie Centre
- **\$6.8 million over five years** (JACS component) to introduce the Winnunga Health Model of Care at the Alexander Maconochie Centre. ACT Health component of \$1.6 million over two years will be offset against the health funding envelope.

Cleared as complete and accurate: 09/11/2018
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Portfolio: Corrections and Justice Health**ISSUE: DISABILITY ASSESSMENT AND DATA COLLECTION****Talking points:**

- Currently, individuals are requested to self-identify as having a disability as part of the induction process for detainees at the Alexander Maconochie Centre (AMC).
- Disability may refer to physical or intellectual disabilities, or developmental conditions such as Autism Spectrum Disorder (ASD).
- This information is captured on the Induction form. As it relies on self-identification, the data is likely to underrepresent actual figures.
- At this time, ACT Corrective Services (ACTCS) is unable to provide the definitive number of current detainees who identify as having ASD.
- If a detainee identifies as having a disability, this is taken into consideration during the development of their case management plan.
- The data related to the numbers of individuals who have identified as living with a disability is not captured in the current system in a format that allows for the data to be easily extracted.
- Once the new Corrective Services Information Management Solution (CSIMS) is deployed in 2019, detainee data will be collated into an online system. This will enable reports on detainee numbers and identifying factors, including disability status, to be generated.
- The information that will be captured in CSIMS will continue to rely on self-identification and it is likely that the data will continue to underrepresent actual figures.
- In addition to self-identification, Justice Health screen for possible disability or impairment as part of the induction health assessments of detainees. This information is noted in health records.
- Access to individualised services for detainees with an identified intellectual disability has increased since the introduction of the Corrections Psychological and Support Services (CPSS) unit.
- CPSS coordinates care for individuals identified as having significant complex presentations including living with a disability.

If asked about comments from ACT President of the Human Rights Commission

- I am aware of comments provided to the Editor of *The Canberra Times* by Dr Helen Watchirs OAM on 5 June 2018.
- Dr Watchirs advises that the ACT Human Rights Commission “*strongly supports the call for improved assessment and data collection in relation to the prevalence of disability in the prison population in the ACT, as recommended by the Auditor-General in 2015*”.
- I acknowledge that this type of data is important to help identify issues of systemic discrimination and service gaps.
- I am committed to seeing improvements in this area and will continue to work with the Human Rights Commission and ACTCS to achieve this.

Justice Disability Strategy

- As part of the 2018-19 Budget, the ACT Government has announced the investment of \$580,000 to develop a Disability Justice Strategy to respond to the disadvantages faced by people with disability when dealing with the justice system.
- The Disability Justice Strategy aims to reform the civil and criminal justice system to ensure people with disabilities are treated equally before the law, and can participate on an equal basis in civic life through participation in the justice system.
- The Community Services Directorate is leading the implementation of the Strategy in collaboration with the Justice and Community Safety Directorate (JACS).
- ACTCS is developing a Disability Framework. This framework will focus on actions that are specific to ACTCS to address disability related issues of clients of the agency. The framework will support the wider JACS Justice Strategy.

Key Information

- Data relies on detainees self-identifying, prior to undergoing further assessment by Justice Health.
- The current form only allows for a detainee to identify as having a ‘disability’. It does not specify the different types of disability.
- CSIMS is expected to be operational in 2019. ACTCS is investigating the potential inclusion of optional fields to specify the type of disability, including physical or intellectual.
- Only information critical to the operation of the prison is likely to be back-captured. However, ACTCS is still considering the notion of a broader, more comprehensive data migration.

Background InformationData

- In 2015, the ACT Auditor-General’s Report on ‘The Rehabilitation of Male Detainees at the Alexander Maconochie Centre’ recommended that ACTCS capture data on detainees with physical disabilities and intellectual disabilities, in order to improve services for these cohorts and to evaluate the effectiveness of activities and services.
- In November 2015, ACTCS added this data item to the tender specification of the CSIMS.

Hayes Ability Screening Index

- In an email to the Editor of *The Canberra Times* of 5 June 2018, Dr Watchirs, ACT President and Human Rights Commissioner, recommended that ACTCS screen new and current detainees using the Hayes Ability Screening Index (HASI).
- The HASI was piloted in the AMC in 2014 and administered to all detainees as part of induction. Due to the large numbers of detainees affected by drugs on admission, administering the HASI on admission was found to be unreliable. Key red flag questions are now included in the Induction form and if a disability is identified, appropriate referrals are made.
- The HASI is able to be administered by CPSS staff on referral from Justice Health or AMC staff. The HASI is administered to detainees who are suspected of having poor or low level cognitive and intellectual functioning, to determine whether referral to Justice Health Services for comprehensive assessment is required.

Cleared as complete and accurate: 08/10/2018
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Contact Officer Name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

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TRIM Ref: 2018/000084-028

Portfolio: Corrections and Justice Health**ISSUE: SAFETY AND HUMAN RIGHTS OF DETAINEES****Talking points:**Safety of detainees

- The safety and security of all detainees is a priority for ACT Corrective Services (ACTCS).
- Safety and security within the centre continues to be enhanced with the implementation of a new management structure and operating model at the Alexander Maconochie Centre (AMC).
- A centralised intelligence unit has been established across both Community and Custodial Corrections, to work with staff, detainees and ACT Policing (ACTP) to intercept acts prior to their perpetration.
- This unit will also participate in emerging security issues such as Outlaw Motor Cycle Gangs and countering violent extremism. The increased staffing to this unit will implement intelligence-driven security activities.
- ACTCS continues to work closely with ACTP in support of drug and contraband interdiction measures including providing assistance with investigations, and with the ongoing exchange of information.
- Recommendation 1 of the Moss Review called for improved CCTV quality and coverage at the AMC. The AMC has increased its use of CCTV to 525 cameras to monitor the movement and behaviour of detainees to ensure safety, security and good order at the AMC. The quality of the images that are captured by the CCTV System has also been improved to better support evidentiary outcomes.
- The Memorandum of Understanding (MoU) between ACTCS and ACTP was reviewed and updated to reflect the issues raised by Recommendations 2 and 3 of the Moss Report. The amended MoU was agreed by both agencies and signed on 28 April 2017. It sets out the arrangement between ACTP and ACTCS, including information-sharing, cooperative management arrangements relating to serious incidents and operations, and the nature of incidents to be reported to and responded by ACTP.

Cleared as complete and accurate: 08/10/2018

Cleared by: Executive Director

Ext:70879

Information Officer name: Jon Peach

Contact Officer name: Sch 2 s 2.2 (a)(ii)

Lead Directorate: Justice and Community
Safety[Return to Index](#)

- The amended MoU includes arrangements for reporting serious assaults to Deputy Chief Police Officer level within ACTP to ensure investigations are appropriately prioritised and have appropriate oversight.

Human Rights Standards

- On 26 March 2018, the ACT Government released the Human Rights Standards ('the Standards') for ACTCS for community consultation.
- ACTCS already abides by the *Human Rights Act 2004*, other standards set in Commonwealth law and a number of international principles relating to human rights.
- These Standards detail the expectations that we as a community, and the ACT Government, have of adult correctional facilities.
- The Standards outline how detainees will be supported from their initial contact with ACTCS through to their release in the community. This support is provided across key areas including:
 - safety
 - respect and dignity
 - purposeful activity
 - rehabilitation and release planning.
- ACTCS will continue to consider human rights when developing policies, delivering services and making decisions.
- The ACT Government intends to table the Principles on 29 November 2018.

ACT Inspector of Correctional Services

- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the new role of the Inspector of Correctional services ('the Inspector').
- The Inspector is a statutory independent office holder position. The Inspector works collaboratively with ACTCS and other oversight bodies such as the ACT Human Rights Commission, ACT Ombudsman, Public Advocate and the Official Visitors, to identify issues in adult corrections, and propose solutions to promote continuous improvement.

Cleared as complete and accurate: 08/10/2018
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- In June 2018, the Inspector initiated a formal review into the management and care of remand detainees at the AMC. This review is not yet finalised and will be provided to the Legislative Assembly in due course.
- The Inspector conducted a desk-top review of a critical incident at the AMC that occurred on 23 May 2018. The review was conducted under section 18(1)(c) of the *Inspector of Correctional Services Act 2017*. The incident involved a physical altercation between two detainees, and resulted in one detainee being admitted to hospital.
- A desk-top review involves the review of documents and reports, including audio/visual records if applicable, provided by ACTCS and other agencies. It does not involve interviewing staff or detainees and is more likely to be conducted where the circumstances of an incident are reasonably self-evident and unproblematic.
- A report on this matter will be delivered to the Legislative Assembly in the coming weeks.

Rehabilitation Framework

- ACTCS is undertaking extensive work to refresh and review existing policies and introduce pro-social methods of detainee management.
- ACTCS has finalised a rehabilitation framework which reflects the profile of the detainee population, outlines the therapeutic programs provided at the AMC, and guides the integration of rehabilitative activities and services through effective sentence planning and management.
- This over-arching framework will improve sentence management and the outcome of service delivery of offender rehabilitation programs.
- Recognising that security and safety are paramount, the Rehabilitation Framework will inform the operational philosophy for ACTCS.

Structured Day

- ACTCS has implemented a structured day in the new female accommodation unit. This will progress to a pro-social model of detainee management including the introduction of an incentive and earned privilege scheme within the AMC.
- These changes will be embedded across all detainee cohorts over time.

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Lead Directorate: Justice and Community Safety

- The structured day includes initiatives that provide opportunities for detainees to participate in employment, programs, education and other pro-social activities.
- A structured day also enables detainees to develop personal responsibility, apply values that reinforce law-abiding behaviour, and contribute positively towards society after release.
- Where possible, detainee employment will be linked to accredited training to provide opportunities for detainees to develop skills that improve employment prospects upon release.

Employment

- ACTCS has made significant progress in developing industry employment opportunities for detainees at the AMC.
- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities.
- Prison industries not only give detainees the opportunity to work and gain skills and qualifications, it introduces a meaningful daily routine, provides teamwork opportunities, helps to address offending behaviour and promotes pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- The construction of enhanced industries, namely, a new bakery, expanded laundry and the multi-purpose activities centre at the AMC, was completed last year.
- The expansion of prison industries includes the recruitment of a second baker, the expansion of the recycling area and an extension of industrial cleaning and grounds maintenance crew capabilities.
- Additionally, the Extended Throughcare Program (Throughcare) works in conjunction with case management in the AMC to support individuals into training or employment options post release.

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Cleared by: Executive Director
Information Officer name: Jon Peach
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Lead Directorate: Justice and Community Safety

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- Throughcare has relationships with several training providers, and job network providers within the ACT, and continues to explore the Canberra work landscape to source and create new partnerships designed to support higher numbers of people into employment.

Housing

- Throughcare are actively engaged in the ACT Housing Strategy workshops.
- Throughcare supports individuals who have recently exited the AMC to explore their housing options, through referrals to available services, and liaising with those services.

Key Information

- ACTCS does not provide housing and employment supports for people exiting the AMC, other than the services provided by the Throughcare program.

Background Information

ACT Inspector of Correctional Services

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation.
- The Inspector was established in response to Recommendation 8 of the Moss Review.

Rehabilitation Framework

- The development of a rehabilitation framework addresses a number of recommendations made in external and internal reviews.
- As part of the Audit Office 2013-14 program, the Auditor-General undertook a performance audit of the AMC, with the final report tabled in the Assembly in 2015.
- Recommendation 1 of the audit recommended that ACTCS develop a rehabilitation framework for the AMC. You were briefed on the proposed framework in Min:2018/516.

Structured Day

- Implementation of a Structured Day has been recommended in a number of external reviews:
 - Human Rights Audit on the Conditions of Women at the Alexander Maconochie Centre (Recommendation 23)
 - Auditor-General's review of the Rehabilitation of Male Detainees at the Alexander Maconochie Centre (specifically Recommendation 1 and 10).
 - Conclusions of the Moss Review observed that the lack of a structured day at the AMC leads to boredom.

Cleared as complete and accurate: 08/10/2018

Cleared by: Executive Director

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Information Officer name: Jon Peach

Contact Officer name: Sch 2 s 2.2 (a)(ii)

Lead Directorate: Justice and Community Safety

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ISSUE: INSPECTOR OF CORRECTIONAL SERVICES – CURRENT REVIEW**Talking points:**

- In June 2018, the Inspector of Correctional Services, Mr Neil McAllister, initiated a formal review into the management and care of remand detainees at the Alexander Maconochie Centre (AMC).
- This will be the first formal review process conducted by the Inspector of Correctional Services.
- I understand this review will examine how ACT Corrective Services (ACTCS) manages remand detainees with regard to the unique needs of individuals who may not have been imprisoned before, and who may be facing protracted legal proceedings.
- The review team, led by the Inspector, attended the AMC from 12 to 14 June 2018 to meet with remandees in accommodation areas.
- While the review is not yet finalised, the Inspector made a point to commend the professionalism, assistance and friendliness of the staff and detainees at the AMC during the review. It was re-assuring to hear from an independent oversight body, such as the Inspector, that there is a positive culture operating at the AMC.
- I look forward to seeing the review outcomes once finalised.

Key Information

- The Inspector works collaboratively with ACTCS and oversight agencies to identify issues in adult corrections, and propose solutions to promote continuous improvement.
- While the review will also examine the non-separation of remand and sentenced detainees, the Inspector has indicated that he will not make recommendations about the building of a separate remand prison in the ACT.
- There is a legislative requirement for the Inspector to give a report on any review conducted to the ACT Legislative Assembly within six months of completing the review.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director
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Lead Directorate: Justice and Community Safety

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QUESTION TIME BRIEF

- Recommendation 6 from the Moss Review was, “That ACTCS to establish a separate remand prison within the AMC to ensure remanded detainees are segregated from sentenced detainees”. The Government response to the Moss Review *agreed in principle* with this recommendation.
- In its closure report, the Moss Review Implementation Steering Committee concluded that Recommendation 6 “will not be met until the ACT Government commits to build a separate remand facility within the AMC. The Committee also notes that a separate remand facility would also meet existing legislative requirements under both the *Human Rights Act 2004* and the *Corrections Management Act 2007*. Further, the Committee recognises that ACT Corrective Services has implemented a range of initiatives to support the intent of the recommendation.”
- In recent years, ACTCS has undergone considerable organisational change, with further work identified through the ACTCS Strategic Plan 2017-19 ‘Resetting the foundations’.

Background Information

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation. The Inspector is required by legislation to examine and review each place declared to be a correctional centre under the *Corrections Management Act 2007* at least once every two years, and provide the findings of these reviews to the Legislative Assembly.
- The Inspector was established in response to recommendation 8 of the Moss Review.
- The Inspector is authorised to:
 - enter a correctional centre at any time on his own initiative
 - inspect:
 - any document, including a health record relating to a detainee
 - any other record required to be kept by the correctional centre
 - any part of the correctional centre
 - any vehicle or equipment used at a correctional centre or in the provision of correctional services
 - speak to, or privately interview
 - a person other than a detainee at the correctional centre
 - a person involved in the provision of correctional services
 - a consenting detainee.
 - take any equipment reasonably required to effectively conduct an inspection.

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Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70789

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TRIM Ref: 2018/000084-031

Portfolio: Corrections and Justice Health**ISSUE: DETAINEE NUMBERS****Talking points:**

- On 19 June 2018, detainee numbers in the ACT reached a new high of 507.
- While detainee numbers have remained steady since that time, they remain high. The average population at the AMC throughout October was 492.
- The increasing detainee population has placed pressures on accommodation for detainees at the AMC.
- The most recent expansion of the AMC was in 2016 with the provision of 169 beds increasing the operational capacity of the AMC to 539.
- A feasibility study for future expansion of the AMC was funded by Government in the 2017-18 Mid-year budget. This is currently being further considered alongside other opportunities to reduce the number of detainees entering the AMC.
- The Government is proactively managing the issues presented by increased detainee numbers through the Justice Reform Strategy and the Justice Reinvestment Strategy.

Female detainee numbers:

- Between 2014 and 2018, the ACT experienced a marked increase in female detainee numbers. Increases in the number of female detainees is not limited to the ACT; it is a national issue with all jurisdictions experiencing these increases.
- The ACT female imprisonment rate has increased from 14 per 100,000 of the female adult population on 30 June 2015 to 26 per 100,000 of the female adult population on 30 June 2017.

Cleared as complete and accurate: 09/11/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

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- The average daily number of detained females in:
 - 2017-2018 financial year was 38
 - 2016-2017 financial year was 32
 - 2015-2016 financial year was 23
 - 2014-2015 financial year was 19
- On 18 October 2018, female detainee numbers in the ACT reached a new high of 51 detainees.
- Since 1 July 2018, the female detainee population in the ACT has consistently been within the range of 35 and 51.

Indigenous detainee numbers:

- The ACT has experienced a steady increase in Indigenous detainees from 2014 onwards.
 - On 30 June 2018, Indigenous detainees comprised 22 per cent of the AMC prisoner population
 - On 30 June 2014, Indigenous detainees comprised 16 per cent of the AMC prisoner population
- Likewise, the age standardised imprisonment rate for Indigenous detainees in the ACT has increased:
 - 30 June 2017 - 1,703 per 100,000 of the Indigenous adult population
 - 30 June 2014 - 1,219 per 100,000 of the Indigenous adult population
- Average daily number of Indigenous detainees in
 - 2017-2018 financial year - 103
 - 2016-2017 financial year - 92
 - 2015-2016 financial year - 92
 - 2014-2015 financial year - 68

Cleared as complete and accurate: 09/11/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community Safety

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QUESTION TIME BRIEF

- On 13 March 2018, Indigenous detainee numbers in the ACT reached a new high of 115.
- From 1 July 2018 to date:
 - the highest number of male Indigenous detainees in the ACT was 98 on 23 July 2018
 - the highest number of female Indigenous detainees in the ACT was 18 between 1 July 2018 and 31 October 2018.

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level. Since 30 June 2016, the adult prisoner population has increased across all States and Territories except for the Northern Territory, which recorded a small decrease.

Cleared as complete and accurate: 09/11/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community Safety

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TRIM Ref: 2018/000084-025

Portfolio: Corrections and Justice Health**ISSUE: BREACH OF PRIVACY/CONTRABAND FIND – USB DEVICE****Talking points:**

- In March 2018, an individual's privacy was inadvertently breached by ACT Corrective Services (ACTCS).
- I was disappointed to hear about this incident; however, I have spoken with the Executive Director of ACTCS and am confident that the matter is being handled appropriately.
- ACTCS has acted in accordance with the Office of the Australian Information Commissioner's (OAIC) *Data breach notification guide: A guide to handling personal information security breaches*.
- I understand the affected individual, as well as the ACT Human Rights Commissioner, and the OAIC, were notified of the incident.
- In April 2018, ACTCS conducted an Internal Management Review into the incident to consider how this situation occurred and how ACTCS could prevent any further incidents. This review was completed on 30 April 2018.
- In response to recommendations arising from the review, ACTCS has applied additional measures to ensure that personal detainee information is protected from unauthorised access, use, modification or disclosure. USB devices required for staff use at the Alexander Maconochie Centre (AMC) are now encrypted and recorded on a register and an internal server for file sharing between the Court Transport Unit (CTU) and the AMC has been implemented.
- On 10 July 2018 the OAIC informed ACTCS that, at this time, it did not intend to take any action in response to the data breach.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

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Key Information

- ACTCS briefed the Minister about this matter in April 2018 as part of a broader brief relating to contraband finds at the Alexander Maconochie Centre (see MIN:2018/001728).

Background Information

Sch 2 s 2.2 (a)(ii)



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Cleared by: Executive Director
Information Officer name: Jon Peach
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Sch 2 s 2.2 (a)(ii)

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TRIM Ref: 2018/000084-032

Portfolio: Corrections and Justice Health**ISSUE: FOI – JON STANHOPE: Alexander Maconochie Centre (AMC)
Needle Syringe Program (NSP)**

Mr Jon Stanhope, former Chief Minister, submitted a Freedom of Information (FOI) application on 3 May 2018, with a second application submitted on 14 August 2018 in relation to the NSP.

Talking points:

- I am aware the Justice and Community Safety Directorate (JACS) processed a FOI application to identify relevant documents including the Department of Justice and Community Safety Union Collective Agreement 2007-2010, the first agreement that referred to a needle exchange and subsequent relevant Agreements.
- The Agreements included provisions that no needle exchange program, however presented, shall be implemented without prior consultation and agreement on how such a program can be implemented. Agreement was required initially between parties to the Agreement and this was amended in later agreements to between the Department/Directorate and the union(s) covered by the Agreement.
- This clause was negotiated in 2007 between the then Chief Minister and Community Public Sector Union (CPSU) prior to the opening of the AMC, and drafted between the Chief Minister's office and his department.
- The inclusion of this clause was considered to be non-negotiable.
- On 1 April 2015, I signed the Deed of Agreement with the CPSU that included the establishment of a joint working group, a staff ballot process to determine the level of support for any proposed model, and the commitment not to implement any model without a majority of support from staff eligible to participate in the ballot.

Cleared as complete and accurate:	16/10/2018	
Cleared by:	Executive Director	Ext: 74813
Information Officer name:	Richard Glenn	Ext: 53504
Contact Officer name:	Kaye Yen	Ext: 70566
Lead Directorate:	Justice and Community Safety	

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- I remain committed to supporting the National Drug Strategy, through the three pillars of harm reduction, supply reduction, and demand reduction. In support of this my aim remains to establish a safe needle syringe program within the AMC. However, I note that the working group was provided clear advice that needle and syringe programs can only succeed when they have the full support of staff.
- The current Enterprise Agreement nominally expires on 30 June 2017, with negotiations for the new agreement underway and does not include a reference to a NSP. The Deed of Agreement will remain in force until a new enterprise agreement commences.

Background Information

- The original application requested access to, a copy of all documents of whatever description, related to the granting of a so called veto to prison officers over the decision to introduce a needle program in the AMC. An FOI assessment of the requested documents was completed using the public interest test. The documents were released on 22 June 2018 to Mr Stanhope. On 6 July 2018, the documents were made publically available on JACS Disclosure Log in accordance with the legislative requirement.
- On 14 August 2018, Mr Stanhope, submitted a second FOI application. It requested access to, all documents in the possession of the ACT Government relevant to a Fair Work Australia decision on the interpretation of the enterprise agreement relevant to prison officers in so far as it relates to the operation of a needle program in the AMC, and additionally, all documents of whatever description provided to the Minister for Justice in relation to the operation of a needle exchange in the AMC. This second FOI has been completed and an access decision was provided to Mr Stanhope on 24 September 2018. On 8 October 2018, the documents were made publically available on JACS Disclosure Log in accordance with the legislative requirement.
- Recent Canberra Times articles published (dated 10 August 2018); Shane Rattenbury targeted in scathing critique of needle swap inertia, and (dated 13 August 2018); Rattenbury hits back at Stanhope over needle exchange, have provided a public commentary on current events.
- A Canberra Times article (dated 20 April 2018) stated that when the AMC opened, then Chief Minister, Jon Stanhope, provided veto power to the Community Public Sector Union (CPSU) in the enterprise agreement. The article further quoted a spokeswoman for Minister Rattenbury stating that 'arrangements put in place in 2008, continue to stymie the process (of introducing a NSP).'
- Clause 262 of Department of Justice and Community Safety Union Collective Agreement 2007-2010, stated that no needle exchange program would be implemented without prior consultation and agreement by the parties to the Agreement on how such a program can be implemented.

Cleared as complete and accurate: 16/10/2018
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Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-001

Portfolio: Corrections and Justice Health**ISSUE: MOSS REVIEW****Talking points:**

- On 2 June 2016, I announced that the Government would conduct an independent inquiry into the circumstances surrounding Mr Steven Freeman's care and treatment while in custody.
- The Review, undertaken by Mr Philip Moss AM, concluded on 7 November 2016. In the interests of transparency and full disclosure, I released the report publicly on 10 November 2016.
- The ACT Government agreed to eight of the nine recommendations made in the Moss report.
- On 15 February 2018, I provided an annual report update to the Assembly on the implementation and key milestones of the Moss Review recommendations.
- On 20 June 2018, the Moss Review Implementation Oversight Steering Committee agreed to close the project.
- The Independent Chair (the Chair) of the Oversight Steering Committee has written to me and reported that seven of the nine recommendations of the Moss Review have been found to be satisfied. The Chair also provided me with closure reports for this important work.
- A great deal of work has been undertaken to implement these recommendations and while some still require further attention, the Government is committed to ensuring that this work provides lasting benefits to all detainees at the Alexander Maconochie Centre (AMC).
- The observations and conclusions in the Moss Report will continue to inform ongoing efforts so that these changes can be sustained and are implemented in a culturally appropriate way. As a number of recommendations span several directorates, they will require long-term planning and coordination.
- I will be making a Minister Statement to the ACT Legislative Assembly on the closure of the Moss Review Recommendations during the October 2018 Sitting.

Cleared as complete and accurate: 06/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

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Key Information

- Implementation of recommendations of the Moss Review was led by an Inter-Directorate Project team and overseen by a high-level Steering Committee. The Steering Committee was led by an independent Chair, Mr Russell Taylor AM, and had representatives from the Elected Body, Winnunga and the Aboriginal Legal Service on it.
- The implementation of the Moss Review recommendations has resulted in significant reform especially in ACT Corrective Services (ACTCS), other Government Directorates, and Statutory Office Holders, around the provision of health and custodial services at the AMC, to improve the health, safety and wellbeing of detainees.
- The Independent Chair of the Oversight Steering Committee has reported that seven of the nine recommendations of the Moss Review have been found to be satisfied.
- The two recommendations that have not been fully satisfied are:
 - Recommendation 5 – which relates to Winnunga Nimmityjah Aboriginal Health and Community Services being integrated into the provision of health care at the AMC.
 - Recommendations 6 – that ACTCS establishes a separate remand prison within the AMC to ensure remand detainees are segregated from sentenced detainees.
- On 27 May 2016, 25 year old Aboriginal man, Mr Freeman, died whilst in custody at the AMC. Mr Freeman had been held in custody from 28 April 2015.
- Mr Freeman was the subject of a serious assault in the AMC shortly after he arrived at the AMC.
- On 2 June 2016, an independent inquiry into the management of the custody and care of Steven Freeman at the AMC was announced, with Mr Philip Moss AM as the independent reviewer. The inquiry examined Steven Freeman’s treatment during his period of incarceration, including whether ACTCS’ systems operated effectively and in compliance with human rights obligations.
- Mr Moss titled his review *‘So Much Sadness in our Lives, Independent Inquiry into the Treatment in Custody of Steven Freeman’*. Mr Moss made nine recommendations for the improvement of services to all detainees at the AMC. It made eight specific recommendations and one overarching recommendation that seeks to address a number of other conclusions.
- As with all deaths in custody, Steven Freeman’s death was also the subject of a coronial inquest. The coronial hearings commenced on 27 February 2017 and the findings were handed down on 11 April 2018.
- Coroner Cook found that the quality of care, treatment and supervision afforded to Mr Freeman by ACTCS and Canberra Health Services was not found to contribute to his death.
- A formal government response to the coroner’s findings was tabled in the ACT Legislative Assembly in August 2018.

Cleared as complete and accurate: 06/10/2018

Cleared by: Executive Director

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Information Officer name: Jon Peach

Contact Officer name: Sch 2 s 2.2 (a)(ii)

Lead Directorate: Justice and Community Safety

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TRIM Ref: 2018/000084-034

Portfolio: Corrections and Justice Health**ISSUE:** AMC K9 Unit capability**Talking points:**

- The ACT Corrective Services (ACTCS) utilises Passive Alert Detection (PAD) dogs in its K9 Unit to conduct searches throughout the Alexander Maconochie Centre (AMC), including the visits area, accommodation blocks, mail and vehicles.
- Due to unexpected staff resignations, the ACTCS K9 Unit ceased operations on 9 August 2018.
- To resume PAD operations as soon as a practicable, ACTCS has seconded three dog handlers and dogs from Victoria to rotate shifts at the AMC.
- The first handler commenced in mid- September 2018. It is anticipated that the dog handlers from Victoria will continue working at the AMC until December 2018, when ACTCS handlers will be trained to take over operation of the unit.
- ACTCS is in the process of recruiting two new dog handlers and arranging for appropriate K9 training.
- One successful applicant has been identified and they are currently undertaking a 13 week PAD dog course in NSW which commenced on 17 September 2018.
- Interviews will be conducted in November 2018 for the second dog handler position. The successful candidate will be required to attend the 13 week K9 program in NSW early in 2019.
- The first new ACT dog handler is expected to commence K9 duties at the AMC on 24 December 2018. There will be an overlap with the staff from Victoria to enable the new ACT dog handler to get exposure to the practices of experienced officers.
- The K9 unit is just one of many measures that ACTCS uses to assist with searches and prevent the entry of contraband into the AMC.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

The ACT Government has invested funding of \$8.8 million over the next three and a half years for security-related matters at the AMC. Key Information

- ACTCS previously had two operational dog units consisting of Rusty, a Border Collie, and Uno, a Labrador, and their handlers.
- Both handlers unexpectedly resigned from their positions with ACTCS, and both dogs were retired with their handlers.
- The correctional agency facilitating the K9 course will source PAD dogs for the handlers, as part of the course cost. Corrective Services NSW has available PAD dogs and places on the 17 September 2018 and early 2019 courses.

Background Information

- ACTCS uses PAD dog searches to reduce the introduction or possession of drugs or contraband through searching visitors, employees, detainees, and vehicles entering or accommodated in the AMC.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

TRIM Ref:2018/000084-023

Portfolio: Corrections and Justice Health**ISSUE: CORONER'S REPORT ON MR STEVEN FREEMAN'S DEATH****Talking points:**

- I would like to reiterate my deepest sympathy to the family and friends of Mr Steven Freeman, and ask that their privacy be respected.
- Mr Freeman's death in custody was the subject of a Coronial Inquest.
- The Coronial hearings commenced on 27 February 2017 and findings were handed down by Coroner Cook on 11 April 2018.
- The ACT Government notes the findings made by the Coroner that the quality of care, treatment and supervision afforded to Mr Freeman by ACT Corrective Services (ACTCS) and Canberra Health Services (CHS) was not found to have contributed to his death.
- The Coroner made seven recommendations for the ACT Government to consider.
- A Government Response to the Coroner's recommendations was provided to the ACT Legislative Assembly in August 2018.
- The Government Response agrees to four recommendations, and agrees-in-principle to three recommendations.
- Of the seven recommendations made, three related to ACTCS and one to CHS and ACTCS.
- In response to Recommendation 1, ACTCS is progressing a review of the policy and procedure for 'Detainee roll check'.
- In response to Recommendation 3, ACTCS has developed a broader contraband strategy to enhance measures for the prevention of contraband introductions into the Alexander Maconochie Centre (AMC).

Cleared as complete and accurate: 07/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
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- In response to Recommendation 5, ACTCS and CHS have implemented a high-level agreement that provides for the sharing of information about detainee opioid replacement treatment and urinalysis drug screening. Recommendation 2 was agreed in principle and is unable to be progressed entirely as the *Corrections Management Act 2007* does not support the introduction of compulsory physical education or training sessions. However, ACTCS is embedding a structured day for all detainees, which will include dedicated time for physical activity and recreation.

If asked about the family of Steven Freeman

- I again express my deep sympathy and condolences to Sch 2 s 2.2 (a)(ii) Steven's mother, and his family for their loss and grief.
- I have continued to maintain contact with Sch 2 s 2.2 (a)(ii) via Ms Julie Tongs, CEO Winnunga, and will continue to ensure that appropriate actions are taken in response to the coronial findings and recommendations.

Key Information

- The coronial inquest into the death of Mr Freeman commenced on 27 February 2017, ran for six days and was re-convened on 10 August 2017 for a further two days.
- During the eight days of the hearing, six ACT Government staff gave evidence, from both the Justice and Community Safety Directorate Sch 2 s 2.2 (a)(ii) and Mr Don Taylor) and CHS (Sch 2 s 2.2 (a)(ii)).
- The ACT Government actively supported the coronial process and worked closely with the Coroner to provide all relevant documents and evidence during the Inquest.
- The ACT Government continues to prioritise work to improve services at the AMC for all detainees and to progress the response to the Health Services Commissioner's review into the Opioid Replacement Therapy program at AMC.

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Background Information

On 27 May 2016, Mr Steven Freeman, a 25 year old Aboriginal male detainee, was found unresponsive in his cell. Attempts to revive him were unsuccessful. The Coronial Inquest heard evidence that at the time of his death he had recently been placed on the methadone program. Concerns were raised during the Inquest about the management of the methadone program within the AMC.

Methadone Management at AMC

- In response to Recommendation 7 of the Moss Review, on 9 March 2018, the CHS Commissioner released her report into the review of the opioid replacement treatment program at the AMC.
- The administration of methadone to detainees at the AMC is undertaken by CHS – Justice Health. The clinical records of detainees are held and maintained by CHS – Justice Health. AMC custodial staff do not make decisions about medications or medical treatment for detainees.
- ACTCS and CHS – Justice Health have progressed changes in relation to the policy and procedures regarding the methadone program at the AMC.

ACT Government's Response to the Moss Review

- The response to the Moss Review is covered in detail in a separate QTB.

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TRIM Ref: 2018/000084-036

Portfolio: Corrections and Justice Health**ISSUE: AMC POLICIES: CLOTHING, EMAIL, VISITS, CONTRABAND, ASSAULTS IN CUSTODY****Talking points:**Email policy

- Detainee access to email is managed in accordance with the *Corrections Management (Email, Internet and Legal Education and Resource Network [LEARN]for Prisoners) Policy 2010*.
- Detainees request email contact with individuals and all applications are positively vetted in accordance with the above-mentioned policy. Individuals in the community are not able to make requests to email detainees. ACT Corrective Services (ACTCS) has identified that this would significantly increase the risk of victim contact as individuals may create an alias.
- Processing of applications is dependent on a number of factors, including the ability of ACTCS to contact the proposed recipient, staffing levels, and the number of applications that may require processing at any one time. Subject to these factors, ACTCS aims to have requests processed within 24 hours.

Dress codes at AMC

- Dress codes are imposed to reduce the opportunity for the introduction of contraband during visits, minimise the opportunity for the display of gang identification, and to ensure the safety of detainees, staff and visitors.
- Failure to comply with the dress code may lead to the visitor being denied entry and the visit being cancelled.
- Detainees are able to apply to have visitors to the Alexander Maconochie Centre (AMC) bring property.
- This will only be approved where the detainee is not already in possession of property in excess of the amounts specified in the policy.

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AMC Visits policy

- ACTCS encourages family and friends of detainees to visit them while in custody in order to maintain important ties with the community.
- The visits phone line is a call back service which is staffed 9am to 5pm, Monday to Friday.
- Bookings must be made at least 24 hours in advance, unless otherwise approved by the General Manager, Custodial Operations. The process for booking visits entails the visitor calling a booking line and providing details of the detainee they wish to visit, a preferred date and their contact details in a recorded message, which ensures that all visits are booked in the order that they are requested. This information, as well as the hours of operation, is conveyed in the recorded message for visits bookings.
- There is no current capacity to book visits online or via email. The telephone booking system was initially put in place to guarantee equal access to visits by ensuring that visit requests were processed in the order in which they were received.
- ACTCS is investigating alternate options, including the ability to book visits online, as part of a broader review of the visits booking process.
- ACTCS is trialling new software which, once operational, will mean that visitors no longer have to complete a visitor form each time they visit the AMC. Visitors still need to undergo an iris scan on entry for security reasons.
- For visitors coming to the AMC, there are rules to maintain the good order of the facility. These are publicly available and prominently displayed at the entrance to the AMC.
- Visitors are expected to behave courteously to AMC staff, other visitors and detainees, and to abide by the visitor dress code.
- Where a detainee or visitor breaches the AMC visits policy (for example, through the introduction, or attempted introduction, of contraband or because of unacceptable behaviour), they can have their visitation rights withdrawn, or they can be placed on non-contact visits, to ensure the good order and safety of the AMC.

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- Detainees may visit other detainees within AMC where there is a confirmed relationship.
- Former detainees may apply to visit current AMC detainees.
- These applications will be reviewed by ACTCS on a case by case basis, and the applicant will be formally notified of the outcome.

Contraband

- ACTCS has various physical and static security measures to prevent entry of prohibited items into the AMC.
- ACTCS works closely with ACT Policing to prevent the introduction of contraband at the AMC including providing assistance with investigations, and exchanging information and intelligence.
- Medication has always comprised a high number and proportion of items seized as part of ACTCS' contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.

Serious Assaults

- ACTCS staff work hard each day to ensure the safety of detainees and de-escalate and prevent serious incidents at the AMC.
- Within correctional facilities however, there is the inherent potential for conflict among some detainees. There is often pre-existing tension in the relationships between detainees at the AMC, resulting from interactions and associations, both in custody, and in the community.
- The Government's response to the Moss Review reflects our commitment to implementing transformational change and sharing with the community what we will do differently to improve the care, safety and health of detainees.
- Funding of \$8.8 million over the next three and a half years has been allocated for security-related matters at the AMC.
- This will assist ACTCS to combat assaults and other serious incidents.
- ACTCS continues to refer all serious assault allegations to ACT Policing for investigation.

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- The Government also acknowledges the importance of ensuring that assaults, including those committed within the AMC, are thoroughly investigated with a view to holding offenders to account through prosecution of offences.

Key Information

AMC Visits Policy

- The AMC Executive Support Unit is responsible for the phone line and makes every effort to respond to all voicemail messages within 24 hours.
- The AMC can facilitate scheduled non-contact visits five days a week, however on application, the non-contact visit facilitates may be used during the remaining two days.
- ACTCS has seven non-contact visit rooms, two of which are large enough to facilitate group visits. On the five days allocated for scheduled visits, there is a total of 30 different sessions available.
- During the 2017-2018 period, 645 non-contact visits were facilitated.
- Anyone subject to a visitation ban will be notified in writing of the restriction and the period for which it applies.
- Appeals against visitor bans may be made, in writing, to the Executive Director, ACTCS.
- AMC intra-centre visits are subject to specific conditions, including that:
 - Both detainees have been in custody for 28 days before a visit is approved.
 - Both detainees submit a clean urine test prior to the visit being facilitated.
 - Both detainees must not have had any disciplinary action in the past 28 days.

Contraband

- In the 2017-18 financial year, corrections officers undertook 13,789 searches.
- The AMC perimeter is approximately 1.3 km in length and is strengthened by security measures including 525 closed circuit television (CCTV) cameras. Staff check the grounds.

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- ACTCS undertakes measures to search visitors, staff, contractors, and their belongings entering the AMC. These include:
 - metal detectors;
 - X-Ray baggage scanner to scan property;
 - itemiser tests to detect traces of drugs and explosives; and
 - physical searches of all vehicles prior to entering and exiting the AMC including use of mirrors to search under the vehicles and random canine searches (except, for example, ambulances in case of emergency).
- In the third quarter of 2018, the Security Operations Team found 10 mobile phones, 9 mobile phone accessories (including charges and SIM cards), 12 USBs, 12 syringes and 56 drugs. The drugs category is broad and includes the seizure of multiple drugs, as well as the seizure of stockpiled or non-prescription medication.
- An updated prohibited items declaration for the AMC was published on 24 August 2018.

Serious Assaults

Report on Government Services Assaults data

- The 2018 Report on Government Services, released in January 2018, identified that the ACT had the highest prisoner serious assault rate in the country.
- The rate for 2016–17 was 3.59 per 100 prisoners/detainees, which was an increase from 0.75 per 100 prisoners/detainees in 2015–16. In terms of raw numbers there were 16 serious assault incidents in 2016–17, three in 2015-16, 11 in 2014-15 and eight in 2013-14.
- The ACT's prisoner on officer assault rate was the highest in Australia at a rate of 1.80 per 100 prisoners. This is a result of eight assault incidents against staff.

Moss Review

- In response to Recommendations 2 and 3 of the Moss Review, ACTCS and ACT Policing signed an amended Memorandum of Understanding (MoU) on 28 April 2017. The MoU included changes relating to information shared about assaults.

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Background Information

Detainee property limits

- The AMC accommodates more than 450 detainees at any given time.
- Detainee property amounts are limited in order to reduce safety hazards, and to maintain the good order and hygiene of the facility.
- Detainees are able to apply to have visitors in the AMC bring additional items of clothing, in addition to what they already have within the AMC, subject to the limits specified in the policy.

Visits by Ex-Detainees

- The outcome of their application may be influenced by Intelligence Unit reports, past history of involvement with the AMC and, if under a supervision order with ACTCS, the status of that order.
- Applications by detainees who are in breach of their supervision requirements or with outstanding warrants, will be declined.

Contraband

- The 'medication' classification relates to items that may have been prescribed to detainees housed within the AMC and subsequently stockpiled, diverted or simply kept past an expected time of use. The medications range from drugs that would be available over the counter in the community (paracetamol) through to pharmacy or prescription medications.

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TRIM Ref: 2018/000084-037

Portfolio: Corrections and Justice Health**ISSUE: FIRE INCIDENTS AND FIRE PREVENTION MEASURES****Talking points:**Smoking in the AMC

- ACT Corrective Services (ACTCS) has adopted a risk-based approach to the provision and use of cigarette lighters within the Alexander Maconochie Centre (AMC).
- The risk of banning cigarette lighters has been shown to be greater than the risk of allowing detainees to have access to these items. Banning cigarette lighters results in detainees using riskier methods, such as using live electrical wires or the heating elements in kettles, to light cigarettes.
- Detainees are allowed to have cigarette lighters on their person at all times in the AMC.
- Detainees are unable to purchase matches.
- Under the *Corrections Management (AMC Smoking) Policy 2009*, smoking is only permitted in designated smoking areas such as courtyards.
- The designated smoking areas have recently been reviewed in response to complaints. The outcome of the review has resulted in designated smoking areas being relocated further away from the Health building.

ACTCS fire prevention measures

- ACTCS is developing a broader strategic approach to emergency management.
- From 9 July 2018, an ACT Fire & Rescue (ACTF&R) Commander has been seconded to the AMC, to assist in improving the inter-operability between the AMC and ACTF&R.

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- The primary objectives of the secondment are to ensure that:
 - AMC and ACTF&R operational procedures are consistent for fire related incidents;
 - To reduce the number of avoidable false alarms; and
 - To test newly developed fire response procedures.
- A draft Equipment Maintenance Agreement for Breathing Apparatus (BA) at the AMC has been developed in consultation with key stakeholders.
- The installation points for BAs has been changed from three central points to all high security areas. The new installation points are considered more appropriate as these areas cannot self-evacuate and installation is currently underway.
- ACTF&R input into the AMC emergency management plan continues. Draft procedures for structure fires and grass fires have been provided. Draft procedures for Hazmat incidents are underway.
- ACTF&R will engage directly with AMC operations to ensure the proposed procedures are achievable. The proposed changes to the procedures could be comprehensive, and may require significant staff training efforts.
- ACTCS are considering options to reduce the burden of preventable false fire alarms. Options are currently being explored and ACTF&R will work with ACTCS on the solution to be adopted, to ensure that all emergency fire risks are identified and addressed.
- Initial investigation of key elements of the pre-incident plan, including development of an online platform has commenced, however, ACTCS policy and procedure needs to be finalised, or at least agreed in principle before full development can commence.
- The proposed online platform will promote greater cross agency exposure. Table top exercises between both agencies will be developed and tested once all other aspects of the project have been agreed in principle.

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- ACTCS and the ACT Emergency Services Agency (ESA) have installed a direct line to the ESA Emergency Triple Zero Communication Centre. This line lists the AMC as an identified call and is beneficial as it will improve response time for the most appropriate fire resources. It will also improve community safety by slowing response vehicles to standard road speeds for false alarm call outs as AMC staff can notify the ESA Communication Centre of the situation.
- Recently the Statement of Requirement for the AMC fire systems contract has been reviewed and amended by qualified engineers. This will ensure appropriate changes are specified ahead of the upcoming fire system contract renewal.

ACTCS fire training

- Initial BA training courses commenced in 2017 and 68 staff completed this training. A number of refresher courses have been held throughout 2018 and 38 staff have attended this course.
- There has been an increased focus of fire awareness training. All new staff are required to attend a training day devoted to fire awareness. The training day includes lessons on the use of fire blankets, fire extinguishers, hose reels and incorporates live fire drills.
- In addition fire awareness refresher training forms part of ongoing custodial mandatory training. This training must be completed every two years. Since 1 January 2018, 65 staff have completed this training.

Key Information

- An Internal Management Review was conducted at the instruction of the Executive Director ACTCS following four cell fire incidents at the AMC in July 2017.
- The Chief Coroner also requested information regarding cell fires.
- The review made 14 recommendations for improvement and an Action Plan has been developed to implement the recommendations.
- Of the 14 recommendations, seven have been completed with the remainder still in progress.
- Recommendations include updating procedures, strengthening notification and debrief requirements, improved accessibility to PPE, and a WHS review of fire incidents and BA compliance.

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Background Information

- ACTCS is developing a broader strategic approach to emergency management, including fire management and prevention.
- The level of actual fire incidents at the AMC over the past three years has remained relatively low, despite a 30 per cent rise in detainee numbers.
- The reason for fires at the AMC are a mix of deliberately lit cell fires, mainly as part of ongoing non-compliance and protest/gain behaviours; and accidental fires due to discarded cigarette butts and wicks and burnt cooking.
- Strategies continue to be implemented to reduce preventable (false) fire alarms which are trending upwards.
- ACTF&R audited AMC BA equipment in June 2017 and recommended modernisation/replacement of the type and number of BA sets (from 8 to 16) and replacement of 24 air cylinders, to improve capability and service efficiency.
- The *Smoking (Prohibition in Enclosed Public Spaces) Act 2003* does not apply to correctional centres, but the *Corrections Management Act 2007* allows the Director-General or delegate to designate non-smoking areas within a correctional centre.
- ACTCS does not have any immediate plans to ban smoking in the AMC.

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TRIM Ref: 2018/00084-038

Portfolio: Corrections and Justice Health**ISSUE: AMC HEALTH SERVICES****Talking points:****AMC HEALTH SERVICES**

- ACT Corrective Services (ACTCS) works closely with Canberra Health Services (CHS) to ensure the health and wellbeing of detainees at the Alexander Maconochie Centre (AMC).
- On 14 August 2017, the Directors-General of the Justice and Community Safety Directorate (JACS) and Canberra Health Services (CHS) signed an Arrangement for the Delivery of Health Services to Detainees. It aims to improve health care and service delivery at the AMC by improving communications, information sharing and working relationships.
- The Arrangement goes towards the implementation of Recommendation 4 of the Moss Review, and recommendations from the *Independent Review of Mental Health Services at the Alexander Maconochie Centre* (the McGrath Review).
- ACTCS and CHS are currently working together to develop joint policies and procedures in the area of detainee health care.
- Recommendation 5 of the Moss Review recommended that Winnunga Nimmityjah Health and Community Services (Winnunga) deliver their holistic and culturally safe services to detainees at the AMC.
- Since 2 July 2018, Winnunga have been present in the AMC developing processes and protocols to deliver its model of care in the AMC.
- The Winnunga Model of Care continues to be developed for implementation. I was pleased to attend a prelaunch event on 15 October 2018 to recognise the significant progression by ACTCS, ACT Health and Winnunga towards full implementation, and to speak to the staff involved.

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- The new office accommodation for staff delivering health services is expected to be completed in the 2019-2020 financial year, which will also allow for some refurbishment of the current Health Centre to better meet the needs of detainees.

Key Information

- The ACT Government has committed \$8.3 million to integrate the Winnunga model of care at the AMC.
- \$4.372m has been pledged over three years for JACS and ACT Health to fund a dedicated General practitioner, Social and Emotional Wellbeing support staff, additional ACT Health staff and AMC staffing costs to enhance health services at the AMC. The funding will be utilised as follows:
 - ACT Health staffing costs of \$1.205m over two years for:
 - *Winnunga – via contract by ACT Health.*
 - *0.8 General Practitioner (Phase 2)*
 - *2.0 FTE ASO6 Social and Emotional wellbeing staff member*
 - *JHS staff*
 - *0.5 FTE Registered Chronic Disease Nurse*
 - *0.5 FTE ASO3*
 - The associated expenses for ACT Health will be offset against the Health Funding Envelope.
- JACS costs of \$2.761m over three years for:
 - *Staffing costs of \$2.548m over three years to deliver more custodial officers to boost detainee escort services, including for detainees accessing health services within the AMC;*
 - *Repairs and maintenance of \$0.163m over two years; and*
 - *\$0.050m in 2019-20 only for an evaluation to determine ongoing Winnunga service model.*
- An additional \$4.022m capital fund over two years in 2017-18 and 2018-19 will provide:
 - A temporary accommodation solution for Winnunga – AMC Collaborative Health Care - \$2.618m (\$1.309m per year for 2017-18 and 2018-19)
 - Renovation of existing AMC Health Care - \$1.404m (\$0.702m per year for 2017-18 and 2018-19)

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Estimated Timing:

- The initiative will be rolled out in two phases.
 - **Phase 1** will provide for the implementation of the Winnunga Model of Care into the Special Care Centre at the AMC, consistent with Moss Review Recommendation 5.
 - **Phase 2** provides for the Winnunga Model of Care to be delivered across the AMC site. The initiative will create temporary office accommodation for both Winnunga and ACT Health staff and to reconfigure the current Health Centre to increase service delivery space to detainees. This phase will accommodate the additional and displaced staff associated with partial implementation of the Winnunga health model; and improve the internal flow within the Health Centre in order to increase throughput and reduce waiting times for detainees to access their healthcare needs.
- Planning of the construction of Winnunga - AMC Health Centre commenced in March 2018. This will be implemented in a staged approach and is expected to be completed by June 2019.
- ACT Health staff recruitment processes will commence as soon as the funding is appropriated.

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Portfolio: Corrections and Justice Health**ISSUE: RECIDIVISM****Talking points:**

- The Parliamentary Agreement for the Ninth Legislative Assembly commits to reducing recidivism by 25 per cent by 2025.
- A whole of justice and human service system approach for the development and implementation of a long-term recidivism plan is well underway.
- The recidivism plan requires an understanding of locally relevant and evidence-based measures for reducing recidivism. It will also need to be carefully balanced to ensure public safety and community cohesion are maintained and further improved.
- Through a combination of prevention, diversion and system-level interventions, the recidivism plan seeks to reduce recidivism among all offenders, with an emphasis on reducing the over representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system, as both offenders and victims.
- The 2018-2019 ACT Budget has allocated \$1,021,000 towards a range of programs and initiatives across a number of Directorates to support families in contact with the justice system.
- The whole of justice recidivism plan reinforces a number of initiatives in the ACT Corrective Services (ACTCS) Strategic plan 2017-2019 “Resetting the Foundations”. These initiatives include:
 - Establishing a rehabilitation framework and reviewing the provision of offender behaviour programs;
 - Maximising purposeful activities by reviewing current opportunities for detainee education, training and employment;
 - Reviewing case management processes and working towards integrated offender management, including greater emphasis on holistic Throughcare;
 - Enhancing ACTCS’ focus on Aboriginal and Torres Strait Islander clients;

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- Developing an ACTCS Reconciliation Action Plan that is focused on strategies to reduce the over representation of Aboriginal and Torres Strait Islander peoples in custody; and
- Strengthening partnerships with service delivery organisations within government and externally.

Key Information

- The Australian Bureau of Statistics (ABS) – Australian Capital Territory, Prisoner Snapshot for 30 June, 2017, shows that 75 per cent of detainees in the Alexander Maconochie Centre (AMC) have previously been imprisoned under sentence. This is the largest proportion of any state or territory (the national average is 57 per cent).
- According to the ABS Australian Capital Territory Prisoner Snapshot for 30 June 2017, Aboriginal and Torres Strait Islander people in the ACT are 16 times more likely to be incarcerated than non-Indigenous people. Recidivism rates are also more pronounced, with the ACT recording the highest rate of recidivism among Aboriginal and Torres Strait Islander detainees of any Australian jurisdiction.
- Although the ACT recidivism results are high, the ACT consistently has the lowest imprisonment rate in Australia per head of population. In 2017, the adult imprisonment rate was 141 prisoners per 100,000 adult population compared to the national imprisonment rate of 216 prisoners per 100,000 adult population. This means that offenders sentenced to periods in prison typically have more endemic offending behaviour. A goal of the recidivism plan will be to change the trajectory of those in the justice system away from high cost government intervention.

Background Information

- ACTCS' recidivism statistics included in the 2017-2018 Justice and Community Safety (JACS) Annual Report show that there has been a decrease in the rate of return-to custody episodes from 41 per cent to 38.5 per cent. There was also a decrease in the percentage of those returning to ACTCS, be that detention or community-based orders. This was observed across all demographics with the highest decrease being seen in the Aboriginal and Torres Strait Islander female cohort. It should be noted that due to the small numbers, a change in the status of a small number of detainees will appear to have a significant impact on the rates of recidivism.
- It should also be noted that the data provided in the 2017-2018 JACS Annual Report is based on ACT detainees released during the 2014-2015 financial year. This allows for the collection of data on detainee and offender return-to-custody episodes for a two-year period, which is consistent with Report on Government Services reporting.

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Portfolio: Corrections and Justice Health**ISSUE: EXTENDED THROUGHFCARE****Talking points:**

- Transitioning back into the community after a period of imprisonment can be a daunting and critical time for detainees.
- The Extended Throughcare Program provides customised support for offenders by developing a release program that focuses on stabilising the offender as they re-enter the community. It ensures supports are established in the areas of housing, health, income, family and community connections, and other basic needs.
- This includes pre-release planning by the Assisted Release into Community Program and may include linking the client with an outreach provider to assist them reintegrate into the community.
- An evaluation of the Extended Throughcare Program in 2017 by the Social Policy Research Centre of the University of New South Wales (the Evaluation), found a reduction in return-to-custody episodes for participants and for those that did return to custody, they remained in the community for longer periods on average.
- The Evaluation also highlights that the cost benefit of the Extended Throughcare Program will increase over time. The Evaluation suggests that there will be significant cost savings to the Government (via the broader criminal justice system) based on the cost of running the program and the reduction in the recidivism rate. It is therefore vital that the ACT Government continue to invest in this program with ongoing recurrent funding.
- A further \$5.3 million over four years was provided in the 2017-2018 ACT Budget for the Extended Throughcare Program. This funding will also provide for a dedicated Aboriginal and Torres Strait Islander Coordination Officer. This Officer will deliver targeted support for Aboriginal and Torres Strait Islander detainees exiting the Alexander Maconochie Centre (AMC) and will be required to work closely with families to develop stronger supports upon release.

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- This initiative supports the Government’s goal of a 25 per cent reduction in recidivism by 2025, Justice Reinvestment programs, the ACTCS Strategic Plan 2017-2019, and the Aboriginal Justice Partnership 2015-2018.

Changes to Eligibility Criteria

- The Evaluation identified weaknesses in program eligibility criteria. In recognition of the recommendations made in the Evaluation, the eligibility criteria for the Extended Throughcare Program were amended. These changes came into effect on 1 April 2018, and have allowed ACTCS to appropriately target clients who are at most need of support. This has been achieved by setting a lower eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare can now be accessed by:
 - Women who have served greater than 30 days (one month) in custody;
 - Men who identify as Aboriginal or Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal or Torres Strait Islander and have served greater than 182 days (six months) in custody.
- These changes recognise that detainees subject to a lengthy period of remand require support to successfully reintegrate into the community.

Key Information

- Regardless of whether a detainee is subject to post-custody supervision or not, eligible detainees can access Extended Throughcare Program support for a period of up to 12 months following release. Clients access services and support voluntarily and the length of time a client engages with the program varies based on the individual’s needs. As such, clients do not ‘complete’ the program and the depth and duration of each client’s engagement will vary.
- Aboriginal and Torres Strait Islander clients are managed, where possible, by the Indigenous Throughcare Transition Officer. However, when the Indigenous Throughcare Transition Officer is unavailable or on leave, clients will be managed by other Throughcare staff. Similarly, the Indigenous Throughcare Transition Officer, may engage with non-Indigenous clients when an operational need arises.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- In the 2012-2013 Budget process the Government provided funding for the Extended Throughcare Pilot program over a two year period. Additional funding to continue the pilot program for an additional two years was provided in the 2014-2015 Budget.
- The Extended Throughcare Program team was nominated and selected as a finalist in the Citizen-Centred Innovation category of the 2018 Public Sector Innovation Awards. It was the only ACT Government program to be selected as a finalist at the awards.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
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Lead Directorate: Justice and Community Safety

Ext:70879

TRIM Ref: 2018/000084-042

Portfolio: Corrections and Justice Health**ISSUE: ABORIGINAL AND TORRES STRAIT ISLANDER ISSUES INCLUDING RECIDIVISM, EXTENDED THROUGH-CARE, AND INCARCERATION RATES****Talking points:**

- The rate of Aboriginal and Torres Strait people held in the Alexander Maconochie Centre (AMC) as a proportion of the total detainee population is a major concern to the ACT Government
- The ACT Government is committed to reduce recidivism by 25 per cent by 2025.
- The JACS Stretch Reconciliation Action Plan and Aboriginal and Torres Strait Islander Justice Partnership Agreement commit to reducing over-representation by reducing recidivism and increasing access to diversionary programs improving services and focusing on data collection and reporting.

Key InformationRecidivism

- ACT Corrective Services (ACTCS), through its Offender Services and Corrections Programs Unit, provides and facilitates services and programs tailored specifically towards Aboriginal and Torres Strait Islander detainees, both in custody and offenders in the community under supervision.
- The recidivism statistics in the 2017-18 Justice and Community Safety Annual Report show that the ACT had 38.5 per cent of all detainees (released in 2014-15) return to prison, decreasing from 41 per cent in the previous year. Recidivism statistics are not disaggregated by Indigenous status.
- The Government is committed to building and maintaining a strong Indigenous workforce in ACTCS. This improves ACTCS's ability to provide informed culturally appropriate and sensitive responses to specific Indigenous issues.
- Aboriginal and Torres Strait Islander detainees are able to access programs, services and education available to the general AMC population, as well as programs and services specifically targeted towards Aboriginal and Torres Strait Islander people.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
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Lead Directorate: Justice and Community Safety

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Extended Throughcare

- The ACT Government provided recurrent funding of \$5.347 million in the 2017-2018 Budget for the Extended Throughcare Program.
- This funding includes an additional full time employee in the designated position of Indigenous Throughcare Transition Officer, to focus on supporting Aboriginal and Torres Strait Islander ex-detainees reintegrating into the community.
- The University of New South Wales evaluation of the Throughcare program found positive outcomes for Aboriginal and Torres Strait Islander women engaged in the program, but highlighted an area for improvement in engaging Aboriginal and Torres Strait Islander men.
- On 1 April 2018, the Extended Throughcare Program made amendments to the program eligibility criteria. The changes allowed ACTCS to lower the eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare can now be accessed by:
 - All women who have served greater than 30 days
 - Men who identify as Aboriginal and Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal and Torres Strait Islander and have served greater than 182 (six months) in custody.

Incarceration Rates

- Aboriginal and Torres Strait Islander people continue to be significantly over-represented in the criminal justice system, as both victims and offenders, principally due to historical social disadvantage, social exclusion and systemic racism.
- March 2018 ABS quarter results show that Aboriginal and Torres Strait Islander prisoners represented 28 per cent of the total full-time adult prisoner population (nationally), while accounting for approximately two per cent of the total Australian population aged 18 years and over.
- On 2 October 2018 , Aboriginal and Torres Strait Islander male detainees accounted for:
 - 18.4 per cent of the total AMC detainee population – 90 detainees out of a total of 488.
 - 20.3 per cent of the total AMC male population – 90 detainees out of 442.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext: 70879
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Lead Directorate: Justice and Community Safety

- On 2 October 2018 Aboriginal and Torres Strait Islander female detainees accounted for:
 - 3.2 per cent of the total AMC detainee population – 16 detainees out of a total of 488
 - 34.7 per cent of the total AMC female population – 16 detainees out of 46
- The ACT figures remain well below the national average for Aboriginal and Torres Strait Islander people as a percentage of the total detainee population.

Background Information

Aboriginal and Torres Strait Islander Staff Profile

- ACTCS employs Indigenous staff in identified and non-identified positions which enhances its ability to provide culturally appropriate responses to Indigenous matters.
- As at 30 June 2018, ACTCS had 26 employees that identified as being from Aboriginal and Torres Strait Islander background. This represents 6.21 per cent of the total ACTCS workforce.
- ACTCS Community Corrections currently employs six identified staff members comprising a senior manager, Community Corrections Officers, and Aboriginal Client Support Officer and a Throughcare Officer.

Programs

- A range of culturally specific programs and services are offered at the AMC for Aboriginal and Torres Strait Islander detainees.
- ACTCS Cultural Programs delivered in AMC and the Community include;

Program	Description
In Custody	
Culture and Land Management Program:	Integrates traditional culture, art, music, horticulture and land management with language, literacy and numeracy skills. Delivered with community agencies including Winnunga Nimmityjah Aboriginal Health and Community Service (Winnunga).
ITCHY (Indigenous Traditional Culture Healing Yarning) Arts Program	An arts and music rehabilitation program delivered with Gugan Gulwan Youth Aboriginal Corporation and Winnunga.
Winnunga Social Wellbeing Program	Winnunga provide access to an Indigenous support officer and counselling within the AMC and referrals to health and community services during the transition from AMC to the community.
Elders and Community Leaders Visitation Program:	A program strengthening cultural connection through visits to the AMC by local community Elders and other respected leaders.
Indigenous Pastoral Care:	Culturally relevant pastoral care under a specific Aboriginal and Torres Strait Islander chapel service.

Cleared as complete and accurate: 08/10/2018
 Cleared by: Executive Director Ext: 70879
 Information Officer name: Jon Peach
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 Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

Indigenous Counselling:	Dhunlung Yarra Service, Relationship Australia offer individualised counselling by trained Aboriginal mental health professionals.
Transitional Release Centre:	ACTCS offer an opportunity to undertake reintegration activities including approved day release. For Indigenous detainees, this includes the Winnunga Men's Group.
NAIDOC Week AMC Family Day:	An annual opportunity for family and friends to acknowledge and celebrate Aboriginal and Torres Strait Islander culture. In 2018, the event attracted approximately 350 family, friends and detainees.
NAIDOC Community Art Exhibition:	An exhibition of detainee and offender artwork at the Community Services #1 Gallery in Narrabundah. In 2018, the launch of the exhibition attracted approximately 50 people with artwork displayed and sold throughout the subsequent three weeks.
In Community	
Yedding Mura (Good Pathways) Aboriginal Corporation	Additional casework support for Aboriginal and Torres Strait Islander people leaving custody.
Aboriginal Legal Service	Throughcare support to Aboriginal and Torres Strait Islander clients (provided as part of the Community Justice Programs).
Aboriginal Client Services Officer	An Identified Position within ACTCS for a Community Corrections Officer to act as a liaison point for Aboriginal and Torres Strait Islander people on probation or parole.
Community Based Reporting Centre	Community Corrections clients may report to Winnunga for supervised community-based orders.

Cleared as complete and accurate: 08/10/2018
 Cleared by: Executive Director
 Information Officer name: Jon Peach
 Contact Officer name: Sch 2 s 2.2 (a)(ii)
 Lead Directorate: Justice and Community Safety

Ext: 70879

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TRIM Ref: 2018/000084-043

Portfolio: Corrections and Justice Health

ISSUE: INDUSTRIES PROGRAMS AND EDUCATION

Talking points:

Prison Industries Programs

- Prison Industries Programs include:
 - a. Kitchen
 - b. Bakery
 - c. Laundry
 - d. Grounds Maintenance; and
 - e. Recycling
- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities including the Alexander Maconochie Centre (AMC).
- Prison industries offer many benefits for detainees. They give detainees the opportunity to work and gain skills and qualifications that can be utilised after their release from the AMC.
- Prison industries also introduce a meaningful daily routine, provide teamwork opportunities, help address offending behavior and promote pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- ACT Corrective Services (ACTCS) has made significant progress in developing industry employment opportunities for detainees at the AMC.
- In 2017, a new bakery, expanded laundry and the multi-purpose activities centre, increased industry employment opportunities for detainees in the AMC.
- Since then, prison industries at the AMC have been further expanded with the establishment of a second shift in the bakery.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext:70847
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

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- The addition of a second shift has allowed male detainees to work at the bakery. Previously this opportunity was only available to female detainees.
- The second shift has eliminated the need for the AMC to rely on external suppliers of bakery products. All bread products are now produced in-house.
- The ACTCS has extended the term of the Tip Top contract for a further one year. The contract extension is a contingency plan to ensure the AMC has a constant supply of bakery goods during the initial ‘teething period’ of the AMC bakery.
- The extended contract with Tip Top enables the supply of bread on an as needs basis.
- These developments have increased the number of detainees employed across various industries by introducing multiple shifts over a greater number of working days and increased access to recognised accredited industry training.
- Future opportunities for prison industries expansion are currently being investigated by ACTCS. These options include the introduction of multiple shifts over a greater number of working days in the recycling area, the establishment of a sheet metal fabrication industry, and the extension of industrial cleaning and grounds maintenance crew capabilities.
- ACTCS is currently in the process of recruiting a Prison Industry Manager (SOG B) who will oversee the strategic development of AMC Industries.
- The 2018 Report on Government Services (ROGS) for the 2016-2017 reporting period, highlighted that 74.7 per cent of eligible detainees were employed in the ACT, which is in line with the national average of 74.7 per cent.

Education and vocational training

- Throughout 2016-2017, over 20 detainees participated in some form of higher education, such as tertiary preparation, undergraduate and postgraduate courses, through distance learning arrangements. This rose to 30 detainees by the end of June 2017.
- The 2018 ROGS for the 2016-2017 reporting period, highlighted that the ACT had 70.6 per cent of eligible detainees in education, which is well above the national average of 32.9 per cent.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director Ext:70847
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- ACTCS have novated the education and training contract to Foresite Training from Campbell Page. All detainees have transitioned with the new provider with no service disruption.
- Detainees are able to access more than 20 accredited general education and vocational education and training (VET) industry units at the AMC. All accredited units of competency offered at the AMC are nationally recognised.
- All VET industry units completed in custody are recognised by registered training organisations in all Australian states and territories. This enables detainees to continue working towards qualification completion following their release from custody.

Program (Course) Name	TOTAL
Certificate II in Skills for Work & Vocational Pathways This qualification can include a number of Core and Elective units (VET Skill Sets)	112
Work Safely in the Construction Industry (White Card)	6
Culture & Land Management. - CALM Specific Employment & Education Full time course for indigenous detainees.(horticulture skills set)	9
Workplace & Business Communications	7
Cleaning Operations Skill Set plus Identify wastes & hazards	8
Hairdressing Skill Set (non-Acc)	20
Horticulture Skill Set (includes FH)	44
Hospitality Skills Sets: Barista/Kitchen/Bakery	78

- These programs provide skill development and experience in a range of industry and vocational areas including: building and construction, asset maintenance, horticulture and land management, information technology, business studies and hospitality.
- A number of non-accredited courses are also offered at the AMC. These include life skills, recreational and cultural art and music courses.
- The ANU regularly runs a 'Prison Legal Literacy Clinic' for detainees at the

Cleared as complete and accurate: 08/10/2018
 Cleared by: Executive Director Ext:70847
 Information Officer name: Jon Peach
 Contact Officer name: Sch 2 s 2.2 (a)(ii)
 Lead Directorate: Justice and Community Safety

AMC. The program comprises of six sessions over six weeks and provides legal information, rather than legal advice. The program is designed to empower detainees, by improving their experience and promoting social justice through legal knowledge.

- The Worldview Foundation Self Development and Employment Opportunity (Worldview) is a federally funded prison to work program aimed at Aboriginal and Torres Strait Islander detainees. It aims to provide individuals with the opportunity to access holistic wellness and employment through education and training while transitioning from the AMC to the community. Worldview formally commenced at the AMC on the 1 July 2018.

Key Information

AMC Bakery

- The AMC bakery opened on 20 October 2017 and provided employment for up to 10 female detainees.
- Detainees employed in the bakery learn basic hospitality and kitchen operations skills. These skills can lead into recognised trade qualifications after release.
- ACTCS has recently recruited a second baker. This has enabled a second shift, with the capacity to employ 10, strict-protection, male detainees.
- The commencement of a second shift at the AMC bakery has received positive feedback, detainees involved are enjoying the opportunity to learn new and transferrable skills.

Background Information

Prison Industries:

- Development of the prison industries strategy included market research, and engagement with the local community and businesses to assess opportunities for commercial expansion.
- Any future plans to expand the scope of industries within the AMC have involved community and industry consultation, including potential negative impacts on local businesses. Decisions of this nature are bound by public sector competitive neutrality guidelines. Expansion is dependent on a full assessment on the potential impact on local business and the community.

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Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-044

Portfolio: Corrections and Justice Health**ISSUE: ACCOMMODATION PRESSURES****Talking points:**

- The Alexander Maconochie Centre (AMC) has been experiencing accommodation pressures for several years as a result of a continuing upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level.
- The Government is proactively managing these issues to meet the future needs of a growing community. This requires a whole of government response to ensure the ongoing safety of detainees and corrective services staff.
- The AMC has an operational bed capacity of 511.
- The AMC has 28 special purpose beds. These beds are located in the Management, Crisis and Health Units and are used for specific health, mental health or behavioural management. These beds are not reflected in the operational capacity.
- ACT Corrective Services (ACTCS) continues to consider options to best manage the increasing numbers of detainees, while maintaining the safety and security of the AMC.

Key Information

- Operational capacity refers to the total number of beds in a facility which are available for use to accommodate detainees. Not all operational capacity beds can be utilised at all times due to separation and surge issues.
- Separation refers to a need to separate cohorts of detainees with different classifications and characteristics (e.g. minimum from maximum; detainees who need protection from other detainees).
- The most recent measures to alleviate the increase in detainee numbers includes:
 - new accommodation buildings in August 2016 (the Accommodation Unit and Special Care Centre)
 - relocating female detainees to the Special Care Centre in late 2017, and
 - an additional 25 temporary bunk beds being installed at the AMC.

Cleared as complete and accurate: 08/10/2018
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Lead Directorate: Justice and Community Safety

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Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers.
- During 2013, the actual number of ACT detainees jumped significantly, from less than 240 in January 2013 to in excess of 340 in October 2013. The average daily number of detainees in:
 - 2014/15 financial year was 342, with a high of 411 in November 2015
 - 2015/16 financial year was 402, with a high of 446 in November 2016
 - 2016/17 financial year was 445, with a high of 473 on 20 May 2017
 - 2017/18 financial year was 474, with a high of 507 on 19 June 2018
- On 28 November 2017, all female detainees were moved to a single accommodation unit (formerly the Special Care Centre) within the existing AMC campus. The move increased the beds available for female detainees from 29 to 57. However, decreased the beds available to male detainees by 28 beds.
- Work continues within the AMC to identify further options to install double bunking arrangements appropriately.

Cleared as complete and accurate: 08/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext:70879

TRIM Reference: GBC18/676**Portfolio/s:** Corrections and Justice Health**ISSUE: ALEXANDER MACONOCHIE CENTRE OVERDOSE NUMBERS****Talking points:**

- All personal health information, including if a detainee has overdosed on medication or illicit substances, is maintained in their individual clinical record.
- Medical information is subject to privacy provisions and therefore is not available for release.
- Canberra Health Services maintains clinical records for all patients, aggregated data on the number of drug overdoses at the Alexander Maconochie Centre (AMC) is not separately collected.
- “Overdose” is difficult to quantify with significant variation related to such factors as:
 - the significance of outcome from no impact to death; and
 - whether the action was intentional or unintentional; and
 - whether drug was prescribed or illicit.

Background

- During December 2017, there were a cluster of medical incidents in the AMC that were associated with detainee misuse, intoxication or overdose on prescribed medications and/or illicit drugs. Two detainees were admitted to Canberra Hospital for medical care.
- In response to each of these incidents, ACT Corrective Services’ (ACTCS) policies and procedures relating to medical incidents were followed appropriately.
- On 29 December 2017, the Executive Director, Mental Health, Justice Health and Alcohol and Drug Services requested the Clinical Director of Justice Health Services (JHS) undertake a snap-shot medication and prescription audit at the AMC.
- A copy of the audit report *Review of Overdose Incidents and Associated Medication Prescription in the AMC Audit Report January 2018* was provided to the Justice and Community Safety Directorate in February 2018.

Cleared as complete and accurate: 18/10/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- The audit found that none of the detainees who overdosed, or were suspected to have overdosed, between December 2017 and January 2018, had been prescribed the medication by JHS.
- ACTCS and JHS will continue to collaboratively work on the identified issues and recommendations in the audit report.
- On 10 February 2018 a detainee participating in the Opioid Substitution Treatment Program received a higher dose than usually prescribed due to an administrative error. The error was identified by ACT Health staff immediately and was managed appropriately.

Cleared as complete and accurate: 18/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community
Safety

Ext: 70879

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- The number and contraband types discovered during searches of detainees and detainee areas between 1 July 2018 and 30 September 2018 included:
 - Mobile telephones – 10;
 - Phone accessories (sim cards, chargers etc.) - 9;
 - USBs - 12;
 - Syringes (includes other injecting items) – 12; and
 - Drugs (includes excess, expired or stockpiled medications) – 56.
- The greater use of intelligence and targeted operations has seen an increase in searches and contraband found within the AMC since December 2017.
- ACTCS secured an additional \$8.8 million over 3.5 years in the 2017-18 Mid-Year Budget to fund improvements in security-operations at the AMC, and across ACTCS generally. This funding has been used to create a new centralised intelligence unit within ACTCS, which has enhanced ACTCS' capacity to address emerging issues, including the detection and interception of contraband.
- The establishment of a centralised intelligence unit has enabled ACTCS to utilise proactive and intelligence-led strategies to detect and intercept contraband. This has seen an increase in the number and profile of security operations within the AMC, including more targeted operations and staff searching.

Key Information

- In the 2017-18 financial year, ACTCS conducted 13,789 searches for contraband, 875 of which located contraband. Of these searches:
 - 4,065 were random. A random search refers to an approach generated by a matrix;
 - 1,098 were targeted. A targeted search is prompted by intelligence information;
 - 243 were routine searches as part of the operation of the AMC. This includes searches when a detainee is relocated to another cell; and
 - 8,383 were PAD dog searches.

Cleared as complete and accurate: 23/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community Safety

Ext: 70789

QUESTION TIME BRIEF

- Medication has always comprised a high number and proportion of items seized as part of ACTCS' contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.
- The medication classification relates to items that may have been prescribed to detainees and subsequently stockpiled, diverted or simply kept past an expected time of use. Medications can range from drugs that would be available over the counter in the community (such as paracetamol) through to pharmacy or prescription medications.
- The AMC perimeter is approximately 1.3 kilometres in length and is strengthened by security measures including 525 closed circuit television cameras. Corrections Officers check the grounds every morning.
- In 2017-18, ACTCS intercepted visitors attempting to introduce contraband into the AMC on 17 occasions.
- An updated prohibited items declaration for the AMC was published on 24 August 2018. The declaration now incorporates items that utilise new technologies, such as watches with mobile phone, USB or internet capabilities. A copy of the prohibited items declaration is at [Attachment A](#).

Background Information

- On 20 October 2018, ABC Radio Canberra reported that there had been a 14 per cent increase in the number of times contraband had been found at the AMC in the 2017-18 financial year. It was further reported that the rise in contraband finds was the result of increased searches of detainees and visitors.

Cleared as complete and accurate: 23/10/2018
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community Safety

Ext: 70789

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Australian Capital Territory

Corrections Management (Prohibited Things) Declaration 2018

Notifiable instrument NI2018-476

made under the

Corrections Management Act 2007, s81 (Prohibited things)

1 Name of instrument

This instrument is the *Corrections Management (Prohibited Things) Declaration 2018*.

2 Commencement

This instrument commences on the day after its notification day.

3 Declaration

Pursuant to section 81 of the *Corrections Management Act 2007*, I declare that each item listed in Schedule 1 of this instrument to be a prohibited thing.



Jon Peach
Executive Director
ACT Corrective Services
16 August 2018

SCHEDULE 1

Prohibited Things

Pursuant to sections 81, 82(2) and 145(2) of the *Corrections Management Act 2007*, the following items are declared as prohibited things. Approval for a person to possess certain prohibited things in a correctional centre may be authorised by the Executive Director, ACT Corrective Services or the General Manager, Custodial Operations, therefore the item becomes a restricted thing.

- Aerosol pressure spray cans
- Alcohol and alcohol based products (excluding alcohol ‘fat based substances’ contained in toiletries, Medicines etc.)
- Bags (non-transparent - brief cases, backpacks, small / large bags)
- Blu Tack
- Cameras or other photographic devices
- Candles
- Chewing gum
- Communication devices including mobile phones
- Currency / Money
- Drug paraphernalia
- Electric items that are rechargeable (toothbrushes, razors, clippers)
- Explosives
- Firearms
- iWatch or similar devices
- Flammable liquids
- Game console with ability for wireless connection to internet i.e. Playstation, Xbox & Nintendo
- Gang related property and materials
- Glass containers
- Hair dye
- Illicit drugs
- Incense
- Keys (other than privacy / cell keys or visitor locker keys)
- Knitting needles (metal)
- Laptop
- Lighters
- Matches
- Medication (herbal)
- Medication (over-the-counter)
- Medication (prescribed)
- Metal cutlery (personal)
- MP3 players and iPods
- Multi-media items (videos, DVD’s, CD’s, Floppy disks)
- Paint (oil-based)
- Personal Cuff Keys
- Plastic bags and wrap
- Recording devices
- Restricted publications such as pornography and objectionable material

- Rose oil
- Scissors
- Shavers (bladed razors)
- Tattooing materials
- Tools
- Umbrellas with sharp points
- USB storage devices
- Watches with mobile phone, USB or internet capabilities
- Weapons (authorised and excluding firearms)
- Weights (free).

TRIM Reference: MIN: 2018/000084-047

Portfolio: Corrections and Justice Health**ISSUE: ACT Corrective Services Housing Assessment Information:
Allocation of housing to known sex offenders****Talking points:**

- When applicable ACT Corrective Services (ACTCS) staff conduct an individual risk assessment on known sex offenders. The assessment is only conducted for detainees being released on parole. This assessment includes issues that may impact on an offenders risk of reoffending such as:
 - the level or risk of re-offending;
 - the type and nature of the offence;
 - the time a person has been offence free;
 - specific offence-related factors such as age/gender of victim; and
 - cultural sensitivity; and any other needs of the person (e.g. disability, age, mobility).
- ACTCS undertake individual home visit assessments for the following groups of Alexander Maconochie Centre (AMC) detainees who are being released on parole:
 - All parolees;
 - All offenders and detainees being assessed for an Intensive Corrections Order;
 - Offenders being supervised in the community under the terms of a Good Behaviour Order who have a current or past child related offence; and/or
 - Offenders being supervised in the community who have a current domestic violence offence with a risk level of medium or above.
- When conducting a home visit assessment on known sex offenders, ACT Community Corrections Officers liaise with Child and Youth Protection Services, ACT Housing and the Australian Federal Police including the Child Sex Offender Registry Team.

Cleared as complete and accurate: 26/10/2018
Cleared by: Executive Director Ext: 72965
Information Officer name: Jon Peach
Contact Officer name: David Pryce Ext: 50567
Lead Directorate: Justice and Community Safety

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- As part of this assessment, consideration is given to issues such as the specifics of the offenders history and risks such as the proximity of accommodation to child-care centres, schools and places where children gather.

Key Information

- ACTCS, Community Corrections Officers conduct an individual home visit assessment on known sex offenders regarding the suitability of their accommodation when being assessed to be released on a Community Based Order.
- An individual home visit assessment for known sex offenders includes the level or risk of re-offending, the type of offence, the time a person has been offence free, specific offence-related factors (such as age/gender of victim), cultural sensitivity and any other needs of the person (e.g. disability, age, mobility), all of which may impact on their risk of reoffending.
- If a known sex offender is being released from the AMC, a Pre Release Home Visit Assessment is conducted by a Community Corrections Officer which triggers the assessor to consider any child protection issues.

Background Information – NA

Cleared as complete and accurate: 26/10/2018
Cleared by: Executive Director Ext: 72965
Information Officer name: Jon Peach
Contact Officer name: David Pryce Ext: 50567
Lead Directorate: Justice and Community Safety

TRIM Ref: *2018*000084-048

Portfolio/s: Corrections and Justice Health**ISSUE: CANBERRA TIMES ARTICLE – DETAINEE WITHOUT RUNNING WATER****Talking points:**

- Over the last six months two faults were reported in June and September of this year. On each occasion, the issue was investigated.
- ACT Corrective Services (ACTCS) has organised for the replacement of all system components (timer, pushbuttons and solenoids) as a priority.
- This work is expected to be completed by the end of this week.
- The detainee has been offered alternative accommodation within the Alexander Maconochie Centre (AMC), however, this offer has been declined.
- Detainees in this area of the AMC have electric kettles in their cells and usually keep cordial bottles as water jugs. Additionally, the common area has a filtered zip hot/cold water tap which detainees can access during their time out of cell.
- ACTCS is taking steps to ensure this issue does not reoccur and is establishing proactive systems to ensure facility maintenance issues are addressed early.
- ACTCS has not received a formal complaint on this matter.

Key Information

- Whilst there is a fault at this time, ACTCS disputes the assertion that the detainee has been continuously without water.

Background Information

- ACTCS believes this fault was caused by detainees blocking the sink spout with a stick or similar.
- An external plumber has been engaged to assist with maintenance at the AMC.
- ACTCS is investigating further contractors to assist with plumbing jobs. Plumbing work at the AMC requires an additional custodial officer resource to escort them throughout the secure facility.

Cleared as complete and accurate: 01/11/2018
Cleared by: Executive Director
Information Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Contact Officer name: [Sch 2 s 2.2 \(a\)\(ii\)](#)
Lead Directorate: Justice and Community
Safety

Ext:

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MINISTER FOR CORRECTIONS AND JUSTICE HEALTH
QUESTION TIME BRIEFS
27-29 November 2018

Question Time Briefs	
1.	Summary of Budget Initiatives
2.	Disability Data and Comments by ACT HRC
3.	Safety and Human Rights of Detainees
4.	Inspector of Correctional Services – Current Review
5.	Detainee Numbers
6.	AMC Dog Handlers
7.	AMC Policies : Clothing, Email, Visits, Contraband, assaults in custody etc
8.	Fire incidents & Fire prevention measures
9.	AMC Health Services
10.	Recidivism
11.	Extended Throughcare
12.	Aboriginal and Torres Strait Islander Issues including Recidivism, Extended Throughcare, Incarceration Rates
13.	Industries, Programs and Education
14.	Accommodation Pressures
15.	Overdoses at the AMC
16.	Contraband
17.	Housing Assessment Information: Allocation of housing to known sex offenders
18.	Canberra Times Article – Detainee without running water
19.	AMC – Mr Islam Court Outcome

*2018*000084-030

Portfolio: Corrections and Justice Health

ISSUE: 2018-19 Budget Summary – Minister for Corrections

Talking points:

The 2018-19 Budget will invest **\$21.5 million** in the ACT Corrective Services.

This includes:

- **\$15.5 million over four years** to provide additional staff resources associated with an increase in average detainee numbers at the AMC and to replace the mobile duress system
- **\$6 million over three years** to continue the Intensive Corrections Order Scheme to strengthen rehabilitation opportunities for offenders

Background Information

The ACT's budget announcements included initiatives relating to:

- More support for families and inclusion – Better resourcing for the Alexander Maconochie Centre
- More support for families and inclusion – Intensive Corrections Orders
- Better support when it matters - Enhancing security at the Alexander Maconochie Centre
- Better support when it matters - Integrating the Winnunga Model of Care and enhancing health services in the Alexander Maconochie Centre.

The 2017-18 2nd Appropriation provided:

- **\$11.6 million over five years** to enhance security and safety within the Alexander Maconochie Centre
- **\$6.8 million over five years** (JACS component) to introduce the Winnunga Health Model of Care at the Alexander Maconochie Centre. ACT Health component of \$1.6 million over two years will be offset against the health funding envelope.

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Portfolio: Corrections and Justice Health**ISSUE: DISABILITY ASSESSMENT AND DATA COLLECTION****Talking points:**

- Currently, individuals are requested to self-identify as having a disability as part of the induction process for detainees at the Alexander Maconochie Centre (AMC).
- Disability may refer to physical or intellectual disabilities, or developmental conditions such as Autism Spectrum Disorder (ASD).
- This information is captured on the Induction form. As it relies on self-identification, the data is likely to underrepresent actual figures.
- At this time, ACT Corrective Services (ACTCS) is unable to provide the definitive number of current detainees who identify as having ASD.
- If a detainee identifies as having a disability, this is taken into consideration during the development of their case management plan.
- The data related to the numbers of individuals who have identified as living with a disability is not captured in the current system in a format that allows for the data to be easily extracted.
- Once the new Corrective Services Information Management Solution (CSIMS) is deployed in 2019, detainee data will be collated into an online system. This will enable reports on detainee numbers and identifying factors, including disability status, to be generated.
- The information that will be captured in CSIMS will continue to rely on self-identification and it is likely that the data will continue to underrepresent actual figures.
- In addition to self-identification, Justice Health screen for possible disability or impairment as part of the induction health assessments of detainees. This information is noted in health records.
- Access to individualised services for detainees with an identified intellectual disability has increased since the introduction of the Corrections Psychological and Support Services (CPSS) unit.
- CPSS coordinates care for individuals identified as having significant complex presentations including living with a disability.

If asked about comments from ACT President of the Human Rights Commission

- I am aware of comments provided to the Editor of *The Canberra Times* by Dr Helen Watchirs OAM on 5 June 2018.
- Dr Watchirs advises that the ACT Human Rights Commission “*strongly supports the call for improved assessment and data collection in relation to the prevalence of disability in the prison population in the ACT, as recommended by the Auditor-General in 2015*”.
- I acknowledge that this type of data is important to help identify issues of systemic discrimination and service gaps.
- I am committed to seeing improvements in this area and will continue to work with the Human Rights Commission and ACTCS to achieve this.

Justice Disability Strategy

- As part of the 2018-19 Budget, the ACT Government has announced the investment of \$580,000 to develop a Disability Justice Strategy to respond to the disadvantages faced by people with disability when dealing with the justice system.
- The Disability Justice Strategy aims to reform the civil and criminal justice system to ensure people with disabilities are treated equally before the law, and can participate on an equal basis in civic life through participation in the justice system.
- The Community Services Directorate is leading the implementation of the Strategy in collaboration with the Justice and Community Safety Directorate (JACS).
- ACTCS is developing a Disability Framework. This framework will focus on actions that are specific to ACTCS to address disability related issues of clients of the agency. The framework will support the wider JACS Justice Strategy.

Key Information

- Data relies on detainees self-identifying, prior to undergoing further assessment by Justice Health.
- The current form only allows for a detainee to identify as having a ‘disability’. It does not specify the different types of disability.
- CSIMS is expected to be operational in 2019. ACTCS is investigating the potential inclusion of optional fields to specify the type of disability, including physical or intellectual.
- Only information critical to the operation of the prison is likely to be back-captured. However, ACTCS is still considering the notion of a broader, more comprehensive data migration.

Background InformationData

- In 2015, the ACT Auditor-General’s Report on ‘The Rehabilitation of Male Detainees at the Alexander Maconochie Centre’ recommended that ACTCS capture data on detainees with physical disabilities and intellectual disabilities, in order to improve services for these cohorts and to evaluate the effectiveness of activities and services.
- In November 2015, ACTCS added this data item to the tender specification of the CSIMS.

Hayes Ability Screening Index

- In an email to the Editor of *The Canberra Times* of 5 June 2018, Dr Watchirs, ACT President and Human Rights Commissioner, recommended that ACTCS screen new and current detainees using the Hayes Ability Screening Index (HASI).
- The HASI was piloted in the AMC in 2014 and administered to all detainees as part of induction. Due to the large numbers of detainees affected by drugs on admission, administering the HASI on admission was found to be unreliable. Key red flag questions are now included in the Induction form and if a disability is identified, appropriate referrals are made.
- The HASI is able to be administered by CPSS staff on referral from Justice Health or AMC staff. The HASI is administered to detainees who are suspected of having poor or low level cognitive and intellectual functioning, to determine whether referral to Justice Health Services for comprehensive assessment is required.

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TRIM Ref: 2018/000084-028

Portfolio: Corrections and Justice Health**ISSUE: SAFETY AND HUMAN RIGHTS OF DETAINEES****Talking points:**Safety of detainees

- The safety and security of all detainees is a priority for ACT Corrective Services (ACTCS).
- Safety and security continues to be enhanced with the implementation of a new management structure and operating model at the Alexander Maconochie Centre (AMC).
- A centralised intelligence unit has been established across both Community and Custodial Corrections to work with staff, detainees and ACT Policing to intercept acts prior to their perpetration.
- This unit will also participate in emerging security issues such as outlaw motor cycle gangs and countering violent extremism. The increased staffing to this unit will implement intelligence-driven security activities.
- ACTCS continues to work closely with ACT Policing in support of drug and contraband interdiction measures including providing assistance with investigations, and with the ongoing exchange of information.
- Recommendation 1 of the Moss Review called for improved CCTV quality and coverage at the AMC. The AMC has increased its use of CCTV to 525 cameras to monitor the movement and behaviour of detainees to ensure safety, security and good order at the AMC. The quality of the images that are captured by the CCTV System has also been improved to better support evidentiary outcomes.
- The Memorandum of Understanding (MoU) between ACTCS and ACT Policing was reviewed and updated to reflect the issues raised by Recommendations 2 and 3 of the Moss Report. The amended MoU was agreed by both agencies and signed on 28 April 2017. It sets out the working arrangement including information-sharing, cooperative management arrangements relating to serious incidents and operations, and the nature of incidents to be reported to and responded by ACT Policing.

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- The amended MoU includes arrangements for reporting serious assaults to Deputy Chief Police Officer level within ACT Policing to ensure investigations are appropriately prioritised and have appropriate oversight.

Human Rights Principles

- On 26 March 2018, the ACT Government released the Human Rights Standards for ACTCS for community consultation. These are now known as the Human Rights Principles for the Alexander Maconochie Centre (Principles).
- ACTCS already abides by the *Human Rights Act 2004*, other standards set in Commonwealth law and a number of international principles relating to human rights.
- These Principles detail the expectations that we as a community, and the ACT Government, have of adult correctional facilities.
- The Principles outline how detainees will be supported from their initial contact with ACTCS through to their release in the community. This support is provided across key areas including:
 - safety
 - respect and dignity
 - purposeful activity
 - rehabilitation and release planning.
- ACTCS will continue to consider human rights when developing policies, delivering services and making decisions.

ACT Inspector of Correctional Services

- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the new role of the Inspector of Correctional services ('the Inspector').

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- The Inspector is a statutory independent office holder position. The Inspector works collaboratively with ACTCS and other oversight bodies such as the ACT Human Rights Commission, ACT Ombudsman, Public Advocate and the Official Visitors, to identify issues in adult corrections, and propose solutions to promote continuous improvement.
- In June 2018, the Inspector initiated a formal review into the management and care of remand detainees at the AMC. This review is not yet finalised. The Inspector must give his completed report to the Legislative Assembly pursuant to section 27 of the *Inspector of Correctional Services Act 2017*.
- The Inspector conducted a desk-top review of a critical incident at the AMC that occurred on 23 May 2018. The review was conducted under section 18(1)(c) of the *Inspector of Correctional Services Act 2017*. The incident involved a physical altercation between two detainees, and resulted in one detainee being admitted to hospital.
- A desk-top review involves the review of documents and reports, including audio/visual records if applicable, provided by ACTCS and other agencies. It does not involve interviewing staff or detainees and is more likely to be conducted where the circumstances of an incident are reasonably self-evident and unproblematic.
- A report on this matter will be delivered to the Legislative Assembly in the coming weeks.

Rehabilitation Framework

- ACTCS is undertaking extensive work to refresh and review existing policies and introduce pro-social methods of detainee management.
- ACTCS has finalised a Rehabilitation Framework which reflects the profile of the detainee population, outlines the therapeutic programs provided at the AMC, and guides the integration of rehabilitative activities and services through effective sentence planning and management.
- This over-arching framework will improve sentence management and the outcome of service delivery of offender rehabilitation programs.

Cleared as complete and accurate:	19/11/2018	
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- Recognising that security and safety are paramount, the Rehabilitation Framework will inform the operational philosophy for ACTCS.

Structured Day

- ACTCS has implemented a structured day in the new female accommodation unit. This will progress to a pro-social model of detainee management including the introduction of an incentive and earned privilege scheme within the AMC.
- These changes will be embedded across all detainee cohorts over time.
- The structured day includes initiatives that provide opportunities for detainees to participate in employment, programs, education and other pro-social activities.
- A structured day also enables detainees to develop personal responsibility, apply values that reinforce law-abiding behaviour, and contribute positively towards society after release.
- Where possible, detainee employment will be linked to accredited training to provide opportunities for detainees to develop skills that improve employment prospects upon release.

Employment

- ACTCS has made significant progress in developing industry employment opportunities for detainees at the AMC.
- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities.
- Prison industries not only give detainees the opportunity to work and gain skills and qualifications, it introduces a meaningful daily routine, provides teamwork opportunities, helps to address offending behaviour and promotes pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- The construction of enhanced industries, namely, a new bakery, expanded laundry and the multi-purpose activities centre at the AMC, was completed last year.

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- The expansion of prison industries includes the recruitment of a second baker, the expansion of the recycling area and an extension of industrial cleaning and grounds maintenance crew capabilities.
- Additionally, the Extended Throughcare Program (Throughcare) works in conjunction with case management in the AMC to support individuals into training or employment options post release.
- Throughcare has relationships with several training providers, and job network providers within the ACT, and continues to explore the Canberra work landscape to source and create new partnerships designed to support higher numbers of people into employment.

Housing

- Throughcare are actively engaged in the ACT Housing Strategy workshops.
- Throughcare supports individuals who have recently exited the AMC to explore their housing options, through referrals to available services, and liaising with those services.

Key Information

- ACTCS does not provide housing and employment supports for people exiting the AMC, other than the services provided by the Extended Throughcare program.

Background Information

ACT Inspector of Correctional Services

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation.
- The Inspector was established in response to Recommendation 8 of the Moss Review.

Rehabilitation Framework

- The development of a Rehabilitation Framework addresses a number of recommendations made in external and internal reviews.
- As part of the Audit Office 2013-14 program, the Auditor-General undertook a performance audit of the AMC, with the final report tabled in the Assembly in 2015.
- Recommendation 1 of the audit recommended that ACTCS develop a rehabilitation framework for the AMC. You were briefed on the proposed framework in Min:2018/516.

Cleared as complete and accurate:	19/11/2018	
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Structured Day

- Implementation of a Structured Day has been recommended in a number of external reviews:
 - Human Rights Audit on the Conditions of Women at the Alexander Maconochie Centre (Recommendation 23)
 - Auditor-General's review of the Rehabilitation of Male Detainees at the Alexander Maconochie Centre (specifically Recommendation 1 and 10).
 - Conclusions of the Moss Review observed that the lack of a structured day at the AMC leads to boredom.

Cleared as complete and accurate:	19/11/2018	
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ISSUE: INSPECTOR OF CORRECTIONAL SERVICES – CURRENT REVIEW**Talking points:**

- In June 2018, the Inspector of Correctional Services, Mr Neil McAllister, initiated a formal review into the management and care of remand detainees at the Alexander Maconochie Centre (AMC).
- This will be the first formal review process conducted by the Inspector of Correctional Services.
- I understand this review will examine how ACT Corrective Services (ACTCS) manages remand detainees with regard to the unique needs of individuals who may not have been imprisoned before, and who may be facing protracted legal proceedings.
- The review team, led by the Inspector, attended the AMC from 12 to 14 June 2018 to meet with remandees in accommodation areas.
- While the review is not yet finalised, the Inspector made a point to commend the professionalism, assistance and friendliness of the staff and detainees at the AMC during the review. It was re-assuring to hear from an independent oversight body, such as the Inspector, that there is a positive culture operating at the AMC.
- I look forward to seeing the review outcomes once finalised.

Key Information

- The Inspector works collaboratively with ACTCS and oversight agencies to identify issues in adult corrections, and propose solutions to promote continuous improvement.
- While the review will also examine the non-separation of remand and sentenced detainees, the Inspector has indicated that he will not make recommendations about the building of a separate remand prison in the ACT.
- There is a legislative requirement for the Inspector to give a report on any review conducted to the ACT Legislative Assembly within six months of completing the review.

Cleared as complete and accurate:	26/11/2018	
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QUESTION TIME BRIEF

- Recommendation 6 from the Moss Review was, “That ACTCS to establish a separate remand prison within the AMC to ensure remanded detainees are segregated from sentenced detainees”. The Government response to the Moss Review *agreed in principle* with this recommendation.
- In its closure report, the Moss Review Implementation Steering Committee concluded that Recommendation 6 “will not be met until the ACT Government commits to build a separate remand facility within the AMC. The Committee also notes that a separate remand facility would also meet existing legislative requirements under both the *Human Rights Act 2004* and the *Corrections Management Act 2007*. Further, the Committee recognises that ACT Corrective Services has implemented a range of initiatives to support the intent of the recommendation.”
- In recent years, ACTCS has undergone considerable organisational change, with further work identified through the ACTCS Strategic Plan 2017-19 ‘Resetting the foundations’.

Background Information

- The Inspector of Correctional Services is a statutory office holder role, with independence guaranteed by legislation. The Inspector is required by legislation to examine and review each place declared to be a correctional centre under the *Corrections Management Act 2007* at least once every two years, and provide the findings of these reviews to the Legislative Assembly.
- The Inspector was established in response to recommendation 8 of the Moss Review.
- The Inspector is authorised to:
 - enter a correctional centre at any time on his own initiative
 - inspect:
 - any document, including a health record relating to a detainee
 - any other record required to be kept by the correctional centre
 - any part of the correctional centre
 - any vehicle or equipment used at a correctional centre or in the provision of correctional services
 - speak to, or privately interview
 - a person other than a detainee at the correctional centre
 - a person involved in the provision of correctional services
 - a consenting detainee.
 - take any equipment reasonably required to effectively conduct an inspection.

Cleared as complete and accurate: 26/11/2018
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Critical Incident Review

- On 23 May 2018, a detainee was assaulted by another detainee at the AMC. The victim was admitted to The Canberra Hospital for treatment.
- The *Inspector of Correctional Services Act 2017* (the ACT) states that the Inspector ‘may review a critical incident on the inspector’s own initiative’. A critical incident is defined in the act as including ‘an assault or use of force that results in a person being admitted to hospital’.
- The Inspector conducted a desktop review of this incident.
- As required under the Act, a draft copy of the critical incident report was provided to ACTCS, and the Director-General of the Justice and Community Safety Directorate. Comments were provided to the Inspector and considered in the preparation of the final report.
- The Inspector has prepared a final version of his report. This will be tabled in Legislative Assembly by the Speaker during the November sitting period, and a Government response addressing the recommendations and findings of the review will be tabled in the March 2019 sitting period.

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TRIM Ref: 2018/000084-031

Portfolio: Corrections and Justice Health

ISSUE: DETAINEE NUMBERS

Talking points:

- On 19 June 2018, detainee numbers in the ACT reached a high of 507.
- Detainee numbers continue to remain high. The average population at the AMC throughout October was 492.
- The increasing detainee population has placed pressures on accommodation for detainees at the AMC.
- The most recent expansion of the AMC was in 2016 with the provision of an additional 169 beds increasing the operational capacity of the AMC to 511.
- A feasibility study for future expansion of the AMC was funded by Government in the 2017-18 Mid-year budget. This is currently being further considered alongside other opportunities to reduce the number of detainees entering the AMC.
- The Government is proactively managing the issues presented by increased detainee numbers through the Justice Reform Strategy and the Justice Reinvestment Strategy, and our overall goal to reduce recidivism by 25 per cent by 2025.

Female detainee numbers:

- Between 2014 and 2018, the ACT experienced a marked increase in female detainee numbers. Increases in the number of female detainees is not limited to the ACT; it is a national issue with all jurisdictions experiencing these increases.
- The ACT female imprisonment rate has increased from 14 per 100,000 of the female adult population on 30 June 2015 to 26 per 100,000 of the female adult population on 30 June 2017.

Cleared as complete and accurate:	16/11/2018	
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Lead Directorate:	Justice and Community Safety	

- The average daily number of detained females in:
 - 2017-2018 financial year was 38
 - 2016-2017 financial year was 32
 - 2015-2016 financial year was 23
 - 2014-2015 financial year was 19
- On 18 October 2018, female detainee numbers in the ACT reached a high of 51 detainees.
- Since 1 July 2018, the female detainee population in the ACT has consistently been within the range of 35 and 51.

Aboriginal and Torres Strait Islander detainee numbers:

- The ACT has experienced a steady increase in Aboriginal and Torres Strait Islander detainees from 2014 onwards.
 - On 30 June 2018, Aboriginal and Torres Strait Islander detainees comprised 22 per cent of the AMC prisoner population
 - On 30 June 2014, Aboriginal and Torres Strait Islander detainees comprised 16 per cent of the AMC prisoner population
- Likewise, the age standardised imprisonment rate for Aboriginal and Torres Strait Islander detainees in the ACT has increased:
 - 30 June 2017 - 1,703 per 100,000 of the Aboriginal and Torres Strait Islander adult population
 - 30 June 2014 - 1,219 per 100,000 of the Aboriginal and Torres Strait Islander adult population
- Average daily number of Aboriginal and Torres Strait Islander detainees in
 - 2017-2018 financial year - 103
 - 2016-2017 financial year - 92
 - 2015-2016 financial year - 92
 - 2014-2015 financial year - 68

Cleared as complete and accurate: 16/11/2018
Cleared by: Executive Director
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Lead Directorate: Justice and Community Safety

Ext: 70879

- On 13 March 2018, Aboriginal and Torres Strait Islander detainee numbers in the ACT reached a new high of 115.
- From 1 July 2018 to date:
 - the highest number of male Aboriginal and Torres Strait Islander detainees in the ACT was 98 on 23 July 2018
 - the highest number of female Aboriginal and Torres Strait Islander detainees in the ACT was 18 between 1 July 2018 and 31 October 2018.

Background Information


- Since 2012 the ACT has experienced a continued upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level. Since 30 June 2016, the adult prisoner population has increased across all States and Territories except for the Northern Territory, which recorded a small decrease.

Cleared as complete and accurate:	16/11/2018	
Cleared by:	Executive Director	Ext: 70879
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TRIM Ref: 2018/000084-034

Portfolio: Corrections and Justice Health**ISSUE:** AMC K9 Unit capability**Talking points:**

- The ACT Corrective Services (ACTCS) utilises Passive Alert Detection (PAD) dogs in its K9 Unit to conduct searches throughout the Alexander Maconochie Centre (AMC), including the visits area, accommodation blocks, mail and vehicles.
- Due to unexpected staff resignations, the ACTCS K9 Unit ceased operations on 9 August 2018.
- To resume PAD operations as soon as a practicable, ACTCS has seconded three dog handlers and dogs from Victoria to rotate shifts at the AMC.
- The first handler commenced in mid- September 2018. It is anticipated that the dog handlers from Victoria will continue working at the AMC until December 2018, when ACTCS handlers will be trained to take over operation of the unit.
- ACTCS is in the process of recruiting two new dog handlers and arranging for appropriate K9 training.
- One successful applicant has been identified and they are currently undertaking a 13 week PAD dog course in NSW which commenced on 17 September 2018.
- Interviews will be conducted in November 2018 for the second dog handler position. The successful candidate will be required to attend the 13 week K9 program in NSW early in 2019.
- The first new ACT dog handler is expected to commence K9 duties at the AMC on 24 December 2018. There will be an overlap with the staff from Victoria to enable the new ACT dog handler to get exposure to the practices of experienced officers.
- The K9 unit is just one of many measures that ACTCS uses to assist with searches and prevent the entry of contraband into the AMC.

Cleared as complete and accurate: 19/11/2018
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Lead Directorate: Justice and Community Safety

The ACT Government has invested funding of \$8.8 million over the next three and a half years for security-related matters at the AMC. Key Information

- ACTCS previously had two operational dog units consisting of Rusty, a Border Collie, and Uno, a Labrador, and their handlers.
- Both handlers unexpectedly resigned from their positions with ACTCS, and both dogs were retired with their handlers.
- The correctional agency facilitating the K9 course will source PAD dogs for the handlers, as part of the course cost. Corrective Services NSW has available PAD dogs and places on the 17 September 2018 and early 2019 courses.

Background Information

- ACTCS uses PAD dog searches to reduce the introduction or possession of drugs or contraband through searching visitors, employees, detainees, and vehicles entering or accommodated in the AMC.

Cleared as complete and accurate: 19/11/2018
Cleared by: Executive Director
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Sch 2 s 2.2 (a)(ii)


TRIM Ref: 2018/000084-036

Portfolio: Corrections and Justice Health**ISSUE: AMC POLICIES: CLOTHING, EMAIL, VISITS, CONTRABAND, ASSAULTS IN CUSTODY****Talking points:**Email policy

- Detainee access to email is managed in accordance with the *Corrections Management (Email, Internet and Legal Education and Resource Network [LEARN] for Prisoners) Policy 2010*.
- Detainees request email contact with individuals and all applications are positively vetted in accordance with the above-mentioned policy. Individuals in the community are not able to make requests to email detainees. ACT Corrective Services (ACTCS) has identified that this would significantly increase the risk of victim contact as individuals may create an alias.
- Processing of applications is dependent on a number of factors, including the ability of ACTCS to contact the proposed recipient, staffing levels, and the number of applications that may require processing at any one time. Subject to these factors, ACTCS aims to have requests processed within 24 hours.


Dress codes at AMC

- Dress codes are imposed to reduce the opportunity for the introduction of contraband during visits, minimise the opportunity for the display of gang identification, and to ensure the safety of detainees, staff and visitors.
- Failure to comply with the dress code may lead to the visitor being denied entry and the visit being cancelled.
- Detainees are able to apply to have visitors to the Alexander Maconochie Centre (AMC) bring property.
- This will only be approved where the detainee is not already in possession of property in excess of the amounts specified in the policy.

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AMC Visits policy

- ACTCS encourages family and friends of detainees to visit them while in custody in order to maintain important ties with the community.
- The visits phone line is a call back service which is staffed 9am to 5pm, Monday to Friday.
- Bookings must be made at least 24 hours in advance, unless otherwise approved by the General Manager, Custodial Operations. The process for booking visits entails the visitor calling a booking line and providing details of the detainee they wish to visit, a preferred date and their contact details in a recorded message, which ensures that all visits are booked in the order that they are requested. This information, as well as the hours of operation, is conveyed in the recorded message for visits bookings.
- There is no current capacity to book visits online or via email. The telephone booking system was initially put in place to guarantee equal access to visits by ensuring that visit requests were processed in the order in which they were received.
- ACTCS is investigating alternate options, including the ability to book visits online, as part of a broader review of the visits booking process.
- ACTCS is trialling new software which, once operational, will mean that visitors no longer have to complete a visitor form each time they visit the AMC. Visitors still need to undergo an iris scan on entry for security reasons.
- For visitors coming to the AMC, there are rules to maintain the good order of the facility. These are publicly available and prominently displayed at the entrance to the AMC.
- Visitors are expected to behave courteously to AMC staff, other visitors and detainees, and to abide by the visitor dress code.
- Where a detainee or visitor breaches the AMC visits policy (for example, through the introduction, or attempted introduction of contraband or because of unacceptable behaviour), they can have their visitation rights withdrawn, or they can be placed on non-contact visits, to ensure the good order and safety of the AMC.

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Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
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Lead Directorate: Justice and Community Safety

- Detainees may visit other detainees within AMC where there is a confirmed relationship.
- Former detainees may apply to visit current AMC detainees.
- These applications will be reviewed by ACTCS on a case by case basis, and the applicant will be formally notified of the outcome.

Contraband

- ACTCS has various physical and static security measures to prevent entry of prohibited items into the AMC.
- ACTCS works closely with ACT Policing to prevent the introduction of contraband at the AMC including providing assistance with investigations, and exchanging information and intelligence.
- Medication has always comprised a high number and proportion of items seized as part of ACTCS' contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.

Serious Assaults

- ACTCS staff work hard each day to ensure the safety of detainees and de-escalate and prevent serious incidents at the AMC.
- Within correctional facilities however, there is the inherent potential for conflict among some detainees. There is often pre-existing tension in the relationships between detainees at the AMC, resulting from interactions and associations, both in custody, and in the community.
- The Government's response to the Moss Review reflects our commitment to implementing transformational change and sharing with the community what we will do differently to improve the care, safety and health of detainees.
- Funding of \$8.8 million over the next three and a half years has been allocated for security-related matters at the AMC.
- This will assist ACTCS to combat assaults and other serious incidents.
- ACTCS continues to refer all serious assault allegations to ACT Policing for investigation.

- The Government also acknowledges the importance of ensuring that assaults, including those committed within the AMC, are thoroughly investigated with a view to holding offenders to account through prosecution of offences.

Key Information

AMC Visits Policy

- The AMC Executive Support Unit is responsible for the phone line and makes every effort to respond to all voicemail messages within 24 hours.
- The AMC can facilitate scheduled non-contact visits five days a week, however on application, the non-contact visit facilitates may be used during the remaining two days.
- ACTCS has seven non-contact visit rooms, two of which are large enough to facilitate group visits. On the five days allocated for scheduled visits, there is a total of 30 different sessions available.
- During the 2017-2018 period, 645 non-contact visits were facilitated.
- Anyone subject to a visitation ban will be notified in writing of the restriction and the period for which it applies.
- Appeals against visitor bans may be made, in writing, to the Executive Director, ACTCS.
- AMC intra-centre visits are subject to specific conditions, including that:
 - Both detainees have been in custody for 28 days before a visit is approved.
 - Both detainees submit a clean urine test prior to the visit being facilitated.
 - Both detainees must not have had any disciplinary action in the past 28 days.

Contraband

- In the 2017-18 financial year, corrections officers undertook 13,789 searches.
- The AMC perimeter is approximately 1.3 km in length and is strengthened by security measures including 525 closed circuit television (CCTV) cameras. Staff check the grounds.
- ACTCS undertakes measures to search visitors, staff, contractors, and their belongings entering the AMC. These include:
 - metal detectors;
 - X-Ray baggage scanner to scan property;
 - itemiser tests to detect traces of drugs and explosives; and

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- physical searches of all vehicles prior to entering and exiting the AMC including use of mirrors to search under the vehicles and random canine searches (except, for example, ambulances in case of emergency).
- In the third quarter of 2018, the Security Operations Team found 10 mobile phones, 9 mobile phone accessories (including charges and SIM cards), 12 USBs, 12 syringes and 56 drugs. The drugs category is broad and includes the seizure of multiple drugs, as well as the seizure of stockpiled or non-prescription medication.
- An updated prohibited items declaration for the AMC was published on 24 August 2018. The declaration can be found at <https://www.legislation.act.gov.au/View/ni/2018-476/current/PDF/2018-476.PDF>

Serious Assaults

Report on Government Services Assaults data

- The 2018 Report on Government Services, released in January 2018, identified that the ACT had the highest prisoner serious assault rate in the country.
- The rate for 2016–17 was 3.59 per 100 prisoners/detainees, which was an increase from 0.75 per 100 prisoners/detainees in 2015–16. In terms of raw numbers there were 16 serious assault incidents in 2016–17, three in 2015-16, 11 in 2014-15 and eight in 2013-14.
- The ACT's prisoner on officer assault rate was the highest in Australia at a rate of 1.80 per 100 prisoners. This is a result of eight assault incidents against staff.

Moss Review

- In response to Recommendations 2 and 3 of the Moss Review, ACTCS and ACT Policing signed an amended Memorandum of Understanding (MoU) on 28 April 2017. The MoU included changes relating to information shared about assaults.

Background Information

Detainee property limits

- The AMC accommodates more than 450 detainees at any given time.
- Detainee property amounts are limited in order to reduce safety hazards, and to maintain the good order and hygiene of the facility.
- Detainees are able to apply to have visitors in the AMC bring additional items of clothing, in addition to what they already have within the AMC, subject to the limits specified in the policy.

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Visits by Ex-Detainees

- The outcome of their application may be influenced by Intelligence Unit reports, past history of involvement with the AMC and, if under a supervision order with ACTCS, the status of that order.
- Applications by detainees who are in breach of their supervision requirements or with outstanding warrants, will be declined.

Contraband

- The 'medication' classification relates to items that may have been prescribed to detainees housed within the AMC and subsequently stockpiled, diverted or simply kept past an expected time of use. The medications range from drugs that would be available over the counter in the community (paracetamol) through to pharmacy or prescription medications.

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TRIM Ref: 2018/000084-037

Portfolio: Corrections and Justice Health**ISSUE: FIRE INCIDENTS AND FIRE PREVENTION MEASURES****Talking points:**Smoking in the AMC

- ACT Corrective Services (ACTCS) has adopted a risk-based approach to the provision and use of cigarette lighters within the Alexander Maconochie Centre (AMC).
- The risk of banning cigarette lighters has been shown to be greater than the risk of allowing detainees to have access to these items. Banning cigarette lighters results in detainees using riskier methods, such as using live electrical wires or the heating elements in kettles, to light cigarettes.
- Detainees are allowed to have cigarette lighters on their person at all times in the AMC.
- Detainees are unable to purchase matches.
- Under the *Corrections Management (AMC Smoking) Policy 2009*, smoking is only permitted in designated smoking areas such as courtyards.
- The designated smoking areas have recently been reviewed in response to complaints. The outcome of the review has resulted in designated smoking areas being relocated further away from the Health building.

ACTCS fire prevention measures

- ACTCS is developing a broader strategic approach to emergency management.
- From 9 July 2018, an ACT Fire & Rescue (ACTF&R) Commander has been seconded to the AMC, to assist in improving the inter-operability between the AMC and ACTF&R.

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- The primary objectives of the secondment are to ensure that:
 - AMC and ACTF&R operational procedures are consistent for fire related incidents;
 - To reduce the number of avoidable false alarms; and
 - To test newly developed fire response procedures.
- A draft Equipment Maintenance Agreement for Breathing Apparatus (BA) at the AMC has been developed in consultation with key stakeholders.
- The installation points for BAs has been changed from three central points to all high security areas. The new installation points are considered more appropriate as these areas cannot self-evacuate and installation is currently underway.
- The AMC has an emergency management plan which continues to be updated to meet operational needs.
- ACTF&R will engage directly with AMC operations to ensure the proposed procedures are achievable. The proposed changes to the procedures could be comprehensive, and may require significant staff training efforts.
- ACTCS are considering options to reduce the burden of preventable false fire alarms. Options are currently being explored and ACTF&R will work with ACTCS on the solution to be adopted, to ensure that all emergency fire risks are identified and addressed.
- ACTCS and the ACT Emergency Services Agency (ESA) have installed a direct line to the ESA Emergency Triple Zero Communication Centre. This line lists the AMC as an identified call and is beneficial as it will improve response time for the most appropriate fire resources. It will also improve community safety by slowing response vehicles to standard road speeds for false alarm call outs as AMC staff can notify the ESA Communication Centre of the situation.
- Recently the Statement of Requirement for the AMC fire systems contract has been reviewed and amended by qualified engineers. This will ensure appropriate changes are specified ahead of the upcoming fire system contract renewal.

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ACTCS fire training


- Initial BA training courses commenced in 2017 and 68 staff completed this training. A number of refresher courses have been held throughout 2018 and 38 staff have attended this course.
- There has been an increased focus of fire awareness training. All new staff are required to attend a training day devoted to fire awareness. The training day includes lessons on the use of fire blankets, fire extinguishers, hose reels and incorporates live fire drills.
- In addition fire awareness refresher training forms part of ongoing custodial mandatory training. This training must be completed every two years. Since 1 January 2018, 65 staff have completed this training.

Key Information

- An Internal Management Review was conducted at the instruction of the Executive Director ACTCS following four cell fire incidents at the AMC in July 2017.
- The Chief Coroner also requested information regarding cell fires.
- The review made 14 recommendations for improvement and an Action Plan has been developed to implement the recommendations.
- Of the 14 recommendations, seven have been completed with the remainder still in progress.
- Recommendations include updating procedures, strengthening notification and debrief requirements, improved accessibility to PPE, and a WHS review of fire incidents and BA compliance.

Background Information

- ACTCS is developing a broader strategic approach to emergency management, including fire management and prevention.
- Draft procedures for structure fires and grass fires have been provided. Draft procedures for Hazmat incidents are underway.
- The level of actual fire incidents at the AMC over the past three years has remained relatively low, despite a 30 per cent rise in detainee numbers.
- The reason for fires at the AMC are a mix of deliberately lit cell fires, mainly as part of ongoing non-compliance and protest/gain behaviours; and accidental fires due to discarded cigarette butts and wicks and burnt cooking.
- Strategies continue to be implemented to reduce preventable (false) fire alarms which are trending upwards.

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QUESTION TIME BRIEF

- ACTF&R audited AMC BA equipment in June 2017 and recommended modernisation/replacement of the type and number of BA sets (from 8 to 16) and replacement of 24 air cylinders, to improve capability and service efficiency.
- The *Smoking (Prohibition in Enclosed Public Spaces) Act 2003* does not apply to correctional centres, but the *Corrections Management Act 2007* allows the Director-General or delegate to designate non-smoking areas within a correctional centre.
- ACTCS does not have any immediate plans to ban smoking in the AMC.

Fire incident at the AMC on Friday, 23 November 2018

- At approximately 6:45pm on 23 November 2018 a detainee accommodated in the Management Unit of the AMC lit a fire to clothing in his cell. The fire was extinguished by corrections staff, with minimal damage to the cell. Two detainees located on the side of the Management Unit closest to the fire damaged unit were also relocated to another area of the unit. The detainee was not admitted to Canberra Hospital.

Fire incidents at the AMC on Sunday, 25 November 2018

- At approximately 6:00pm on 25 November 2018 a detainee accommodated in the Sentenced Unit of the AMC lit a fire in his cell. The detainee was armed with a sharpened object and a razor and attempted to strike officers with the weapons. Corrections officers brought the detainee under control and extinguished the fire.
- Two corrections officers were taken to the Canberra Hospital, one with suspected smoke inhalation and one for an arm injury sustained in the course of restraining the detainee. One corrections officer will need surgery on his bicep. The detainee was assessed by ACT Health staff at the scene and later transported to the Canberra Hospital for further assessment.
- At approximately 8:10pm on 25 November 2018, corrections officers were alerted to a fire within the cell of a detainee in the Accommodation Unit (West). The fire was extinguished by corrections staff shortly afterwards. The detainee was removed from the cell and assessed by ACT Health staff. The detainee was then transported to the Canberra Hospital for suspected smoke inhalation. Detainees in proximate cells were relocated to other accommodation.
- The incidents appear to be unrelated. ACT Policing attended the AMC, initial assessments did not require investigations, however the 6.00pm and 8.10pm incidents have now been referred back to ACT Policing.

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TRIM Ref: 2018/00084-038

Portfolio: Corrections and Justice Health**ISSUE: AMC HEALTH SERVICES****Talking points:****AMC HEALTH SERVICES**

- ACT Corrective Services (ACTCS) works closely with Canberra Health Services (CHS) to ensure the health and wellbeing of detainees at the Alexander Maconochie Centre (AMC).
- On 14 August 2017, the Directors-General of the Justice and Community Safety Directorate (JACS) and Canberra Health Services (CHS) signed an Arrangement for the Delivery of Health Services to Detainees. It aims to improve health care and service delivery at the AMC by improving communications, information sharing and working relationships.
- The Arrangement goes towards the implementation of Recommendation 4 of the Moss Review, and recommendations from the *Independent Review of Mental Health Services at the Alexander Maconochie Centre* (the McGrath Review).
- ACTCS and CHS are currently working together to develop joint policies and procedures in the area of detainee health care.
- Recommendation 5 of the Moss Review recommended that Winnunga Nimmityjah Health and Community Services (Winnunga) deliver their holistic and culturally safe model of care to detainees at the AMC.
- Since 2 July 2018, Winnunga have been present in the AMC developing processes and protocols to deliver its model of care in the AMC.
- The Winnunga model of care continues to be developed for implementation at the AMC. I was pleased to attend a prelaunch event on 15 October 2018 to recognise the significant progression by ACTCS, ACT Health and Winnunga towards full implementation, and to speak to the staff involved.

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- The new office accommodation for staff delivering health services is expected to be completed in the 2019-2020 financial year, which will also allow for some refurbishment of the current Health Centre to better meet the needs of detainees.


Key Information

- The ACT Government has committed \$8.3 million to integrate the Winnunga model of care at the AMC.
- \$4.372m has been pledged over three years for JACS and ACT Health to fund a dedicated General practitioner, Social and Emotional Wellbeing support staff, additional ACT Health staff and AMC staffing costs to enhance health services at the AMC. The funding will be utilised as follows:
 - ACT Health staffing costs of \$1.205m over two years for:
 - *Winnunga – via contract by ACT Health.*
 - *0.8 General Practitioner (Phase 2)*
 - *2.0 FTE ASO6 Social and Emotional wellbeing staff member*
 - *JHS staff*
 - *0.5 FTE Registered Chronic Disease Nurse*
 - *0.5 FTE ASO3*
 - The associated expenses for ACT Health will be offset against the Health Funding Envelope.
- JACS costs of \$2.761m over three years for:
 - *Staffing costs of \$2.548m over three years to deliver more custodial officers to boost detainee escort services, including for detainees accessing health services within the AMC;*
 - *Repairs and maintenance of \$0.163m over two years; and*
 - *\$0.050m in 2019-20 only for an evaluation to determine ongoing Winnunga service model.*
- An additional \$4.022m capital fund over two years in 2017-18 and 2018-19 will provide:
 - A temporary accommodation solution for Winnunga – AMC Collaborative Health Care - \$2.618m (\$1.309m per year for 2017-18 and 2018-19)
 - Renovation of existing AMC Health Care - \$1.404m (\$0.702m per year for 2017-18 and 2018-19)

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Estimated Timing:

- The initiative will be rolled out in two phases.
 - **Phase 1** will provide for the implementation of the Winnunga Model of Care into the Special Care Centre at the AMC, consistent with Moss Review Recommendation 5.
 - **Phase 2** provides for the Winnunga Model of Care to be delivered across the AMC site. The initiative will create temporary office accommodation for both Winnunga and ACT Health staff and to reconfigure the current Health Centre to increase service delivery space to detainees. This phase will accommodate the additional and displaced staff associated with partial implementation of the Winnunga health model; and improve the internal flow within the Health Centre in order to increase throughput and reduce waiting times for detainees to access their healthcare needs.
- Planning of the construction of Winnunga - AMC Health Centre commenced in March 2018. This will be implemented in a staged approach and is expected to be completed by June 2019.
- ACT Health staff recruitment processes will commence as soon as the funding is appropriated.

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Portfolio: Corrections and Justice Health**ISSUE: RECIDIVISM****Talking points:**

- The Parliamentary Agreement for the Ninth Legislative Assembly commits to reducing recidivism by 25 per cent by 2025.
- A whole of justice and human service system approach for the development and implementation of a long-term recidivism plan is well underway.
- The recidivism plan requires an understanding of locally relevant and evidence-based measures for reducing recidivism. It will also need to be carefully balanced to ensure public safety and community cohesion are maintained and further improved.
- Through a combination of prevention, diversion and system-level interventions, the recidivism plan seeks to reduce recidivism among all offenders, with an emphasis on reducing the over representation of Aboriginal and Torres Strait Islander peoples in the criminal justice system, as both offenders and victims.
- The 2018-2019 ACT Budget has allocated \$1,021,000 towards a range of programs and initiatives across a number of Directorates to support families in contact with the justice system.
- The whole of justice recidivism plan reinforces a number of initiatives in the ACT Corrective Services (ACTCS) Strategic plan 2017-2019 “Resetting the Foundations”. These initiatives include:
 - Establishing a rehabilitation framework and reviewing the provision of offender behaviour programs;
 - Maximising purposeful activities by reviewing current opportunities for detainee education, training and employment;
 - Reviewing case management processes and working towards integrated offender management, including greater emphasis on holistic Throughcare;
 - Enhancing ACTCS’ focus on Aboriginal and Torres Strait Islander clients;

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- Developing an ACTCS Reconciliation Action Plan that is focused on strategies to reduce the over representation of Aboriginal and Torres Strait Islander peoples in custody; and
- Strengthening partnerships with service delivery organisations within government and externally.

Key Information

- The Australian Bureau of Statistics (ABS) – Australian Capital Territory, Prisoner Snapshot for 30 June, 2017, shows that 75 per cent of detainees in the Alexander Maconochie Centre (AMC) have previously been imprisoned under sentence. This is the largest proportion of any state or territory (the national average is 57 per cent).
- According to the ABS Australian Capital Territory Prisoner Snapshot for 30 June 2017, Aboriginal and Torres Strait Islander people in the ACT are 16 times more likely to be incarcerated than non-Indigenous people. Recidivism rates are also more pronounced, with the ACT recording the highest rate of recidivism among Aboriginal and Torres Strait Islander detainees of any Australian jurisdiction.
- Although the ACT recidivism results are high, the ACT consistently has the lowest imprisonment rate in Australia per head of population. In 2017, the adult imprisonment rate was 141 prisoners per 100,000 adult population compared to the national imprisonment rate of 216 prisoners per 100,000 adult population. This means that offenders sentenced to periods in prison typically have more endemic offending behaviour. A goal of the recidivism plan will be to change the trajectory of those in the justice system away from high cost government intervention.

Background Information

- ACTCS' recidivism statistics included in the 2017-2018 Justice and Community Safety (JACS) Annual Report show that there has been an increase in the rate of return-to custody episodes from 38.6 per cent to 44.2 per cent. There was also an increase in the overall percentage of those returning to ACTCS, be that in detention or on community-based orders from 58.5 per cent to 69.9 per cent. This was observed across all demographics with the highest decrease being seen in the Aboriginal and Torres Strait Islander female cohort. It should be noted that due to the small numbers, a change in the status of a small number of detainees will appear to have a significant impact on the rates of recidivism.
- It should also be noted that the data provided in the 2017-2018 JACS Annual Report is based on ACT detainees released during the 2014-2015 financial year. This allows for the collection of data on detainee and offender return-to-custody episodes for a two-year period, which is consistent with Report on Government Services reporting.

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Portfolio: Corrections and Justice Health**ISSUE: EXTENDED THROUGHFCARE****Talking points:**

- Transitioning back into the community after a period of imprisonment can be a daunting and critical time for detainees.
- The Extended Throughcare Program provides customised support for offenders by developing a release program that focuses on stabilising the offender as they re-enter the community. It ensures supports are established in the areas of housing, health, income, family and community connections, and other basic needs.
- This includes pre-release planning by the Assisted Release into Community Program and may include linking the client with an outreach provider to assist them reintegrate into the community.
- An evaluation of the Extended Throughcare Program in 2017 by the Social Policy Research Centre of the University of New South Wales (the Evaluation), found a reduction in return-to-custody episodes for participants and for those that did return to custody, they remained in the community for longer periods on average.
- The Evaluation also highlights that the cost benefit of the Extended Throughcare Program will increase over time. The Evaluation suggests that there will be significant cost savings to the Government (via the broader criminal justice system) based on the cost of running the program and the reduction in the recidivism rate. It is therefore vital that the ACT Government continue to invest in this program with ongoing recurrent funding.
- A further \$5.3 million over four years was provided in the 2017-2018 ACT Budget for the Extended Throughcare Program. This funding will also provide for a dedicated Aboriginal and Torres Strait Islander Coordination Officer. This Officer will deliver targeted support for Aboriginal and Torres Strait Islander detainees exiting the Alexander Maconochie Centre (AMC) and will be required to work closely with families to develop stronger supports upon release.

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- This initiative supports the Government's goal of a 25 per cent reduction in recidivism by 2025, Justice Reinvestment programs, the ACTCS Strategic Plan 2017-2019, and the Aboriginal Justice Partnership 2015-2018.

Changes to Eligibility Criteria

- The Evaluation identified weaknesses in program eligibility criteria. In recognition of the recommendations made in the Evaluation, the eligibility criteria for the Extended Throughcare Program were amended. These changes came into effect on 1 April 2018, and have allowed ACTCS to appropriately target clients who are at most need of support. This has been achieved by setting a lower eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare Program can now be accessed by:
 - Women who have served greater than 30 days (one month) in custody;
 - Men who identify as Aboriginal or Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal or Torres Strait Islander and have served greater than 182 days (six months) in custody.
- These changes recognise that detainees subject to a lengthy period of remand require support to successfully reintegrate into the community.

Changes to Outreach Services

- A procurement process for a new outreach provider was completed in the 2017-2018 Financial Year, with CatholicCare Canberra and Goulburn selected to deliver services for participants. This service provides an intensive support outreach package to clients referred by ACTCS, and is designed to provide short-term support to some throughcare clients post custody.

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- The outreach program has a two-tiered service design, with clients able to access two or four weeks outreach support, according to their level of need. The services can be accessed by those on a planned release from custody or to throughcare clients referred from the community immediately following release. Throughcare clients not referred to this service may work with a number of other partner organisations, or receive support directly from ACTCS throughcare staff.
- In addition, the throughcare program is now working with the Justice and Community Safety Directorate's Yarrabi Bamirr Program. Yarrabi Bamirr aims to support Aboriginal and Torres Strait Islander program participants and their families, in partnership with other government agencies and community organisations. This initiative is a trial working with a small number of clients.

Key Information

- Regardless of whether a detainee is subject to post-custody supervision or not, eligible detainees can access Extended Throughcare Program support for a period of up to 12 months following release. Clients access services and support voluntarily and the length of time a client engages with the program varies based on the individual's needs. As such, clients do not 'complete' the program and the depth and duration of each client's engagement will vary.
- Aboriginal and Torres Strait Islander clients are managed, where possible, by the Indigenous Throughcare Transition Officer. However, when the Indigenous Throughcare Transition Officer is unavailable or on leave, clients will be managed by other Throughcare staff. Similarly, the Indigenous Throughcare Transition Officer, may engage with non-Indigenous clients when an operational need arises.
- Since July 2014, total releases to throughcare have steadily increased. Details of total releases to throughcare are outlined below:

Total release to Throughcare	2014-15	2015-16	2016-17	2017-18
Male	209	270	344	331
Female	44	75	76	123
Total	253	345	420	454

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Background Information

- In the 2012-2013 Budget process the Government provided funding for the Extended Throughcare Pilot program over a two year period. Additional funding to continue the pilot program for an additional two years was provided in the 2014-2015 Budget.
- The Extended Throughcare Program team was nominated and selected as a finalist in the Citizen-Centred Innovation category of the 2018 Public Sector Innovation Awards. It was the only ACT Government program to be selected as a finalist at the awards.

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Portfolio: Corrections and Justice Health**ISSUE: ABORIGINAL AND TORRES STRAIT ISLANDER ISSUES INCLUDING RECIDIVISM, EXTENDED THROUGH-CARE, AND INCARCERATION RATES****Talking points:**

- The rate of Aboriginal and Torres Strait people held in the Alexander Maconochie Centre (AMC) as a proportion of the total detainee population is a major concern to the ACT Government.
- The ACT Government is committed to reduce recidivism by 25 per cent by 2025.
- The JACS Stretch Reconciliation Action Plan and Aboriginal and Torres Strait Islander Justice Partnership Agreement commit to reducing over-representation by reducing recidivism and increasing access to diversionary programs, improving services and focusing on data collection and reporting.
- The ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 Justice Action Plan is currently under development for implementation in 2019. The Agreement has four core focus areas including children and young people, cultural integrity, inclusive community and community leadership accompanied by six significant focus areas with justice being amongst housing, health and wellbeing, employment and economic independence, education and connecting the community.

Key InformationRecidivism

- ACT Corrective Services (ACTCS), through its Offender Services and Corrections Programs Unit, provides and facilitates services and programs tailored specifically towards Aboriginal and Torres Strait Islander detainees, both in custody and offenders in the community under supervision.
- The recidivism statistics in the 2017-18 Justice and Community Safety Annual Report show that the ACT had 38.5 per cent of all detainees (released in 2014-15) return to prison, decreasing from 41 per cent in the previous year. Recidivism statistics are not disaggregated by Indigenous status.

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- The Government is committed to building and maintaining a strong Aboriginal and Torres Strait Islander workforce in ACTCS. This improves ACTCS's ability to provide informed culturally appropriate and sensitive responses to specific Aboriginal and Torres Strait issues.
- Aboriginal and Torres Strait Islander detainees are able to access programs, services and education available to the general AMC population, as well as programs and services specifically targeted towards Aboriginal and Torres Strait Islander people.

Extended Throughcare

- The ACT Government provided recurrent funding of \$5.347 million in the 2017-2018 Budget for the Extended Throughcare Program.
- This funding includes an additional full time employee in the designated position of Indigenous Throughcare Transition Officer, to focus on supporting Aboriginal and Torres Strait Islander ex-detainees reintegrating into the community.
- The University of New South Wales evaluation of the Throughcare program found positive outcomes for Aboriginal and Torres Strait Islander women engaged in the program, but highlighted an area for improvement in engaging Aboriginal and Torres Strait Islander men.
- On 1 April 2018, the Extended Throughcare Program made amendments to the program eligibility criteria. The changes allowed ACTCS to lower the eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees.
- The Extended Throughcare can now be accessed by:
 - All women who have served greater than 30 days
 - Men who identify as Aboriginal and Torres Strait Islander and have served greater than 91 days (three months) in custody; and
 - Men who do not identify as Aboriginal and Torres Strait Islander and have served greater than 182 (six months) in custody.

Incarceration Rates

- Aboriginal and Torres Strait Islander people continue to be significantly over-represented in the criminal justice system, as both victims and offenders, principally due to historical social disadvantage, social exclusion and systemic racism.

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Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

QUESTION TIME BRIEF

- March 2018 ABS quarter results show that Aboriginal and Torres Strait Islander prisoners represented 28 per cent of the total full-time adult prisoner population (nationally), while accounting for approximately two per cent of the total Australian population aged 18 years and over.
- As at 16 November 2018 , Aboriginal and Torres Strait Islander male detainees accounted for:
 - 19.1 per cent of the total AMC detainee population – 90 detainees out of a total of 471.
 - 20.5 per cent of the total AMC male population – 90 detainees out of 438.
- As at 16 November 2018 Aboriginal and Torres Strait Islander female detainees accounted for:
 - 2.9 per cent of the total AMC detainee population – 14 detainees out of a total of 471.
 - 32.5 per cent of the total AMC female population – 14 detainees out of 43.
- The ACT figures remain well below the national average for Aboriginal and Torres Strait Islander people as a percentage of the total detainee population.


Background Information

Aboriginal and Torres Strait Islander Staff Profile

- ACTCS employs Aboriginal and Torres Strait Islander staff in identified and non-identified positions which enhances its ability to provide culturally appropriate responses to Indigenous matters.
- As at 30 June 2018, ACTCS had 26 employees that identified as being from Aboriginal and Torres Strait Islander background. This represents 6.21 per cent of the total ACTCS workforce.
 - ACTCS Community Corrections currently employs six identified staff members comprising a senior manager, Community Corrections Officers, an Aboriginal Client Support Officer and a Throughcare Officer.

Programs

- A range of culturally specific programs and services are offered at the AMC for Aboriginal and Torres Strait Islander detainees.
- ACTCS Cultural Programs delivered in the AMC and the Community include;

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Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

Program	Description
In Custody	
Culture and Land Management Program:	Integrates traditional culture, art, music, horticulture and land management with language, literacy and numeracy skills. Delivered with community agencies including Winnunga Nimmitjyah Aboriginal Health and Community Service (Winnunga).
ITCHY (Indigenous Traditional Culture Healing Yarning) Arts Program	An arts and music rehabilitation program delivered with Gugan Gulwan Youth Aboriginal Corporation and Winnunga.
Winnunga Social Wellbeing Program	Winnunga provide access to an Indigenous support officer and counselling within the AMC and referrals to health and community services during the transition from AMC to the community.
Elders and Community Leaders Visitation Program:	A program strengthening cultural connection through visits to the AMC by local community Elders and other respected leaders.
Indigenous Pastoral Care:	Culturally relevant pastoral care under a specific Aboriginal and Torres Strait Islander chapel service.
Indigenous Counselling:	Dhunlung Yarra Service, Relationship Australia offer individualised counselling by trained Aboriginal mental health professionals.
Transitional Release Centre:	ACTCS offer an opportunity to undertake reintegration activities including approved day release. For Indigenous detainees, this includes the Winnunga Men's Group.
Worldview Foundation – Prison to Work Program	A program aimed to assist Aboriginal and Torres Strait Islander detainees in the AMC by preparing them with life and employment skill development, accommodation and transport support upon release, and assistance to find suitable employment to assist with reintegration back into the community to minimise the likelihood of recidivism.
NAIDOC Week AMC Family Day:	An annual opportunity for family and friends to acknowledge and celebrate Aboriginal and Torres Strait Islander culture. In 2018, the event attracted approximately 350 family, friends and detainees.
NAIDOC Community Art Exhibition:	An exhibition of detainee and offender artwork at the Community Services #1 Gallery in Narrabundah. In 2018, the launch of the exhibition attracted approximately 50 people with artwork displayed and sold throughout the subsequent three weeks.
In Community	
Yeddung Mura (Good Pathways) Aboriginal Corporation	Additional casework support for Aboriginal and Torres Strait Islander people leaving custody.
Aboriginal Legal Service	Throughcare support to Aboriginal and Torres Strait Islander clients (provided as part of the Community Justice Programs).
Aboriginal Client Services Officer	An identified position within ACTCS Community Corrections to provide advice to Community Corrections Officers undertaking case management in working with Aboriginal and Torres Strait Islander clients and communities.
Community Based Reporting Centre	Community Corrections clients may report to Winnunga for supervised community-based orders.

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Executive Director

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Information Officer name:

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Sch 2 s 2.2 (a)(ii)

Lead Directorate:

Justice and Community
Safety

TRIM Ref: 2018/000084-043

Portfolio: Corrections and Justice Health**ISSUE: INDUSTRIES PROGRAMS AND EDUCATION****Talking points:****Prison Industries Programs**

- Prison Industries Programs include:
 - a. Kitchen
 - b. Bakery
 - c. Laundry
 - d. Grounds Maintenance; and
 - e. Recycling
- Prison industries are a recognised rehabilitation tool utilised by many correctional facilities including the Alexander Maconochie Centre (AMC).
- Prison industries offer many benefits for detainees. They give detainees the opportunity to work and gain skills and qualifications that can be utilised after their release from the AMC.
- Prison industries also introduce a meaningful daily routine, provide teamwork opportunities, help address offending behavior and promote pro-social interactions.
- Prison industries can equip detainees with the skills needed to reintegrate back into the community and to help individual's lead meaningful and successful lives. On a broader level it also helps reduce rates of recidivism and increases community safety.
- ACT Corrective Services (ACTCS) has made significant progress in developing industry employment opportunities for detainees at the AMC.
- In 2017, a new bakery, expanded laundry and the multi-purpose activities centre, increased industry employment opportunities for detainees in the AMC.
- Since then, prison industries at the AMC have been further expanded with the establishment of a second shift in the bakery.

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Lead Directorate: Justice and Community Safety

- The addition of a second shift has allowed male detainees to work at the bakery. Previously this opportunity was only available to female detainees.
- The second shift has eliminated the need for the AMC to rely on external suppliers of bakery products. All bread products are now produced in-house.
- The ACTCS has extended the term of the Tip Top contract for a further one year. The contract extension is a contingency plan to ensure the AMC has a constant supply of bakery goods during the initial ‘teething period’ of the AMC bakery.
- The extended contract with Tip Top enables the supply of bread on an as needs basis.
- These developments have increased the number of detainees employed across various industries by introducing multiple shifts over a greater number of working days and increased access to recognised accredited industry training.
- Future opportunities for prison industries expansion are currently being investigated by ACTCS. These options include the introduction of multiple shifts over a greater number of working days in the recycling area, the establishment of a sheet metal fabrication industry, and the extension of industrial cleaning and grounds maintenance crew capabilities.
- ACTCS is currently in the process of recruiting a Prison Industry Manager (SOG B) who will oversee the strategic development of AMC Industries.
- The 2018 Report on Government Services (ROGS) for the 2016-2017 reporting period, highlighted that 74.7 per cent of eligible detainees were employed in the ACT, which is in line with the national average of 74.7 per cent.

Education and vocational training

- Throughout 2016-2017, over 20 detainees participated in some form of higher education, such as tertiary preparation, undergraduate and postgraduate courses, through distance learning arrangements. This rose to 30 detainees by the end of June 2017.
- The 2018 ROGS for the 2016-2017 reporting period, highlighted that the ACT had 70.6 per cent of eligible detainees in education, which is well above the national average of 32.9 per cent.

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Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- ACTCS have novated the education and training contract to Foresite Training from Campbell Page. All detainees have transitioned with the new provider with no service disruption.
- Detainees are able to access more than 20 accredited general education and vocational education and training (VET) industry units at the AMC. All accredited units of competency offered at the AMC are nationally recognised.
- All VET industry units completed in custody are recognised by registered training organisations in all Australian states and territories. This enables detainees to continue working towards qualification completion following their release from custody.

Program (Course) Name	TOTAL
Certificate II in Skills for Work & Vocational Pathways This qualification can include a number of Core and Elective units (VET Skill Sets)	112
Work Safely in the Construction Industry (White Card)	6
Culture & Land Management. - CALM Specific Employment & Education Full time course for indigenous detainees.(horticulture skills set)	9
Workplace & Business Communications	7
Cleaning Operations Skill Set plus Identify wastes & hazards	8
Hairdressing Skill Set (non-Acc)	20
Horticulture Skill Set (includes FH)	44
Hospitality Skills Sets: Barista/Kitchen/Bakery	78

- These programs provide skill development and experience in a range of industry and vocational areas including: building and construction, asset maintenance, horticulture and land management, information technology, business studies and hospitality.
- A number of non-accredited courses are also offered at the AMC. These include life skills, recreational and cultural art and music courses.
- The ANU regularly runs a 'Prison Legal Literacy Clinic' for detainees at the

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AMC. The program comprises of six sessions over six weeks and provides legal information, rather than legal advice. The program is designed to empower detainees, by improving their experience and promoting social justice through legal knowledge.

- The Worldview Foundation Self Development and Employment Opportunity (Worldview) is a federally funded prison to work program aimed at Aboriginal and Torres Strait Islander detainees. It aims to provide individuals with the opportunity to access holistic wellness and employment through education and training while transitioning from the AMC to the community. Worldview formally commenced at the AMC on the 1 July 2018.

Key Information

AMC Bakery

- The AMC bakery opened on 20 October 2017 and provided employment for up to 10 female detainees.
- Detainees employed in the bakery learn basic hospitality and kitchen operations skills. These skills can lead into recognised trade qualifications after release.
- ACTCS has recently recruited a second baker. This has enabled a second shift, with the capacity to employ 10, strict-protection, male detainees.
- The commencement of a second shift at the AMC bakery has received positive feedback, detainees involved are enjoying the opportunity to learn new and transferrable skills.

Background Information

Prison Industries:

- Development of the prison industries strategy included market research, and engagement with the local community and businesses to assess opportunities for commercial expansion.
- Any future plans to expand the scope of industries within the AMC have involved community and industry consultation, including potential negative impacts on local businesses. Decisions of this nature are bound by public sector competitive neutrality guidelines. Expansion is dependent on a full assessment on the potential impact on local business and the community.

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Lead Directorate: Justice and Community Safety

TRIM Ref: 2018/000084-044

Portfolio: Corrections and Justice Health**ISSUE: ACCOMMODATION PRESSURES****Talking points:**

- The Alexander Maconochie Centre (AMC) has been experiencing accommodation pressures for several years as a result of a continuing upward trend in detainee numbers. The overall trend in the ACT has been mirrored at a national level.
- The Government is proactively managing these issues to meet the future needs of a growing community. This requires a whole of government response to ensure the ongoing safety of detainees and corrective services staff.
- The AMC has an operational bed capacity of 511.
- The AMC has 28 special purpose beds. These beds are located in the Management, Crisis and Health Units and are used for specific health, mental health or behavioural management. These beds are not reflected in the operational capacity.
- ACT Corrective Services (ACTCS) continues to consider options to best manage the increasing numbers of detainees, while maintaining the safety and security of the AMC.

Key Information

- Operational capacity refers to the total number of beds in a facility which are available for use to accommodate detainees. Not all operational capacity beds can be utilised at all times due to separation and surge issues.
- Separation refers to a need to separate cohorts of detainees with different classifications and characteristics (e.g. minimum from maximum; detainees who need protection from other detainees).
- The most recent measures to alleviate the increase in detainee numbers includes:
 - new accommodation buildings in August 2016 (the Accommodation Unit and Special Care Centre)
 - relocating female detainees to the Special Care Centre in late 2017, and
 - an additional 25 temporary bunk beds being installed at the AMC.

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Contact Officer name: Sch 2 s 2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers.
- During 2013, the actual number of ACT detainees jumped significantly, from less than 240 in January 2013 to in excess of 340 in October 2013. The average daily number of detainees in:
 - 2014/15 financial year was 342, with a high of 411 in November 2015
 - 2015/16 financial year was 402, with a high of 446 in November 2016
 - 2016/17 financial year was 445, with a high of 473 on 20 May 2017
 - 2017/18 financial year was 474, with a high of 507 on 19 June 2018
- On 28 November 2017, all female detainees were moved to a single accommodation unit (formerly the Special Care Centre) within the existing AMC campus. The move increased the beds available for female detainees from 29 to 57. However, decreased the beds available to male detainees by 28 beds.
- Work continues within the AMC to identify further options to install double bunking arrangements appropriately.

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Cleared by:	Executive Director	Ext:70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

TRIM Reference: GBC18/822**Portfolio/s:** Corrections and Justice Health**ISSUE: ALEXANDER MACONOCHIE CENTRE OVERDOSE NUMBERS****Talking points:**

- All personal health information, including if a detainee has overdosed on medication or illicit substances, is maintained in their individual clinical record.
- Medical information is subject to privacy provisions and therefore is not available for release.
- Canberra Health Services maintains clinical records for all patients, aggregated data on the number of drug overdoses at the Alexander Maconochie Centre (AMC) is not separately collected.
- “Overdose” is difficult to quantify with significant variation related to such factors as:
 - the significance of outcome from no impact to death; and
 - whether the action was intentional or unintentional; and
 - whether drug was prescribed or illicit.

Background

- During December 2017, there were a cluster of medical incidents in the AMC that were associated with detainee misuse, intoxication or overdose on prescribed medications and/or illicit drugs. Two detainees were admitted to Canberra Hospital for medical care.
- In response to each of these incidents, ACT Corrective Services’ (ACTCS) policies and procedures relating to medical incidents were followed appropriately.
- On 29 December 2017, the Executive Director, Mental Health, Justice Health and Alcohol and Drug Services requested the Clinical Director of Justice Health Services (JHS) undertake a snap-shot medication and prescription audit at the AMC.
- A copy of the audit report *Review of Overdose Incidents and Associated Medication Prescription in the AMC Audit Report January 2018* was provided to the Justice and Community Safety Directorate in February 2018.

Cleared as complete and accurate: 21/11/2018
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2 s 2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- The audit found that none of the detainees who overdosed, or were suspected to have overdosed, between December 2017 and January 2018, had been prescribed the medication by JHS.
- ACTCS and JHS will continue to collaboratively work on the identified issues and recommendations in the audit report.
- On 10 February 2018 a detainee participating in the Opioid Substitution Treatment Program received a higher dose than usually prescribed due to an administrative error. The error was identified by ACT Health staff immediately and was managed appropriately.

Cleared as complete and accurate:	21/11/2018	
Cleared by:	Executive Director	Ext: 70879
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

TRIM Reference: MIN:2018/000084-046

Portfolio/s: Corrections and Justice Health**ISSUE: CONTRABAND****Talking points:**

- ACT Corrective Services (ACTCS) employs a range of physical and static security measures to prevent the introduction of contraband into the Alexander Maconochie Centre (AMC). This includes physical barriers, closed circuit television surveillance, intelligence led interventions, patrols by Corrections Officers and Passive Alert Detector (PAD) dog searches.
- ACTCS utilises a number of measures to search visitors, staff, contractors, and their belongings, entering the AMC. These include:
 - metal detectors;
 - x-ray baggage scanner to scan property;
 - itemiser tests to detect traces of drugs and explosives; and
 - physical searches of all vehicles entering and existing the AMC, including use of mirrors to search under vehicles and random PAD dog searches (except, for example, ambulances in case of an emergency).
- ACTCS works closely with ACT Policing to prevent the introduction of drugs and other contraband into the AMC, including providing assistance with investigations and exchanging information and intelligence.
- Between 1 July and 30 September 2018, ACTCS conducted 1329 searches of cellular accommodation, cottage rooms and other common areas. A total of 146 contraband items were seized as a result of these operations. In addition to these searches:
 - 247 searches of staff and contractors. No contraband was located during these searches, however one ancillary staff member was required to store a quantity of cash outside of the AMC;
 - 183 targeted searches of detainees. A targeted search is prompted by intelligence information.

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Cleared by:	Executive Director	Ext: 70789
Information Officer name:	Jon Peach	
Contact Officer name:	Sch 2 s 2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	

QUESTION TIME BRIEF

- The number and contraband types discovered during searches of detainees and detainee areas between 1 July 2018 and 30 September 2018 included:
 - Mobile telephones – 10;
 - Phone accessories (sim cards, chargers etc.) - 9;
 - USBs - 12;
 - Syringes (includes other injecting items) – 12; and
 - Drugs (includes excess, expired or stockpiled medications) – 56.
- The greater use of intelligence and targeted operations has seen an increase in searches and contraband found within the AMC since December 2017.
- ACTCS secured an additional \$8.8 million over 3.5 years in the 2017-18 Mid-Year Budget to fund improvements in security-operations at the AMC, and across ACTCS generally. This funding has been used to create a new centralised intelligence unit within ACTCS, which has enhanced ACTCS' capacity to address emerging issues, including the detection and interception of contraband.
- The establishment of a centralised intelligence unit has enabled ACTCS to utilise proactive and intelligence-led strategies to detect and intercept contraband. This has seen an increase in the number and profile of security operations within the AMC, including more targeted operations and staff searching.

Key Information

- In the 2017-18 financial year, ACTCS conducted 13,789 searches for contraband, 875 of which located contraband. Of these searches:
 - 4,065 were random. A random search refers to an approach generated by a matrix;
 - 1,098 were targeted. A targeted search is prompted by intelligence information;
 - 243 were routine searches as part of the operation of the AMC. This includes searches when a detainee is relocated to another cell; and
 - 8,383 were PAD dog searches.


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Lead Directorate: Justice and Community Safety

QUESTION TIME BRIEF

- Medication has always comprised a high number and proportion of items seized as part of ACTCS' contraband search and seizure processes. Medication discovered in the possession of a detainee who it was not lawfully prescribed to is considered to be contraband.
- The medication classification relates to items that may have been prescribed to detainees and subsequently stockpiled, diverted or simply kept past an expected time of use. Medications can range from drugs that would be available over the counter in the community (such as paracetamol) through to pharmacy or prescription medications.
- The AMC perimeter is approximately 1.3 kilometres in length and is strengthened by security measures including 525 closed circuit television cameras. Corrections Officers check the grounds every morning.
- In 2017-18, ACTCS intercepted visitors attempting to introduce contraband into the AMC on 17 occasions.
- An updated prohibited items declaration for the AMC was published on 24 August 2018. The declaration now incorporates items that utilise new technologies, such as watches with mobile phone, USB or internet capabilities. A copy of the prohibited items declaration is at Attachment A.

Background Information

- On 20 October 2018, ABC Radio Canberra reported that there had been a 14 per cent increase in the number of times contraband had been found at the AMC in the 2017-18 financial year. It was further reported that the rise in contraband finds was the result of increased searches of detainees and visitors.

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Lead Directorate: Justice and Community Safety

TRIM Reference: MIN: 2018/000084-047

Portfolio: Corrections and Justice Health

**ISSUE: ACT Corrective Services Housing Assessment Information:
Allocation of housing to known sex offenders**

Talking points:

- When applicable ACT Corrective Services (ACTCS) staff conduct an individual risk assessment on all known sex offenders. This assessment includes issues that may impact on an offender's risk of reoffending, such as:
 - the level or risk of re-offending;
 - the type and nature of the offence;
 - the time a person has been offence free;
 - specific offence-related factors such as age/gender of victim; and
 - cultural sensitivity and any other needs of the person (e.g. disability, age, mobility).

ACTCS undertake individual home visit assessments for the following groups of detainees and offenders:

- All detainees who are being considered for release on parole;
 - All parolees;
 - All offenders and detainees being assessed for an Intensive Corrections Order;
 - Offenders being supervised in the community under the terms of a Good Behaviour Order who have a current or past child-related offence; and/or
 - Offenders being supervised in the community who have a current domestic violence offence with a risk level of medium or above.
- Individual home assessments are also conducted when an individual who falls within the above groups of offenders notifies ACTCS of a proposed change of accommodation.


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Cleared by:	Executive Director	Ext: 72965
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Lead Directorate:	Justice and Community Safety	

QUESTION TIME BRIEF

- When conducting a home visit assessment on known sex offenders, ACT Community Corrections Officers liaise with Child and Youth Protection Services, ACT Housing and the Australian Federal Police including the Child Sex Offender Registry Team.
- As part of this assessment, consideration is given to issues such as the specifics of the offenders history and risks such as the proximity of accommodation to child-care centres, schools and places where children gather.

Key Information

- ACTCS, Community Corrections Officers conduct an individual home visit assessment on known sex offenders regarding the suitability of their accommodation when being assessed to be released on a Community Based Order.
- An individual home visit assessment for known sex offenders includes the level or risk of re-offending, the type of offence, the time a person has been offence free, specific offence-related factors such as age/gender of victim), cultural sensitivity and any other needs of the person (e.g. disability, age, mobility), all of which may impact on their risk of reoffending.
- If a known sex offender is being released from the AMC, a Pre Release Home Visit Assessment is conducted by a Community Corrections Officer which triggers the assessor to consider any child protection issues.

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Lead Directorate: Justice and Community Safety

TRIM Ref: *2018*000084-048

Portfolio/s: Corrections and Justice Health**ISSUE: CANBERRA TIMES ARTICLE – DETAINEE WITHOUT RUNNING WATER****Talking points:**

- Over the last six months two faults were reported in June and September of this year. On each occasion, the issue was investigated.
- ACT Corrective Services (ACTCS) has organised for the replacement of all system components (timer, pushbuttons and solenoids) as a priority.
- This work has been completed.
- The detainee has been offered alternative accommodation within the Alexander Maconochie Centre (AMC), however, this offer has been declined.
- Detainees in this area of the AMC have electric kettles in their cells and usually keep cordial bottles as water jugs. Additionally, the common area has a filtered zip hot/cold water tap which detainees can access during their time out of cell.
- ACTCS is taking steps to ensure this issue does not reoccur and is establishing proactive systems to ensure facility maintenance issues are addressed early.
- ACTCS has not received a formal complaint on this matter.

Key Information

- Whilst there is a fault at this time, ACTCS disputes the assertion that the detainee has been continuously without water.

Background Information

- ACTCS believes this fault was caused by detainees blocking the sink spout with a stick or similar.
- An external plumber has been engaged to assist with maintenance at the AMC.
- ACTCS is investigating further contractors to assist with plumbing jobs. Plumbing work at the AMC requires an additional custodial officer resource to escort them throughout the secure facility.

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Lead Directorate: Justice and Community Safety

Ext:



TRIM Reference MIN:2018/000084-049

Portfolio/s: Corrections and Justice Health**ISSUE: AMC – MR ISLAM COURT OUTCOME****Talking points:**

- On 23 November 2018, the ACT Supreme Court (Court) dismissed two matters brought by Mr Isa Islam, a detainee at the Alexander Maconochie Centre (AMC) against the Justice and Community Safety Directorate (JACS).
- In one matter, the Court found that Mr Islam’s human rights had not been breached when Mr Islam did not receive a vegetarian roll and was instead offered a chicken roll.
- In the second matter, the Court found that Mr Islam’s human rights had not been breached when he was requested to pay \$24.00 for the cost of printing in accordance with an AMC General Manager’s Instruction.
- In both matters the Court found that the AMC did not breach Mr Islam’s human rights.
- ACT Corrective Services (ACTCS) upholds the human rights of detainees according to the *Human Rights Act 2004*, other standards set in Commonwealth law and a number of international principles relating to human rights.
- ACTCS will continue to consider human rights when developing policies, delivering services and making decisions.

Key Information**Vegetarian roll matter**

- On 5 July 2017, Mr Islam commenced litigation against JACS relating to the provision of a chicken roll instead of a vegetarian roll.
- Mr Islam asserted deficiencies in the AMC meal ordering system were responsible for Mr Islam being supplied a chicken roll when he is not able to eat chicken due to his religious beliefs.
- Mr Islam claimed that this incident breached his human right to food consistent with his religious beliefs, and the right to be treated with humanity and respect of the inherent dignity of a person.
- The Court found that this incident did not meet the threshold for a breach of Mr Islam’s human rights.

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Lead Directorate: Justice and Community Safety

- The Court found that the AMC genuinely accommodates the food requirements of detainees' religious beliefs, and other special dietary requirements. There is room for improvement, and ACTCS will consider any improvements to the process in light of the findings of the Court in this matter.
- The AMC kitchen was entitled to rely on Mr Islam's electronic record as his registered dietary requirement.
- The Court found that Mr Islam is now responsible for completing a 'Special Dietary Request' form to inform the AMC of his special requirements via the established process.
- The AMC caters for at least 350 detainees three times a day and must have formal processes in place for determining a detainee's dietary requirements.

Photocopying matter

- On 10 July 2017, Mr Islam commenced litigation against JACS after he was asked to pay a fee of \$24.00 for printing 120 pages of documents at the AMC.
- Mr Islam was undertaking a PhD at the time of the incident.
- Mr Islam claimed that this incident breached his human right to further education and right to be treated with humanity and respect for the inherent dignity of a person.
- The Court found that the AMC had a valid General Manager's Instruction in place at that time instructing that detainees could be charged for printing over 25 pages at one time.
- The Court found this incident did not meet the threshold to engage the *Human Rights Act 2004 (ACT)*.
- The Court found that there was no evidence that Mr Islam was charged \$24 from his trust account, as he is not recorded as having received the documents in question.

Background Information

- Mr Islam has been incarcerated at the AMC since July 2009, and is serving sentences of intentionally inflicting grievous bodily harm and recklessly inflicting grievous bodily harm.
- Mr Islam is a regular litigant against JACS, with 11 matters currently listed with the ACT Supreme Court.

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