



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 1 2019 briefs

Description of the information: Question Time Briefs provided to the Minister for Corrections and Justice Health between 12 February and 21 March 2019.

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 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;*

Open Access Decision – Quarter 2 2018 – Attorney General

On balance, I consider the ministerial briefs to be in the public interest to release, with minor redactions. This includes redactions to the personal information of ACT Policing staff where disclosure could reasonably be expected to prejudice their right to privacy. In addition, redactions have been made to personal information of an individual in keeping with their respective 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 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



Naveen Wijemanne
Information Officer
2 April 2024

**OPEN ACCESS Q1 2019 SCHEDULE****PORTFOLIO: MINISTER FOR CORRECTIONS AND JUSTICE HEALTH**

No.	Folio	Description	Date	Status	Reason for non-release or deferral
Question Time Briefs - Sitting Weeks 12-14 & 19-21 February 2019					
1	1	Question Time Briefs Index - 12-14 & 19-21 February 2019	February	Full release	
2	2	2018-19 Budget Summary – Minister for Corrections	February	Full release	
3	3-8	Safety and Human Rights of Detainees	February	Partial release	Schedule 2, s2.2(a)(ii)
4	9-11	Detainee Numbers	February	Partial release	Schedule 2, s2.2(a)(ii)
5	12-16	AMC Policies: Clothing, Email, Visits, Contraband, Assaults in Custody	February	Partial release	Schedule 2, s2.2(a)(ii)
6	17-19	AMC Health Services	February	Partial release	Schedule 2, s2.2(a)(ii)
7	20-21	Recidivism	February	Partial release	Schedule 2, s2.2(a)(ii)
8	22-23	Accommodation Pressures	February	Partial release	Schedule 2, s2.2(a)(ii)
9	24-25	Alexander Maconochie Centre Overdose Numbers	February	Partial release	Schedule 2, s2.2(a)(ii)
10	26-31	Contraband	February	Partial release	Schedule 2, s2.2(a)(ii)
11	32-35	Voluntary Starvation	February	Partial release	Schedule 2, s2.2(a)(ii)
12	36-37	Inquest into Death of Mark O'Connor	February	Partial release	Schedule 2, s2.2(a)(ii)
13	38-42	CCC Report on Taskforce Flaxton	February	Partial release	Schedule 2, s2.2(a)(ii)
14	43-44	Human Rights Principles for Correctional Centres	February	Partial release	Schedule 2, s2.2(a)(ii)
15	45-46	Official Visitor Reports	February	Partial release	Schedule 2, s2.2(a)(ii)
16	47-48	Inspector of Correctional Services Tabling a Critical Incident & Assault Report (25 October 2018) in February 2019	February	Partial release	Schedule 2, s2.2(a)(ii)
17	49-50	Women's Accommodation at the AMC	February	Partial release	Schedule 2, s2.2(a)(ii)
18	51-54	Inspector's Report - Care and Management of Remandees at the AMC	February	Partial release	Schedule 2, s2.2(a)(ii)
Question Time Briefs – Sitting Week 19-21 March 2019					
19	55	Question Time Briefs Index - 19-21 March 2019	March	Full release	
20	56	2018-19 Budget Summary – Minister for Corrections	March	Full release	

No.	Folio	Description	Date	Status	Reason for non-release or deferral
21	57-63	Safety and Human Rights of Detainees	March	Partial release	Schedule 2, s2.2(a)(ii)
22	64-67	Detainee Numbers	March	Partial release	Schedule 2, s2.2(a)(ii)
23	68-73	AMC Policies: Clothing, Email, Visits, Contraband, Assaults in Custody, Female Detainees	March	Partial release	Schedule 2, s2.2(a)(ii)
24	74-76	AMC Health Services	March	Partial release	Schedule 2, s2.2(a)(ii)
25	77-79	Recidivism	March	Partial release	Schedule 2, s2.2(a)(ii)
26	80-81	Accommodation Pressures	March	Partial release	Schedule 2, s2.2(a)(ii)
27	82-88	Contraband	March	Partial release	Schedule 2, s2.2(a)(ii)
28	89-92	Bail/Parole & Mr Isa Islam	March	Partial release	Schedule 2, s2.2(a)(ii)
29	93-94	Inquest into Death of Mark O'Connor	March	Partial release	Schedule 2, s2.2(a)(ii)
30	95-100	CCC Report on Taskforce Flaxton	March	Partial release	Schedule 2, s2.2(a)(ii)
31	101-102	Human Rights Principles for Correctional Centres	March	Partial release	Schedule 2, s2.2(a)(ii)
32	103-104	Official Visitor Reports	March	Partial release	Schedule 2, s2.2(a)(ii)
33	105-108	Inspector of Correctional Services Tabling a Critical Incident & Assault Report (25 October 2018) in February 2019	March	Partial release	Schedule 2, s2.2(a)(ii)
34	109-113	Inspector's Report - Care and Management of Remandees at the AMC, 20 February 2019	March	Full release	

MINISTER FOR CORRECTIONS AND JUSTICE HEALTH
QUESTION TIME BRIEFS
12–14 & 19-21 February 2019

Question Time Briefs	
1.	Summary of Budget Initiatives
2.	Safety and Human Rights of Detainees
3.	Detainee Numbers
4.	AMC Policies : Clothing, Email, Visits, Contraband, assaults in custody etc
5.	AMC Health Services (including Winnunga integration)
6.	Recidivism
7.	Accommodation Pressures
8.	Overdoses at the AMC (Joint with Health)
9.	Contraband
10.	Voluntary Starvation
11.	Inquest into death of Mark O'Connor
12.	CCC Report – Operation Flaxten
13.	Human Rights Principles for Correctional Centres
14.	Official Visitor Reports
15.	Inspector of Correctional Services tabling Report on Critical Incident & Assault (25 October 2018)
16.	Women's Accommodation in the AMC
17.	Inspector's Report – Care and management of remandees at the AMC
18.	

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
Cleared by: Deputy Director-General Ext:50567
Information Officer name: David Pryce
Contact Officer name: Karen Schofield Ext: 54775
Lead Directorate: Justice and Community Safety

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 following the implementation of a new management structure and ongoing enhancement to the operating model at the Alexander Maconochie Centre (AMC).
- The ACT Government has invested 8.8 million dollars over the next three and a half years for security-related matters at the 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 also participates in identifying and monitoring emerging security issues such as outlaw motor cycle gangs and countering violent extremism. The increased staffing to this unit has seen a greater focus on 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.

Cleared as complete and accurate: 04/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community
Safety

Ext:70879

- 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 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 ACTP.
- 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 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 (The Principles).
- ACTCS already operates in accordance with 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, can reasonably 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.

Cleared as complete and accurate: 04/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext:70879

- The Principles were launched by the Minister for Corrections on 30 January 2019. By making a ministerial declaration under the *Corrections Management Act 2007*, ACTCS will consider the Principles in the development of correctional centre policies and procedures that better support detainees, particularly those vulnerable detainee groups, including women, Aboriginal and Torres Strait Islander people, and people with a disability.

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.
- The Inspector has commenced a number of reviews which include:

Type	Title/Description	Status
Review of correctional service	Remand Review	Inspector has provided JACS and the Minister with the draft report.
Review of a critical incident	<i>Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services: Assault of a detainee at the AMC on 23 May 2018.</i>	Report was tabled in the ACT Legislative Assembly on 27 November 2018. A Government response is currently being prepared to be tabled in the Assembly in March 2019.
Review of a critical incident	Review of a critical incident that occurred on 26 October 2018	JACS has provided comment on the final report.
Review of critical incident	Review of a critical incident that occurred on 16 December 2018	Currently under review.

Cleared as complete and accurate: 04/02/2019
 Cleared by: Executive Director
 Information Officer name: Jon Peach
 Contact Officer name: Sch 2, s2.2 (a)(ii)
 Lead Directorate: Justice and Community Safety

Ext:70879

Review of correctional centre	Healthy Prisons Review initiated on 21 November 2018. Will be referred to as HPR19.	Inspector has requested data to support this review.
Review of critical incident	Review of critical incident that occurred on 1 January 2019	Currently under review.

Rehabilitation Framework

- ACTCS is undertaking extensive work to refresh and review existing policies and introduce pro-social methods of detainee management.
- ACTCS has finalised the Rehabilitation Framework which 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 informs 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 in 2019.
- These changes will be embedded across the AMC 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.


Cleared as complete and accurate: 04/02/2019
 Cleared by: Executive Director Ext:70879
 Information Officer name: Jon Peach
 Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
 Lead Directorate: Justice and Community Safety

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 bakery, expanded laundry and the multi-purpose activities centre at the AMC, was completed in 2017.
- 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.

Cleared as complete and accurate: 04/02/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

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.

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 AMC (Recommendation 23).
 - Auditor-General's review of the Rehabilitation of Male Detainees at the AMC (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: 04/02/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

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

- On 20 June 2018, detainee numbers in the ACT reached a high of 507.
- Detainee numbers continue to remain high. The average population at the Alexander Maconochie Centre (AMC) throughout December 2018 was 458.
- 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.
- In November 2018, during the annual reports hearing, The ACT Inspector of Correctional Services (The Inspector) vocalised concerns that some of the AMC infrastructure was no longer fit for purpose due to the rapid population growth of detainees in the AMC.
- The Inspector issued concerns of the use of bunk beds to accommodate two detainees per single cell in the AMC. ACTCS Executive Director, advised that most jails ‘double-bunked’ inmates, and that he would only be alarmed if the prison exceeded its current capacity and was forced to squeeze three detainees into a cell.
- 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.

Cleared as complete and accurate: 30/01/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community
Safety

Ext: 70879

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.
- 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.
- In November 2018, during the annual reports hearing, the Inspector expressed concerns that female detainees were being disadvantaged by the move of female detainees to a separate 57-bed facility as the previous women's accommodation was designed to accommodate female prisoners.
- In 2018, the female prisoners were moved to a separate 57-bed facility to have access to a structured day within the AMC, allowing greater access to education, employment, programs and recreational activities.

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 2018 - 1,944.3 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
- On 31 December 2018, Aboriginal and Torres Strait Islander detainee numbers in the ACT reached a new high of 124.
- From 1 July 2018 to date:
 - the highest number of male Aboriginal and Torres Strait Islander detainees in the ACT was 109 on 31 December 2018.
 - the highest number of female Aboriginal and Torres Strait Islander detainees in the ACT was 18 between 12 October 2018 and 24 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: 30/01/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

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.
- 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 three to five working days.

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, maintain community expectations appropriate to a workplace, 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 some items of personal 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.

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 current 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 through electronic short message service (SMS) messaging, as part of a broader review of the visits booking process.
- For visitors coming to the AMC, there are rules to maintain the good order and safety 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 temporarily withdrawn, or they can be placed on non-contact 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.

- Visitor 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 contraband 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 to de-escalate and prevent serious incidents at the AMC.
- Within correctional facilities 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.
- As part of the 2017-2018 Mid-Year Budget, the ACT Government committed \$8.8 million over a period of three and a half years to fund improvements in security-related operations at the AMC and across ACTCS generally..
- 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.
- 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 can include:
 - metal detectors;
 - X-Ray baggage scanner to scan property; 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 last quarter of 2018, the Security Operations Team found 11 mobile phones, 20 mobile phone accessories (including charges and SIM cards), 15 USBs, 18 syringes and 48 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>

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

Serious Assaults

Report on Government Services Assaults data

- The 2019 Report on Government Services, released on 24 January 2019, identified that the ACT had the second highest prisoner serious assault rate in the country. The rate for 2017-8 was 2.32 per 100 prisoners/detainees, which was a decrease from 3.59 per 100 prisoners/detainees in 2016-7. In terms of raw numbers there were 11 serious assault incidents in 2017-18, 16 in 2016-17, three in 2015-16, 11 in 2014-15 and eight in 2013-14.
- The ACT's prisoner on officer assault rate has also decreased, from 1.80 per 100 prisoners in 2016-7 to 1.05 per 100 prisoners in 2017-8. This is a result of five assault incidents against staff in 2017-8, compared to eight assault incidents in 2016-7.

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

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

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).
- Through an Arrangement for the Delivery of Health Services to Detainees signed by the Justice and Community Safety Directorate (JACS) and ACT Health on 14 August 2017, both services work collaboratively to improve health care and service delivery at the AMC.
- The Arrangement addressed Recommendation 4 of the Moss Review, and recommendations from an *Independent Review of Mental Health Services at the Alexander Maconochie Centre* (the McGrath Review).
- In April 2018, in line with the McGrath Review, services related to the health care supports for those detainees at risk of suicide or self-harm returned to ACT Health from ACTCS.

Integration of Winnunga health services into AMC

- 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.
- On 21 December 2018, a MOU to support the delivery of coordinated health care services to Aboriginal and Torres Strait Islander detainees in the AMC was signed by the Director-General of Justice and Community Safety, Chief Executive Officer of Canberra Health Services, the Chief Executive Officer of Winnunga Nimmityjah Aboriginal Health and Community Services Limited.

- On 7 January 2018, Winnunga began its delivery of model of care was held at the AMC on 15 October 2018. The service is being provided within the Hume Health Centre alongside Justice Health.
- I remain very positive about this nation leading work and the benefits it will provide to improve the care and wellbeing of detainees at the AMC.

Improved Health Centre accommodation

- New office accommodation for staff delivering health services is expected to be completed in the 2019-2020 financial year.
- This work 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.*


Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Ext:70879

- 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)

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 the Winnunga - AMC Health Centre commenced in March 2018. The Concept design of the refurbishment of the Health Centre was approved in November 2018. A request for an Expression of Interest for a Head Contractor closed in December 2018. It is anticipated that a Head Contractor will be appointed by March 2019.
- Construction of the Health Centre will be implemented in a staged approach, with Stage 1 of construction to commence in July 2019. It is expected that Stage 1 of construction will be completed by March 2020.
- Stage 2 of construction is projected to commence in March 2020 and is expected to be completed by September 2020.
- ACT Health staff recruitment processes will commence as soon as the funding is appropriated.

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

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 the implementation 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;

Cleared as complete and accurate: 31/01/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
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 2018, 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). Note, due to reporting methods, prior imprisonment in the ACT includes both episodes of imprisonment under sentence and on remand. Thus, caution should be taken when comparing prior imprisonment in the ACT with other Australian jurisdictions.
- According to the ABS Australian Capital Territory Prisoner Snapshot for 30 June 2018, Aboriginal and Torres Strait Islander people in the ACT are 17 times more likely to be incarcerated than non-Indigenous people. Despite this figure, the percentage of Aboriginal or Torres Strait Islander detainees in the ACT with prior incarceration is one of the lowest compared to other Australian jurisdictions.
- The ACT consistently has one of the lowest imprisonment rates in Australia per head of population. In 2018, the adult imprisonment rate was 151 prisoners per 100,000 adult population compared to the national imprisonment rate of 221 prisoners per 100,000 adult population. This indicates 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.

Cleared as complete and accurate: 31/01/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

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 24 special purpose beds. These beds are located in the Management and Crisis Support 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 safe and secure options to best manage the increasing numbers of detainees in the AMC with the view of ‘building communities not prisons’.

Key Information

- Operational capacity is the assessed capacity of the prison when a range of factors including accommodation, programs and resourcing are considered. Not all operational capacity beds can be utilised at all times due to detainee separation requirements.
- 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 (112 beds and Special Care Centre (56 beds); and
 - relocating female detainees to the Special Care Centre in late 2017.

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: 04/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext:70879

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, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

- 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
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Ext: 70879

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; 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 October and 31 December 2018, ACTCS conducted 1119 searches of cellular accommodation, cottage rooms and other common areas and a total of 199 contraband items were seized as a result. In addition to these searches:
 - 181 searches of staff and contractors. These searches resulted in nine contraband items being located which were required to be stored outside of the AMC;
 - 260 targeted searches of detainees. A targeted search is prompted by information provided by staff or intelligence information.

- The number and contraband types discovered during searches of detainees and detainee areas between 1 October 2018 and 31 December 2018 included:
 - Mobile telephones – 11;
 - Phone accessories (sim cards, chargers etc.) - 20;
 - USBs - 15;
 - Syringes (includes other injecting items) – 18; and
 - Drugs (includes excess, expired or stockpiled medications) – 48.
- 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.
- The funding has been used to establish a new centralised intelligence unit. This has enabled ACTCS to utilise proactive and intelligence-led strategies to detect and intercept contraband which has seen an increase in the number and profile of security operations within the AMC, including more targeted operations and staff searching.
- A recent ACTCS restructure led to the introduction of the Head of Security position. Security consists of Custodial Officers who are tasked to carry out specific duties such as searches, urinalysis, perimeter checks, gate management and K9 management. The formalisation of this role and its functions aim to contribute to the holistic improvement of security at the AMC.

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 information provided by staff or 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: 31/01/2019
Cleared by: Executive Director Ext: 70789
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

- 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 contraband (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 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: 31/01/2019
Cleared by: Executive Director Ext: 70789
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

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).

ISSUE: VOLUNTARY STARVATION**Talking points:**

- Due to information and health privacy laws, I am restricted about the comments I can make.
- I can confirm that ACT Corrective Services is managing a sentenced male detainee who has refused to eat.
- The male detainee is currently being held in custody at the Canberra Hospital and is receiving treatment from Canberra Health Services.
- The health and wellbeing of the detainee remains the primary focus of ACT Corrective Services.
- The ACT Government remains extremely concerned about the detainee's health and wellbeing. Correctional officers and Canberra Health Service medical staff continue to proactively engage with the detainee.
- This is a very difficult and challenging situation. Ultimately, this is a matter for the detainee.

If asked about the reason for the hunger strike

- I am unable to disclose specific details of this matter as there are a number of inter-related matters currently before the ACT Courts.
- I can confirm that a detainee has made a number of demands to the ACT Government and ACT Corrective Services in connection with his treatment in custody. These demands are largely beyond the authority or legal capacity of the ACT Government, some of which are the subject of current legal proceedings.
- For operational, security and legal reasons, I am unable to provide further details at this time.

If asked about what the government is doing in response to this situation


- ACT Corrective Services and Canberra Health Services continue to engage with the detainee to provide appropriate care and treatment, until this situation can be resolved.
- All decisions about the detainee's wellbeing are being made in consultation with him.
- Canberra Health Services is unable to provide personal health information regarding this person in accordance with the *Health Records (Privacy and Access) Act 1997*.

If asked why the Government can't force the detainee to eat, or seek a court order?

- I am advised there is no legal basis for forcing the detainee to eat in the absence of a court or tribunal order.
- The ACT Government has received clear legal advice that based on the clinical condition of the detainee there are no lawful grounds for seeking a court order in the circumstances.
- The ACT Government has also received clear medical advice about the appropriate health care treatment for this situation and continues to work with Canberra Health Services to continue to provide appropriate care and treatment.

If asked about notification to oversight bodies

- I am advised that appropriate notifications have been made to a number of independent oversight bodies including:
 - ACT Inspector of Correctional Services
 - President of the ACT Human Rights Commission
 - ACT Health Services Commissioner
 - ACT Public Advocate
- I can confirm that representatives from the ACT Human Rights Commission have visited the detainee at the Canberra Hospital on numerous occasions.
- I can confirm that the detainee's parents have visited the detainee while in the Canberra Hospital.

Cleared as complete and accurate: 01/02/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

If asked about media involvement

- There has been increasing media interest on the situation and several articles released in late January early February 2019.
- A supervised media interview was conducted with the detainee on 31 January 2019.
- The media is being kept informed of updates as required.

If asked why the parents or next of kin haven't been notified or kept informed about this matter?

- The male detainee has provided clear instructions to ACT Corrective Services about notifications. Those instructions included not notifying his parents.
- ACT Corrective Services is bound to respect the rights of the detainee around who is notified about his situation and next of kin in accordance with the law and ACTCS policies.
- It is important to note the detainee continues to be afforded all reasonable access around contacting authorised persons such as family or next of kin, or a legal representative.

Key Information

- The sentenced male detainee commenced 'voluntary starvation' on 9 December 2018.
- On 29 December 2018, following advice from Dr Levy, the Executive Director, ACT Corrective Services authorised the detainee to be transferred to the Canberra Hospital under section 54 of the *Corrections Management Act*.
- Following **Sch 2, s2.2 (a)(ii)**, the detainee was returned to the Alexander Maconochie Centre the same day.
- **Sch 2, s2.2 (a)(ii)**
- **Sch 2, s2.2 (a)(ii)**
- **Sch 2, s2.2 (a)(ii)**

Cleared as complete and accurate: 01/02/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

- A Governance group was established on 9 January 2019 to oversee the ongoing management of this situation. The group consists of Alison Payford, DG JACS, Bernadette McDonald, CEO Canberra Health Service, Peter Garrison, Solicitor-General, David Pryce, DDG JACS and Jon Peach ED ACTCS.
- Following this meeting Jon Peach ED ACTCS was appointed as the Incident Controller for ongoing matters.
- On 10 January 2019, the detainee was admitted to the Canberra Hospital for observations.
- The detainee remains at the Canberra Hospital under section 54 of the *Corrections Management Act* and remains in custody.
- On 17 January 2019, the male detainee also commenced refusing fluids.
- On the afternoon of 17 January 2019, the Sentence Administration Board held a bedside hearing with the detainee at Canberra Hospital. Whilst the hearing was adjourned, a number of positive opportunities were presented to the detainee around his parole.
- The Minister responded in writing to the detainee on 16 and 18 January 2019, **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- The Minister, DG JACS and CEO CHS continue to receive timely advice on this matter from ACTCS and CHS staff, including GSO advice.
- The Executive Director continues to be in regular correspondence with the detainee.
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]

Background Information

- The male detainee 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.
- The detainee is a regular litigant against JACS, with 10 matters currently listed with the ACT Supreme Court.
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]

Cleared as complete and accurate: 01/02/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

ISSUE: INQUEST INTO DEATH OF MARK O'CONNOR**Talking points:**

- On 13 May 2017, Mr Mark O'Connor collapsed in his cell at the Alexander Maconochie Centre (AMC) and was later pronounced dead.
- In accordance with the *Coroners Act 1997*, the Coroner must hold an inquest to determine the manner and cause of any death in custody.
- The Coronial Inquest (the Inquest) into the death of Mr O'Connor commenced on 22 January 2019.
- The ACT Government is actively supporting the coronial process and working closely with the Coroner to provide all necessary documents and evidence relevant to the Inquest.
- In accordance with normal practice, and the *sub judice* principles, no public comment should be made in relation to Mr O'Connor's death or its circumstances while the Inquest is ongoing.
- The ACT Government acknowledges the grief, loss and sadness that Mr O'Connor's family has experienced.

Key Information

- An Internal Management Review was conducted by ACTCS into the death of Mr O'Connor and four recommendations were made.
- ACT Corrective Services (ACTCS) has created an action plan to address the recommendations made in the Internal Management Review.
- Two of the four recommendations are complete. Work on the remaining two recommendations is ongoing.

Background Information

- Mr O'Connor was serving an eight-year sentence with an early release date of 10 April 2019. ACT Corrective Services is not aware of any recent medical issues of concern nor was he subject to any suicide or self harm monitoring procedures.
- Mr O'Connor did not report to the AMC that he identified as Aboriginal or Torres Strait Islander.

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director
Information Officer name: Sch 2, s2.2 (a)(ii)
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

- ACTCS notified the death to the ACT Insurance Authority and the Australian Institute of Criminology.
- The death in custody is reflected in the 2018 Report on Government Services, which reports on performance during the 2016–17 financial year.

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director
Information Officer name: Sch 2, s2.2 (a)(ii)
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext: 70879

Portfolio/s: Corrections and Justice Health**ISSUE: CCC REPORT ON TASKFORCE FLAXTON****Talking points:**

- In March 2018, the Queensland Crime and Corruption Commission (CCC) commenced Taskforce Flaxton to identify corruption and corruption risks in Queensland prisons.
- On 14 December 2018, the CCC tabled its report, *An Examination of Corruption Risks and Corruption in Queensland Prisons* (the Report), in the Queensland State Parliament. The Report outlines a long-term reform agenda with 33 recommendations that aim to improve the performance of Queensland Corrective Services and enhance external oversight of correctional facilities in Queensland.
- While the Report concerns corruption risk in the context of Queensland prisons, the CCC identified a number of factors that create corruption risks in custodial settings which are relevant to all jurisdictions. These include, prison overcrowding, the complexity and diversity of the needs of prisoners, the closed nature of prisons and the relationships between staff and prisoners.
- The ACT Government has articulated and enshrined in legislation robust mechanisms to effectively prevent, detect or deal with corruption risk in ACT correctional facilities.
- The establishment of an Inspector of Correctional Services (the Inspector) has provided an independent authority to oversee ACT correctional facilities. The functions and role of the Inspector enhance transparency and accountability in ACT correctional centres and ensure that systemic issues that increase or create corruption risks are identified and dealt with effectively. The Inspector also provides an opportunity for continuous improvement of ACT correctional centres and services through systemic and regular review.

- In addition to the Inspector, the ACT has a number of oversight entities, such as the Human Rights Commission, ACT Ombudsman, Public Advocate and Official Visitors, who are empowered to investigate or respond to individual complaints from detainees. These agencies provide additional avenues to better identify, detect and deal with corrupt conduct.
- From 1 July 2019, the ACT Integrity Commission will begin operations. Its mandate is to investigate corrupt conduct relating to the ACT public sector, including correctional services. The Commission will also refer complaints to appropriate entities and conduct education and training. This is another important plank in the Government's efforts to prevent and combat corruption.
- The CCC identified that detainees with special needs or complex health issues were at particular risk of being exploited as a result of corrupt conduct. ACT Corrective Services and Canberra Health Services are currently working together to develop joint policies and procedures in the area of detainee health care. Improving communications, information sharing and working relationships between these two agencies will help mitigate many of the corruption risks identified by the CCC for vulnerable populations.
- The ACT Government has also committed \$8.3 million to integrate the Winnunga Nimmitjiah Health and Community Service (Winnunga) model of care in the Alexander Maconochie Centre (AMC). This will provide a holistic and culturally safe model of care to Aboriginal and Torres Strait Islander detainees at the AMC. In addition to improving health outcomes for these detainees, this service will ensure that detainees have increased access to supports and health services, which may reduce their susceptibility to certain types of potentially corrupt behaviour.

- The ACT Government is also proactively managing the issue of overcrowding, which the CCC identified as a major risk factor for corrupt conduct in prisons. As with most jurisdictions in Australia, the ACT has experienced a continued upward trend in detainee numbers, resulting in accommodation pressures at the AMC. The most recent measures taken to ameliorate the situation have been adding further accommodation buildings (the Accommodation Unit and Special Care Centre – both opened in August 2016) and relocating the women to the Special Care Centre in late 2017.
- The ACT Government is developing a whole of government response to address and reverse the rising number of people detained at the AMC. This strategy aims to strengthen service responses for key groups of detainees in order to reduce the time a person is detained in custody.

Key Information

- The CCC found that prison overcrowding negatively affected the way prisons operate and, in turn, increased corruption risk. The CCC concluded that overcrowding contributed to corruption risk through:
 - Greater disruptions to the standard day, which allowed corrupt behaviour to be more easily hidden or disguised as normal variations or inconsistencies;
 - A decreased capability for oversight mechanisms to prevent and respond to corruption;
 - Greater volatility in the correctional environment, which reduced the capacity of correctional officers to maintain order and security and increased the risk of excess use of force to deter poor behaviour; and
 - Limitations on resources, which increased the value of those resources, or access to those resources, and created opportunities for staff to engage in corrupt conduct.
- The CCC found that prisoners with special needs or complex health issues were at higher risk of being exploited as a result of corrupt conduct. This increased risk has been attributed to:
 - A lack of suitable medical infrastructure in prisons and overcrowding. This increases the likelihood of vulnerable detainees violating rules and taking risks to receive the treatment they need;
 - Increased dependency on health services and reliance on correctional staff to access services. As a result, prisoners with complex needs can become more susceptible to certain types of potentially corrupt behaviour, such as misuse of authority through withholding medication or not responding to requests for medical services.

Cleared as complete and accurate: 04/02/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

- The predominately reactive delivery of medical services and lack of capacity to address health issues strategically. As a result, prisoners' health issues or disability challenges are exacerbated within the prison environment, increasing the risk of behavioural issues. This places prisoners at higher risk of assault/excessive use of force by corrections officers.
- The absence of appropriate triage practices and training can result in correctional officers misinterpreting certain health-related behaviours as defiance or disobedience. This increases the risk of assault/excessive use of force by corrections officers, or disciplinary responses that may further traumatise prisoners.
- The CCC found that the inherently closed nature of prisons facilitates and perpetuates corruption. Prisons are isolated from society, and this lack of public scrutiny, when combined with loss of self-determination, leaves prisoners vulnerable to having their human rights violated and experiencing harm from corrupt behaviour.
 - The CCC concluded that greater investment in surveillance technology, such as closed circuit television and body worn cameras, reduced opportunities for prisoners to be mistreated and improved the capacity of oversight agencies to monitor corrupt behaviour.
 - Further, enhanced independent inspection and proactive information disclosure were critical to combating corruption in prison environments as robust oversight facilitates transparency and accountability.
- The relationships between corrections officers and prisoners that are necessary to maintain order in custodial environments, create significant corruption risks. Dynamic security and rehabilitation require greater interaction between staff and prisoners, including one-on-one interactions. While this provides significant benefits, it also increases the risk of inappropriate relationships forming.

Background Information

- The commencement of Taskforce Flaxton was prompted by increases in the number of allegations made to the CCC about corrupt conduct involving staff in Queensland prisons. The outcomes of a number of CCC investigations identified possible systemic issues, in both government and privately run prisons in Queensland.
- ACTCS is currently considering the findings of the Taskforce with regards to relevance to ACTCS.
- Initial assessment are that some of the findings written have been addressed already in recent and continuous reforms. This includes:
 - Structural review;
 - centralised intelligence;
 - establishment of an online Integrity Reporting Tool for ACTCS staff;

Cleared as complete and accurate: 04/02/2019
Cleared by: Executive Director Ext:70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

- implementation of ethics, integrity and reporting misconduct training in ACTCS induction and custodial recruit training;
 - development of ethics and integrity awareness campaign for all ACTCS staff;
 - stronger governance;
 - However, there are a number of findings which will inform further work including the development of an anti-corruption framework.
- A copy of the Taskforce Flaxton Terms of Reference, issues paper and full report is available at <http://www.ccc.qld.gov.au/corruption/taskforce-flaxton/taskforce-flaxton-an-examination-of-corruption-risks-in-corrective-services-facilities>

Cleared as complete and accurate: 04/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety

Ext:70879

ISSUE: HUMAN RIGHTS PRINCIPLES FOR CORRECTIONAL CENTRES

Talking points:


- On 30 January 2019, I was pleased to launch the Human Rights Principles for Correctional Centres ('the Principles') at the ACT Legislative Assembly.
- The Human Rights Principles for Correctional Centres (the Principles) provide a clear statement that detainees must always be treated with humanity, and given important support to ensuring a safe and just community in the ACT.
- The Principles give clear meaning to the Government's commitment to Human Rights in the adult corrections context and will be used to support better outcomes for detainees' health, safety, education, wellbeing, and integration back into the community.
- The Principles solely apply to adult correctional centres. Bimberi already has a Charter of Rights for Young People.
- The ACT Human Rights Commission, the Inspector of Correctional Services, Official Visitors and the ACT Ombudsman, will be able to utilise the Principles in performing their functions in relation to correctional centres.
- The Principles will be communicated through various means and methods with ACT Corrective Service (ACTCS) staff, detainees, families and friends to ensure clear and transparent understanding of the Principles and their application in the AMC.
- ACTCS will provide information pamphlets to detainees outlining the Principles and they will also be publicly available on the ACTCS website.

Key Information

- The AMC was built with a focus on supporting the human rights of detainees and rehabilitation opportunities.
- The ACT Human Rights Act 2004 applies to everyone in the Territory, these formal principles clarify what that means for those in our adult correctional centres.
- The Principles make it clear how detainees can expect to be treated in the care of ACTCS and how they can be supported to reconnect and reintegrate with their community when released.
- On 30 January 2019, the Minister for ACT Corrections launched The Principles at the ACT Legislative Assembly.
- By making a ministerial declaration under the Corrections Management Act 2007, ACTCS will use the Principles to develop correctional centre policies and procedures that better support detainees, particularly those vulnerable detainee groups, including women, Aboriginal and Torres Strait Islander people, and people with a disability.

Background Information

- The Principles constitute outcomes or goals to be achieved by ACTCS, rather than a set of absolute standards.
- The Principles are informed by international human rights law, policy and practice, including general principles in the *Universal Declaration of Human Rights*, the *Standard Minimum Rules for the Treatment of Prisoners* and the United Kingdom *HM Inspectorate of Prisons' Expectations*.
- The structure and content of the Principles is based on the Healthy Prison concept, which was developed by the World Health Organisation and is an internationally accepted benchmark for effective prisoner management.
- The first draft of the Principles was released for public consultation on 7 April 2018.
- As a result of discussions with stakeholders, the Principles were developed to make clear reference to the needs of vulnerable detainee groups, including women, Aboriginal and Torres Strait Islander people, and people with a disability.

Cleared as complete and accurate: 24/01/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

Portfolio/s: Corrections and Justice Health

ISSUE: OFFICIAL VISITOR REPORTS

Talking points:

- The Official Visitors for Corrections are appointed to undertake independent inspections of adult correctional facilities in the ACT, and receive complaints from detainees under the *Official Visitor Act 2012*.
- The Official Visitor for Corrections provides a mechanism to monitor the quality of services received by people in a correctional setting, and ensure their rights are being maintained.
- The Official Visitors for Corrections are obliged to provide regular written reports directly to the Minister for Corrections. The reports summarise:
 - the number and types of complaints received,
 - the action taken on the complaints received, and
 - the number and kind of matters the Official Visitors referred to an investigative entity.
- Official Visitor reports are tabled in the Legislative Assembly as part of the Justice and Community Safety Directorate Annual Report.
- In the financial year 2017-18, a total of 112 visits were made to the Alexander Macaonochie Centre (AMC), court cells and other detainee locations by the Official Visitors for Corrections with a total of 91 visits made by the Aboriginal and Torres Strait Islander Official Visitor.
- I take this opportunity to thank the Official Visitors for the good work they continue to perform in support of all detainees, and to help ensure that we continue to provide quality correctional services in the ACT.

Key Information

- Although the number of visits to the AMC did not significantly increase from 2016-17 the number of complaints increased from 236 to 368. The primary reason for this may be due to increasing detainee population and increased access to, and use of the email system for complaints.
- There was an average of 1-2 email complaints per week received during the 2017-18 period. The most common types of complaints related to finance, maintenance, health, and probation and parole. The report outlined that most complaints received by ACTCS were being dealt with and that the transparency and communication between AMC staff and the Official Visitors for Corrections (OVC) has been excellent.
- The 2017-18 report noted increasing detainee population as a cause for concern and acknowledged that this may be, in part, due to a lack of exit options for detainees. Limited access to social and community housing likely impacts on the availability of affordable housing options for detainees seeking to be bailed or paroled from the AMC.


Background Information

- On 17 Dec 2017, Mr Shannon Pickles and Ms Denise Brassier were appointed as the Official Visitors for Corrections for a three year term. Ms Tracey Whetnall continued as the Aboriginal and Torres Strait Islander Official Visitor.
- The *Official Visitors Act 2012* was enacted to improve monitoring and complaints systems for people who are being held in government institutions. The Act created a specific statutory requirement that there must be an official visitor for corrections who is an Aboriginal and Torres Strait Islander to ensure such an official visitor is always appointed. Prior to the notification of the Act, the *Corrections Management Act 2007* managed the appointment and functions of the OVC. In accordance with the *Corrections Management Act 2007*, the Act maintained that reports must be generated as soon as practicable after the end of each quarter for the Minister.
- During 2017-18, a large scale review of the entire Official Visitor scheme was undertaken and some of the practical feedback around difficulties in responsibly for recruitment, induction and training were provided. It is expected the recommendations of this review will come into effect over the next 12 months which may lead to significant change in the functioning and oversight of the Official Visitor scheme.

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director Ext: 70879
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety

Portfolio/s: Corrections and Justice Health**ISSUE: INSPECTOR OF CORRECTIONAL SERVICES TABLING A CRITICAL INCIDENT & ASSAULT REPORT (25 OCTOBER 2018) IN FEBRUARY 2019****Talking points:**

- The ACT Inspector of Correctional Services (the Inspector) reviewed a critical incident which occurred at the Alexander Maconochie Centre on 25 October 2018, under section 18(1)(c) of the *Inspector of Correctional Services Act 2017* (the Act). In 201 In 2018 the remaining two wards have been temporarily reassigned as they are subject to building works. This will facilitate roll out of the Winnunga Health Services Model. 8 the remaining two wards have been temporarily reassigned as they are subject to building works. This will facilitate roll out of the Winnunga Health Services Model.
- On 25 October 2018, a detainee was assaulted by other detainees at the Alexander Maconochie Centre. The victim was admitted to The Canberra Hospital for treatment.
- A critical incident is defined in the Act, and includes ‘an assault of use of force that results in a person being admitted to hospital’. On his own initiative the Inspector conducted a desktop review of the incident.
- On 3 December 2018, a draft copy of the Inspector’s critical incident report was provided to me, as Minister for Corrections, and the Director-General, Justice and Community Services Directorate. Comments were provided to the Inspector and considered in the preparation of the final report.
- Pursuant to section 27 of the Act, the Inspector must give a report on each review to the ACT Legislative Assembly within six months of its completion.
- The Inspector has prepared a final version of his report which has been provided to the Speaker and will be tabled during the February sitting period.
- The report contains no recommendations, however seven findings were made. These acknowledge that ACT Corrective Services (ACTCS) policies and procedures operated effectively at the time of the incident.

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director Ext: 70789
Information Officer name: Jon Peach
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community Safety

Key Information

- In Summary, the seven findings acknowledge that:
 - AMC staff responded in a timely manner to the incident;
 - The detainees in the report were appropriately classified as medium security;
 - There was no intelligence or other information available to ACTCS to suggest that the victim was at risk of assault;
 - There were no failings of security procedures or practices that contributed to the assault;
 - That notifications of the incident were made in accordance with policies and procedures;
 - It was reasonable that the detainees involved were accommodated in the same unit; and
 - There were no human rights issues identified in the review.

Background Information

- The Act and the Inspector were established in response to recommendation 8 of the Moss Review.
- Section 18 (1) of the Act (Attachment B) stipulates that the Inspector:
 - must examine and review each correctional centre at least once every two years,
 - must examine and review correctional service at least once every two years,
 - may review a critical incident.
- The Inspector has conducted a review of one other critical incident in an ACT correctional centre. The Inspector prepared a final version of his report which was tabled in the ACT Legislatively Assembly by the Speaker during the November sitting period. A Government response addressing the recommendations and findings of the review will be tabled in the March 2019 sitting period.
- On 14 December 2018, the Inspector provided me a draft 'Report of a review of a correctional service: The care and management of remandees at the Alexander Maconochie Centre 2018'. The final report will be tabled in the legislative assembly in due course.
- On 21 November 2018, the Inspector commenced his first healthy prison review. It is expected that this review will be completed before the end of 2019.

Cleared as complete and accurate: 05/02/2019
Cleared by: Executive Director Ext: 70789
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Portfolio/s: Corrections and Justice Health**ISSUE: WOMENS ACCOMMODATION AT THE AMC****Talking points:**

- The AMC currently houses 37 women, 17 remanded and 20 under sentence.
- Women in the AMC are provided an opportunity to participate in a range of programs which include:
 - **RUSH** - The RUSH program is an adaptation of Dialectical Behaviour Therapy.
custodial environments to assist individuals who are vulnerable to suicidal and self harming behaviour.
 - **Worldview** - Aboriginal and Torres Strait Islander program dedicated to supporting better outcomes post release – involves employment and accommodation for the men, just been rolled out with the women so not sure what their service offering will be there.
 - **S.M.A.R.T Recovery Program** - SMART is psychoeducational program which assists with problematic behaviours, such as alcohol, drugs, cigarettes, gambling, food, shopping, internet use etc.
 - **Pathways from Prison** (delivered by Toora Women);
 - **Art** (delivered in-house and also by an external person);
 - **CALM** - Culture and Aboriginal Land Management – indigenous cultural and horticulture program
 - **Peer Mentor Program.**

Current policy review

- As part of ongoing continuous improvement ACTCS is undertaking a full review of all policies and procedures to ensure they are contemporary in the current Corrections environment.
- Update of rules and procedures occur on a routine basis to ensure accuracy and consistency.

Cleared as complete and accurate: 13/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Ext: 70789

- The development of the female offender framework will require consultation and active engagement with non-government organisations and key stakeholders in the coming months.

Need for a specific female offender framework

- Female offenders often have specific needs that differ from male offenders. It is important these specific needs are considered when accommodating and providing educational, training and rehabilitation programs to female offenders, and a female offender framework formalises this process. A female offender framework aims to meet the specific needs of female offenders and address their issues in order to optimise the chances of successful rehabilitation and reintegration into the community post release.

Cleared as complete and accurate: 13/02/2019
Cleared by: Executive Director
Information Officer name: Jon Peach
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Ext: 70789

TRIM Reference MIN:2019/000011-052

Portfolio/s: Corrections and Justice Health**ISSUE: INSPECTOR'S REPORT – CARE AND MANAGEMENT OF REMANDEES AT THE AMC****Talking points:**

- I welcome the first formal Review Report on *'The care and management of remandees at the Alexander Maconochie Centre 2018'* conducted by the Inspector of Correctional Services (the Inspector).
- The *Inspector of Correctional Services Act 2017* was passed by the ACT Government in response to the Moss Review, with the purpose to promote the continuous improvement of correctional centres and correctional services.
- The purpose of the Review Report was to examine how remandees are being managed in the current circumstances at the Alexander Maconochie Centre (AMC) and whether there is a need to do things differently to cater to the special needs of remandees as unconvicted persons.
- The Review Report is based on the Inspector's visit to the AMC between 11 and 15 June 2018, some 8 months ago.
- The Review Report made 39 findings, which cover a very broad range of often complex issues. I note that the Inspector has not made any recommendations.
- The Government and ACT Corrective Services take the findings of the Review Report very seriously.
- ACT Corrective Services has already commenced taking many steps to address the issues raised in the Review Report, and in particular, is well advanced in reviewing all policies and procedures.
- A formal response will be provided to the Review Report in within 3 months..
- I also note the Inspector has already commenced work toward the first Healthy Prisons Review 2019.

Cleared as complete and accurate: 21/02/2019
Cleared by: Executive Director
Information Officer name:
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Ext: 62070879

Key InformationConcerns about separation of remandees

- The issue of the separation of remanded and sentenced detainees was canvassed through the Government's Response to Recommendation 6 of the Moss Review, which recommended '*That ACTCS establish a separate remand prison within the AMC to ensure remanded detainees are segregated from sentenced detainees*'.
- The Implementation Oversight Steering Committee found that Recommendation 6 could not be met until the ACT Government commits to building a separate remand facility.
- On 15 February 2019, I announced new funding to support the 'Building Communities, Not Prisons' (BCNP) initiatives.
- An initial \$14.5 million of funds redirected away from a prison expansion into a range of community programs, legislative reforms and policy initiatives, as part of the midyear budget review process.
- As part of this work, planning and design funding has been allocated to the development of up to 80 beds in a new low security Reintegration Centre, which will further support ACTCS separation opportunities.

Concerns about human rights

- I acknowledge the findings of the Inspector around the human rights of detainees.
- The Report makes statement regarding possible unreasonable or significant limitations on detainees human rights, a matter I take very seriously. I will review the advice the government has received to date from our proactive and ongoing relationships with a range of existing oversight bodies such as the Human Rights Commission, the Official Visitors, and the Ombudsman amongst others.
- I also look forward to these matters being considered again in future, and to working constructively with all relevant stakeholders to ensure a consistent appreciation of the matter.
- The ACT Government takes its human rights obligations very seriously and has entrenched its commitment to these obligations into law through the *Human Rights Act 2004*.
- I am committed to providing a correctional services regime that supports human rights obligations.
- The observance of human rights is integral to good correctional centre management and the safest and most effective way of managing correctional centres.

Cleared as complete and accurate: 21/02/2019
Cleared by: Executive Director
Information Officer name:
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community
Safety

Ext: 62070879

- In support of this, I recently released the first *Human Rights Principles for ACT Correctional Centres* to provide a clear statement that detainees must always be treated with humanity and with respect for the inherent dignity of the human person.
- These Principles will also assist ACT Corrective Services to update and develop correctional centre policies and procedures that best support all detainees, including female, male, intersex and gender diverse, Aboriginal and Torres Strait Islander, culturally and linguistically diverse, those with a disability and older detainees.

Concerns around female detainees

- I acknowledge that the relocation of female detainees to the Special Care Centre (SCC) was not an ideal solution.
- The decision to move the female detainees was not taken lightly.
- The move of the female detainees was considered the only realistic option at the time given the number of women in detention, limitations on the available accommodation within the AMC, the suitability of other contingencies considered at that time, and the need to best uphold the human rights of female detainees.
- A range of stakeholders were engaged prior to the movement of the female detainees to ensure that ACT Corrective Services could address any concerns that may be raised. The stakeholders engaged in the process included:
 - the President of the Human Rights Commission;
 - the Health Services Commissioner; and
 - the CEO of the Women’s Centre for Mental Health, the latter of whom ACT Corrective Services has continued to work with to ensure that we continuously build on the work already undertaken.
- The move was carefully managed by ACT Corrective Services in consultation with the ACT Human Rights Commission. Winnunga Nimmityjah Aboriginal Health and Community Services were also engaged to provide support and counselling to the women.
- A number of other Non-Governmental Organisation (NGO) providers were also engaged to work with the women.
- ACT Correctives Services has ensured that the female detainees are provided access to an appropriate outdoor area throughout the majority of their unlock

Cleared as complete and accurate: 21/02/2019
Cleared by: Executive Director
Information Officer name:
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community Safety

Ext: 62070879

Background Information

- A summary of the themes of the findings is below:
 - Remanded detainees with sentenced detainees – Finding 1
 - Lack of ACT Corrective Services policies – Findings 2 and 12
 - Inductions for detainees on remand – Findings 3, 4, 5, 6 and 7
 - Time out of cell and access to email and telephones – Findings 8, 16, 17, 19
 - Dedicated cultural space areas and spaces for detainees – Findings 26 and 27
 - Detainee Visits – Findings 15, 20, 21, 22, 23, 24 and 25
 - Staffing issues affecting lock-ins - Findings 9, 10, 11, 13 and 14

Cleared as complete and accurate: 21/02/2019
Cleared by: Executive Director
Information Officer name:
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community
Safety

Ext: 62070879

MINISTER FOR CORRECTIONS AND JUSTICE HEALTH
QUESTION TIME BRIEFS
19-21 March 2019

Question Time Briefs	
1.	Summary of Budget Initiatives
2.	Safety and Human Rights of Detainees
3.	Detainee Numbers
4.	AMC Policies: Clothing, Email, Visits, Contraband, assaults in custody etc
5.	AMC Health Services
6.	Recidivism
7.	Accommodation Pressures
8.	Contraband
9.	Islam/Parole Update
10.	Inquest into death of Mark O'Connor
11.	CCC Report – Operation Flaxten
12.	Human Rights Principles for Correctional Centres
13.	Official Visitor Reports
14.	Inspector of Correctional Services tabling Report on Critical Incident & Assault (25 October 2018)
15.	Women's Accommodation in the AMC
16.	Inspector's Report – Care and management of remandees at the AMC
17.	
18.	
19.	

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
Cleared by: Deputy Director-General Ext:50567
Information Officer name: David Pryce
Contact Officer name: Karen Schofield Ext: 54775
Lead Directorate: Justice and Community Safety

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 following the implementation of a new management structure and ongoing enhancement to the operating model at the *Alexander Maconochie Centre (AMC)*.
- The ACT Government has invested \$8.8 million dollars for the next three and a half years for security-related matters at the 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 also participates in identifying and monitoring emerging security issues such as outlaw motor cycle gangs and countering violent extremism. The increased staffing to this unit has seen a greater focus on 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 *Closed Circuit Television (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.

Cleared as complete and accurate: 06/03/2019
Cleared by: Deputy Director-General Ext: 50567
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety
Cleared for release: Yes
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-042

- 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 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 ACTP.
- 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 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 (The Principles).
- ACTCS already operates in accordance with 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, can reasonably 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; and
 - rehabilitation and release planning.

Cleared as complete and accurate: 06/03/2019
Cleared by: Deputy Director-General
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety
Cleared for release: Yes
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-042

Ext: 50567

- The Principles were launched by the Minister for Corrections on 30 January 2019. By making a ministerial declaration under the *Corrections Management Act 2007*, ACTCS will consider the Principles in the development of correctional centre policies and procedures that better support detainees, particularly those vulnerable detainee groups, including women, Aboriginal and Torres Strait Islander people, and people with a disability.

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.
- The Inspector has commenced a number of reviews which include:

Title	Summary of Recommendations/Findings	Status
<i>Report of a Review of a Critical Incident by the ACT Inspector of Correctional Services: Assault of a detainee at the Alexander Maconochie Centre on 23 May 2018. (the Report)</i>	<p>The Report contains 10 findings and one recommendation for the ACT Government to consider.</p> <p>The review found the critical incident was not reasonably foreseeable by ACTCS and the response and management of the incident was effective and appropriate. The report notes that there no deficiencies or failings of security, classification and intelligence procedures or practices, contributed to the critical incident.</p>	<p>Report was tabled in the ACT Legislative Assembly on 27 November 2018.</p> <p>An Exposure Draft Government Response has been circulated. The Final Draft will be considered by cabinet on 5 March 2019. It provides a response to the 10 findings and agrees in principle to the one recommendation made in the Report.</p>
Review of a critical incident that occurred on 25 October 2018	The Report contains no recommendations, however seven findings were made. These acknowledge that ACTCS policies and procedures operated effectively at the time of the incident.	The final report was tabled in the ACT Legislative Assembly during the February sitting period.

Cleared as complete and accurate: 06/03/2019
 Cleared by: Deputy Director-General
 Contact Officer name: Sch 2, s2.2 (a)(ii)
 Lead Directorate: Justice and Community Safety
 Cleared for release: Yes
 Information Officer name: Jon Peach
 TRIM Ref: 2019/000011-042

Ext: 50567

Review of a critical incident that occurred on 16 December 2018	The report has not yet been provided.	Ongoing
Review of a critical incident that occurred on 1 January 2018	The report has not yet been provided.	Ongoing
Remand Review	<p>The draft report provides one recommendation for ACTCS to respond to the finding in the report, and where appropriate to commit to specific, time bound response.</p> <p>The draft report makes 45 findings.</p> <p>All findings in the report will be revisited as part of the Inspectorate’s Healthy Prion Review.</p>	The report has been completed. ACT Government are considering the recommendations and will provide a Government Response in the coming months.
Healthy Prison Review, 2019 (HPR19)	Inspector has requested data to support this review.	Inspector announced commencement on 21 November 2018. The major on-site component of the review will occur in June – 2019.

Rehabilitation Framework

- ACTCS is undertaking extensive work to refresh and review existing policies and introduce pro-social methods of detainee management.
- ACTCS has finalised the Rehabilitation Framework which 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 informs 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 in 2019.

Cleared as complete and accurate: 06/03/2019
 Cleared by: Deputy Director-General
 Contact Officer name: Sch 2, s2.2 (a)(ii) Ext: 50567
 Lead Directorate: Justice and Community Safety
 Cleared for release: Yes
 Information Officer name: Jon Peach
 TRIM Ref: 2019/000011-042

- These changes will be embedded across the AMC 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 individuals 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 bakery, expanded laundry and the multi-purpose activities centre at the AMC, was completed in 2017.
- 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.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-042	

- 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 support 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.

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 AMC (Recommendation 23).

Cleared as complete and accurate: 06/03/2019
Cleared by: Deputy Director-General Ext: 50567
Contact Officer name: Sch 2, s2.2 (a)(ii) [REDACTED]
Lead Directorate: Justice and Community Safety
Cleared for release: Yes
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-042

- Auditor-General's review of the Rehabilitation of Male Detainees at the AMC (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: 06/03/2019
Cleared by: Deputy Director-General
Contact Officer name: Sch 2, s2.2 (a)(ii) Ext: 50567
Lead Directorate: Justice and Community Safety
Cleared for release: Yes
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-042

Portfolio: Corrections and Justice Health

ISSUE: DETAINEE NUMBERS

Talking points:

- On 20 June 2018, detainee numbers in the ACT reached a high of 507.
- Detainee numbers continue to remain high. The average population at the Alexander Maconochie Centre (AMC) throughout February 2019 was 475.

Accommodation pressures

- The increasing detainee population has placed pressures on accommodation for detainees at the AMC.
- [Refer to **QTB – Accommodation Pressures**]

Inspector of Correctional Services comments

- During the November 2018 Annual Reports hearings, the ACT Inspector of Correctional Services ('the Inspector') expressed concerns that some of the AMC infrastructure was no longer fit for purpose due to the rapid population growth of detainees in the AMC. The Inspector also highlighted his concerns about the use of bunk beds to accommodate two detainees per single cell in the AMC.
- ACTCS Executive Director Jon Peach has advised that most gaols 'double-bunked' inmates. ACTCS continues to manage the increased detainees numbers within its current capacity.
- In addition, the Government is proactively managing the issues presented by increased detainee numbers through the Justice Reform Strategy and the Justice Reinvestment Strategy, with our overall goal to reduce recidivism by 25 per cent by 2025 and thus reduce the numbers of people being held in custody.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-039	

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 22 per 100,000 of the female adult population on 30 June 2018.
- 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.
- During the November 2018 Annual Reports hearings, the Inspector expressed his concern that female detainees were being disadvantaged following their move to a separate 57-bed facility, as the previous women's cottage style accommodation was designed to accommodate female prisoners.
- In 2018, female detainees were moved to a separate 57-bed facility to address increased numbers. This move was also initiated to provide female detainees with access to a structured day within the AMC, allowing greater access to education, employment, programs and recreational activities.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-039	

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 2018 - 1,944.3 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
- On 12 January 2019, Aboriginal and Torres Strait Islander detainee numbers in the ACT reached a new high of 126.
- From 1 July 2018 to date:
 - the highest number of male Aboriginal and Torres Strait Islander detainees in the ACT was 111 between 12 January 2019 and 14 January 2019.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-039	

- the highest number of female Aboriginal and Torres Strait Islander detainees in the ACT was 18 between 12 October 2018 and 24 October 2018 and between 23 January 2019 and 24 January 2019.

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:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-039	

Portfolio: Corrections and Justice Health**ISSUE: AMC POLICIES: CLOTHING, EMAIL, VISITS, CONTRABAND, ASSAULTS IN CUSTODY, FEMALE DETAINEES****Talking points:**Management of Female Detainees

- ACT Corrective Services (ACTCS) offers female detainees at the Alexander Maconochie Centre (AMC) access to the same level of programs, education, healthcare, mental health services and recreation as male detainees.
- As far as practicable, ACTCS strives to meet the needs of female detainees within their accommodation area.
- The *Corrections Management (Reception and Management of Female Detainees) Policy 2014 (No 1)* has been revoked as part of the ACTCS policy project.
- ACTCS are developing a Female Offender Framework which will be finalised by the end of 2019.
- On 18 January 2019, an Executive Director Instruction was released to ensure that the management of female detainees remains consistent until the framework is finalised.

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.
- Processing of applications is dependent on a number of factors, including the ability of ACTCS to contact the proposed recipient, staffing

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-029	

levels, and the number of applications that may require processing at any one time.

- Processing requests for the initial set up of detainee email accounts can take up to five working days. ACTCS aims to have requests for established accounts processed within three to five working days.

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, maintain community expectations appropriate to a workplace, 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 AMC bring some items of personal property.
- Requests may be approved dependent upon a number of factors including detainee accommodation placement, amount of personal property possessed by the detainee, detainee behaviour, and risks associated with the requested items.

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 current 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.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-029	

- 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 through electronic short message service (SMS) messaging, as part of a broader review of the visits booking process.
- For visitors coming to the AMC, there are rules to maintain the good order and safety 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 temporarily withdrawn, or they can be placed on non-contact visits, to ensure the good order and safety of the AMC.
- Detainees may visit other detainees within AMC where there is a confirmed relationship as approved by the General Manager, Custodial Operations.
- Ex-detainees may apply to visit current AMC detainees which will be considered by the General Manager, Custodial Operations for approval.
- Visitor applications will be reviewed by ACTCS on a case by case basis, and the applicant will be notified of the outcome in writing.

Contraband

- ACTCS has various physical and static security measures to prevent entry of contraband 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.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-029	

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 to de-escalate and prevent serious incidents at the AMC.
- Within correctional facilities 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.
- As part of the 2017-2018 Mid-Year Budget, the ACT Government committed \$8.8 million over a period of three and a half years to fund improvements in security-related operations at the AMC and across ACTCS generally.
- 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

Management of Female Detainees

- The Executive Director Instruction provided direction regarding:
 - Admission to AMC;
 - Programs and Education;
 - Employment;
 - Healthcare – including pregnancy, childbirth, miscarriage and breastfeeding; and
 - Supervision of female detainees.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-029	

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.
- 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 can include:
 - metal detectors;
 - X-Ray baggage scanner to scan property; 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.
- In the last quarter of 2018, the Security Operations Team found 11 mobile phones, 20 mobile phone accessories (including charges and SIM cards), 15 USBs, 18 syringes and 48 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>

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-029	

Serious Assaults

Report on Government Services Assaults data

- The 2019 Report on Government Services, released on 24 January 2019, identified that the ACT had the second highest prisoner serious assault rate in the country. The rate for 2017-8 was 2.32 per 100 prisoners/detainees, which was a decrease from 3.59 per 100 prisoners/detainees in 2016-7. In terms of raw numbers there were 11 serious assault incidents in 2017-18, 16 in 2016–17, three in 2015-16, 11 in 2014-15 and eight in 2013-14.
- The ACT’s prisoner on officer assault rate has also decreased, from 1.80 per 100 prisoners in 2016-7 to 1.05 per 100 prisoners in 2017-8. This is a result of five assault incidents against staff in 2017-8, compared to eight assault incidents in 2016-7.
- 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
- Applications by ex-detainees who are in breach of their supervision requirements or with outstanding warrants, will be declined

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-029	

ISSUE: AMC HEALTH SERVICES**Talking points:**AMC Health Services

- ACT Corrective Services (ACTCS) works closely with Canberra Health Services to ensure the health and wellbeing of detainees at the Alexander Maconochie Centre (AMC).
- An Arrangement for the Delivery of Health Services to Detainees (the Arrangement) was signed by the Justice and Community Safety Directorate (JACS) and ACT Health on 14 August 2017. This arrangement is being updated since the formation of Canberra Health Services.
- The Arrangement addressed Recommendation 4 of the Moss Review, and recommendations from an *Independent Review of Mental Health Services at the Alexander Maconochie Centre* (the McGrath Review).
- In April 2018, in line with the McGrath Review, services related to the health care supports for detainees at risk of suicide or self-harm returned to ACT Health from ACTCS.

Integration of Winnunga health services into AMC

- Recommendation 5 of the Moss Review was for Winnunga Nimmityjah Aboriginal Health and Community Services (Winnunga) to be integrated into the provision of health care at the AMC in order to introduce its holistic model of care to Aboriginal and Torres Strait Islander detainees.
- Justice Health and ACTCS have worked collaboratively with Winnunga since the Moss Review implementation group began in 2017 to develop and agree to a contemporary and best practice model of Aboriginal and Torres Strait Islander Health Services delivery at the AMC
- On 22 June 2018, ACTCS, Justice Health and Winnunga signed a contract to enable to delivery of a coordinated health care services at the AMC.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-038	

- Staff from Winnunga have been present in the AMC since July 2018, developing protocols for the integrated service delivery.
- A MoU and three supporting schedules between the ACT Government and Winnunga for the delivery of coordinated health care services to Aboriginal and Torres Strait Islander detainees at the AMC was signed on 21 December 2018.
- Staff from Winnunga have been present in the AMC since July 2018, developing protocols for the integrated service delivery.
- On 7 January 2019, Winnunga commenced delivery of coordinated health care services within the AMC.
- On 18 January 2019, the first patient's health care was transferred from Justice Health Services to Winnunga.
- As of 15 February 2019, 10 patient's health care has been transferred to Winnunga.
- I remain very positive about this nation leading work and the benefits it will provide to improve the care and wellbeing of detainees at the AMC.

Improved Health Centre accommodation

- New office accommodation for staff delivering health services is expected to be completed in the 2019-2020 financial year.
- This work 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 (2017-18 to 2019-20) 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:

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-038	

- ACT Health staffing costs of \$1.205m over two years in 2018-19 and 2019-20 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 are being offset against the Health Funding Envelope.
- JACS costs of \$2.761m over three years in 2017-18 to 2019-20 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)
- **Estimated Timing:**
 - Planning of the construction of the Winnunga - AMC Health Centre commenced in March 2018. The Concept design of the refurbishment of the Health Centre was approved in November 2018. A request for an Expression of Interest for a Head Contractor closed in December 2018. The evaluating panel have convened and selected a preferred candidate. Contract negotiations are currently underway.
 - Construction of the Health Centre is expected to commence in mid-2019 with final commissioning expected in mid to late 2020.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-038	

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 the implementation 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;

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-030	

- Enhancing ACTCS' focus on Aboriginal and Torres Strait Islander clients;
- 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 2018, 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). Note, due to reporting methods, prior imprisonment in the ACT includes both episodes of imprisonment under sentence and on remand. Thus, caution should be taken when comparing prior imprisonment in the ACT with other Australian jurisdictions.
- According to the ABS Australian Capital Territory Prisoner Snapshot for 30 June 2018, Aboriginal and Torres Strait Islander people in the ACT are 17 times more likely to be incarcerated than non-Indigenous people. Despite this figure, the percentage of Aboriginal or Torres Strait Islander detainees in the ACT with prior incarceration is one of the lowest compared to other Australian jurisdictions.
- The ACT consistently has one of the lowest imprisonment rates in Australia per head of population. In 2018, the adult imprisonment rate was 151 prisoners per 100,000 adult population compared to the national imprisonment rate of 221 prisoners per 100,000 adult population. This indicates 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.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-030	

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.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-030	

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 [Refer to **QTB – Detainee numbers**].
- The overall trend in the ACT has been mirrored at a national level.
- The AMC has an operational bed capacity of 511 and an additional 28 special purpose beds located in the Management, Crisis Support and Health Units.
- These beds are used for specific health, mental health or behavioural management and are not reflected in the operational capacity of the AMC.
- 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.
- I take this opportunity to recognise and thank the men and women of ACT Corrective Services who manage the safety and good order of the AMC and Court Transport Unit. Their daily efforts are commendable given the increased detainee numbers and resultant accommodation pressures.

Feasibility Study

- A feasibility study for the future expansion of the AMC was funded by Government in the 2017-18 mid-year budget.
- The feasibility study involved an infrastructure based assessment to address male and female accommodation issues at the AMC. The objective of the feasibility study was to identify, prioritise and inform future correctional requirements in a staged and cost effective manner.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-040	

- The outcomes of this study is currently being considered alongside other opportunities to reduce the number of detainees entering the AMC as part of the 2019-20 budget process.
- ACTCS continues to consider safe and secure options to best manage the increasing numbers of detainees in the AMC within a human rights context, with the view of ‘building communities, not prisons’.

Key Information

- Operational capacity is the assessed capacity of the AMC when a range of factors including accommodation, programs and resourcing are considered. Not all operational capacity beds can be utilised at all times due to detainee separation requirements.
- 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 (112 beds) and Special Care Centre (56 beds);
 - relocating female detainees to the Special Care Centre in late 2017, and
 - an additional 25 temporary bunk beds being installed at the AMC.

Background Information

- Since 2012 the ACT has experienced a continued upward trend in detainee numbers.
- During 2013, the actual number of ACT detainees increased significantly, from less than 240 in January 2013, to more than 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, and
 - 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.
- The Feasibility Study has not be made public. Your office is considering releasing a summary document of the study.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-040	

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; 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.
- A recent ACTCS restructure led to the introduction of the Head of Security position. Security consists of Custodial Officers who are tasked to carry out specific duties such as searches, urinalysis, perimeter checks, gate management and K9 management. The formalisation of this role and its functions aim to contribute to the holistic improvement of security at the AMC.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-033	

Operational Results

- Between 1 October and 31 December 2018, ACTCS conducted 1119 searches of cellular accommodation, cottage rooms and other common areas and a total of 199 contraband items were seized as a result. In addition to these searches:
 - 181 searches of staff and contractors. These searches resulted in nine contraband items being located which were required to be stored outside of the AMC;
 - 260 targeted searches of detainees. A targeted search is prompted by information provided by staff or intelligence information.
- The number and contraband types discovered during searches of detainees and detainee areas between 1 October 2018 and 31 December 2018 included:
 - Mobile telephones – 11;
 - Phone accessories (sim cards, chargers etc.) - 20;
 - USBs - 15;
 - Syringes (includes other injecting items) – 18; and
 - Drugs (includes excess, expired or stockpiled medications) – 48.

Additional Funding

- 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.
- The funding has been used to establish a new centralised intelligence unit. This has enabled ACTCS to utilise proactive and intelligence-led strategies to detect and intercept contraband which has seen an increase in the number and profile of security operations within the AMC, including more targeted operations and staff searching.

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-033	

- A recent ACTCS restructure led to the introduction of the Head of Security position. Security consists of Custodial Officers who are tasked to carry out specific duties such as searches, urinalysis, perimeter checks, gate management and K9 management. The formalisation of this role and its functions aim to contribute to the holistic improvement of security at the AMC.

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 information provided by staff or 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.
- 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 contraband (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 declaration is at [Attachment A](#).

Cleared as complete and accurate:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-033	

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:	05/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-033	

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 Ref: 2019/000011-044

Portfolio: Corrections and Justice Health

ISSUE: BAIL/PAROLE & MR ISA ISLAM

Mr Isa Islam

- Due to information and health privacy laws, I am restricted about the comments I can make about individuals.
- As has been reported in local media, ACT Corrective Services was managing a sentenced male offender who had engaged in an extended period of voluntary starvation.
- I am aware the ACT Sentence Administration Board (SAB) recently granted conditional parole to the offender.
- The SAB is independent of Government, which ensures its decisions are made in the public interest and remain fair and free from political interference.

Parole/Bail Laws:

Process and Monitoring of Parole

- Offenders eligible for parole apply to the SAB for release.
- The *Sentence (Crimes Administration) Act 2005* provides the SAB with guidance on the criteria it must consider for granting parole.
- The SAB may make additional conditions on any parole order it deems necessary (e.g. to support the offender's case management plan, to reduce any risk to the community, etc.).
- Community Corrections Officers within ACT Corrective Services are responsible for monitoring the compliance with parole conditions set by the SAB and conduct their duties in accordance with their obligations under the Act.
- The supervision of orders involves undertaking a risk assessment to ascertain the level of supervision required.

Cleared as complete and accurate:	07/03/2018	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	No, contains sensitive information	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-044	

- Factors include accommodation arrangements, support mechanisms, employment and risk of further offending.

Breaching of Parole

- The SAB may cancel an offender's parole if they are satisfied that the offender has breached conditions of the order.
- Where an offender is convicted of an offence punishable by imprisonment while on parole, the court must cancel the offender's parole.
- Following cancellation of parole, the offender must serve a period of full-time imprisonment equal to the period they were liable to serve on the date they were released on parole.
- Comments relating to the decision making processes of the SAB are best directed to the Board.
- The ACT has a robust parole system which prioritises the safety of the community.

Key Information

- The male offender commenced 'voluntary starvation' on 9 December 2018.
- On 29 December 2018, following medical advice, the offender was transferred to the Canberra Hospital under section 54 of the *Corrections Management Act*.
- Following **Sch 2, s2.2 (a)(ii)**, the offender was returned to the Alexander Maconochie Centre the same day.
- On 1 January 2019, **Sch 2, s2.2 (a)(ii)**.

Cleared as complete and accurate: 07/03/2018
Cleared by: Deputy Director-General Ext: 50567
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community
Safety
Cleared for release No, contains sensitive information
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-044

- A Governance group was established on 9 January 2019, to oversee the ongoing management of the situation. The group consisted of Alison Playford, DG JACS, Bernadette McDonald, CEO Canberra Health Service, Peter Garrison, Solicitor-General, David Pryce, DDG JACS and Jon Peach ED ACTCS.
- Following the meeting of 9 January 2019, Jon Peach ED ACTCS was appointed as the Incident Controller for ongoing matters.
- On 10 January 2019, the offender was admitted to the Canberra Hospital for observations under section 54 of the *Corrections Management Act*.
- On 17 January 2019, the male offender commenced refusing fluids.
- On the afternoon of 17 January 2019, the SAB held a bedside hearing with the offender at Canberra Hospital. The hearing was adjourned but numerous positive opportunities were presented to the offender around his parole.
- The Minister responded in writing to the offender on 16 and 18 January 2019, **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- On 22 February 2019, the Sentence Administration Board of the ACT held a bedside hearing for the offender at the Canberra Hospital. The Board approved the offender's release on parole with effect from 25 February 2019.
- The offender will remain under sentence until 3 July 2024.
- The Board may revoke or vary the parole order should he fail to comply with its conditions.
- **Sch 2, s2.2 (a)(ii)**
[REDACTED]
- There has been media interest on the situation and several articles were released in late January and early February 2019. A supervised media interview was conducted with the detainee on 31 January 2019.
- The offender released a press release, on 25 February 2019 and revised the release on 1 March 2019.
- On 2 March 2019, the offender commenced eating.

Cleared as complete and accurate: 07/03/2018
Cleared by: Deputy Director-General Ext: 50567
Contact Officer name: **Sch 2, s2.2 (a)(ii)**
Lead Directorate: Justice and Community
Safety
Cleared for release No, contains sensitive information
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-044

Background Information

- The male offender was incarcerated at the AMC in July 2009, and was sentenced for intentionally inflicting grievous bodily harm and recklessly inflicting grievous bodily harm.
- The offender is a regular litigant against JACS, with 10 matters currently listed with the ACT Supreme Court.
- The offender has made a number of demands to the ACT Government and ACT Corrective Services in connection with his treatment in custody. These demands are largely beyond the ACT Government, some of which are the subject of current legal proceedings.
- For operational, security and legal reasons, further details cannot be provided.

Cleared as complete and accurate:	07/03/2018	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	No, contains sensitive information	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-044	

Portfolio/s: Corrections and Justice Health**ISSUE: INQUEST INTO DEATH OF MARK O'CONNOR****Talking points:**

- On 13 May 2017, Mr Mark O'Connor collapsed in his cell at the Alexander Maconochie Centre (AMC) and was later pronounced dead.
- In accordance with the *Coroners Act 1997*, the Coroner must hold an inquest to determine the manner and cause of any death in custody.
- The Coronial Inquest (the Inquest) into the death of Mr O'Connor commenced on 22 January 2019.
- The ACT Government is actively supporting the coronial process and working closely with the Coroner to provide all necessary documents and evidence relevant to the Inquest.
- A timetable has been set for all relevant parties to file and serve written submissions for the Inquest.
- The ACT Government submissions are due 11 April 2019.
- The Coroner will consider all parties' positions and prepare his findings after this date. A hand down date is yet to be determined.
- In accordance with normal practice, and the *sub judice* principles, no public comment should be made in relation to Mr O'Connor's death or its circumstances while the Inquest is ongoing.
- The ACT Government acknowledges the grief, loss and sadness that Mr O'Connor's family has experienced.

Key Information

- An Internal Management Review was conducted by ACTCS into the death of Mr O'Connor and four recommendations were made.
- ACT Corrective Services (ACTCS) has created an action plan to address the recommendations made in the Internal Management Review.
- Two of the four recommendations are complete. Work on the remaining two recommendations is ongoing.

Cleared as complete and accurate:	14/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-049	

Background Information

- Mr O'Connor was serving an eight-year sentence with an early release date of 10 April 2019. ACT Corrective Services is not aware of any recent medical issues of concern nor was he subject to any suicide or self harm monitoring procedures.
- Mr O'Connor did not report to the AMC that he identified as Aboriginal or Torres Strait Islander.
- ACTCS notified the death to the ACT Insurance Authority and the Australian Institute of Criminology.
- The death in custody is reflected in the 2018 Report on Government Services, which reports on performance during the 2016–17 financial year.

Cleared as complete and accurate:	14/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	Ext: 70847
TRIM Ref:	2019/000011-049	

Portfolio/s: Corrections and Justice Health**ISSUE: CCC REPORT ON TASKFORCE FLAXTON****Talking points:**

- In March 2018, the *Queensland Crime and Corruption Commission (CCC)* commenced *Taskforce Flaxton* to identify corruption and corruption risks in Queensland prisons.
- On 14 December 2018, the CCC tabled its report, *An Examination of Corruption Risks and Corruption in Queensland Prisons* ('the Report') in the Queensland State Parliament. The Report outlines a long-term reform agenda with 33 recommendations that aim to improve the performance of *Queensland Corrective Services* and enhance external oversight of correctional facilities in Queensland.
- While the Report states concerns for corruption risk in the context of Queensland prisons, the CCC identified a number of factors that create corruption risks in custodial settings which are relevant to all jurisdictions. These include, prison overcrowding, the complexity and diversity of the needs of prisoners, the closed nature of prisons and the relationships between staff and prisoners.
- The ACT Government has articulated and enshrined in legislation robust mechanisms to effectively prevent, detect or deal with corruption risk in ACT correctional facilities.
- The establishment of an Inspector of Correctional Services (the Inspector) has provided an independent authority to oversee ACT correctional facilities. The functions and role of the Inspector enhance transparency and accountability in ACT correctional centres and ensure that systemic issues that increase or create corruption risks are identified and dealt with effectively. The Inspector also provides an opportunity for continuous improvement of ACT correctional centres and services through systemic and regular review.

Cleared as complete and accurate:	18/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-046	


- In addition to the Inspector, the ACT has a number of oversight entities, such as the Human Rights Commission, ACT Ombudsman, Public Advocate and Official Visitors, who are empowered to investigate or respond to individual complaints from detainees. These agencies provide additional avenues to better identify, detect and deal with corrupt conduct.
- From 1 July 2019, the ACT Integrity Commission will begin operations. Its mandate is to investigate corrupt conduct relating to the ACT public sector, including correctional services. The Commission will also refer complaints to appropriate entities and conduct education and training. This is another important plank in the Governments effort to prevent and combat corruption.
- The CCC identified that detainees with special needs or complex health issues were at particular risk of being exploited as a result of corrupt conduct. ACT Corrective Services (ACTCS) and Canberra Health Services are currently working together to develop joint policies and procedures in the area of detainee health care. Improving communications, information sharing and working relationships between these two agencies will help mitigate many of the corruption risks identified by the CCC for vulnerable populations.
- The ACT Government has also committed \$8.3 million to integrate the Winnunga Nimmitjiah Health and Community Service (Winnunga) model of care in the Alexander Maconochie Centre (AMC). This will provide a holistic and culturally safe model of care to Aboriginal and Torres Strait Islander detainees at the AMC. In addition to improving health outcomes for these detainees, this service will ensure that detainees have increased access to supports and health services, which may reduce their susceptibility to certain types of potentially corrupt behaviour.

Cleared as complete and accurate:	18/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-046	

- The ACT Government is also proactively managing the issue of overcrowding, which the CCC identified as a major risk factor for corrupt conduct in prisons. As with most jurisdictions in Australia, the ACT has experienced a continued upward trend in detainee numbers, resulting in accommodation pressures at the AMC. The most recent measures taken to ameliorate the situation have been adding further accommodation buildings (the Accommodation Unit and Special Care Centre – both opened in August 2016) and relocating the women to the former Special Care Centre in November 2017.
- The ACT Government is developing a whole of government response to address and reverse the rising number of people detained at the AMC. This strategy aims to strengthen service responses for key groups of detainees in order to reduce the time a person is detained in custody.

Key Information

- The CCC found that prison overcrowding negatively impacts the way prisons operate and, in turn, increased corruption risk. The CCC concluded that overcrowding contributed to corruption risk through:
 - Greater disruptions to the standard day, which allowed corrupt behaviour to be more easily hidden or disguised as normal variations or inconsistencies;
 - A decreased capability for oversight mechanisms to prevent and respond to corruption;
 - Greater volatility in the correctional environment, which reduced the capacity of correctional officers to maintain order and security and increased the risk of excess use of force to deter poor behaviour; and
 - Limitations on resources, which increased the value of those resources, or access to those resources, and created opportunities for staff to engage in corrupt conduct.
- The CCC found that prisoners with special needs or complex health issues were at higher risk of being exploited as a result of corrupt conduct. This increased risk has been attributed to:
 - A lack of suitable medical infrastructure in prisons and overcrowding. This increases the likelihood of vulnerable detainees violating rules and taking risks to receive the treatment they need;
 - Increased dependency on health services and reliance on correctional staff to access services. As a result, prisoners with complex needs can become more

Cleared as complete and accurate: 18/03/2019
Cleared by: Deputy Director-General Ext: 50567
Contact Officer name: Sch 2, s2.2 (a)(ii) 
Lead Directorate: Justice and Community
Safety
Cleared for release: Yes
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-046

susceptible to certain types of potentially corrupt behaviour, such as misuse of authority though withholding medication or not responding to requests for medical services.

- The predominately reactive delivery of medical services and lack of capacity to address health issues strategically. As a result, prisoners' health issues or disability challenges are exacerbated within the prison environment, increasing the risk of behavioural issues. This places prisoners at higher risk of assault/excessive use of force by corrections officers.
- The absence of appropriate triage practices and training can result in correctional officers misinterpreting certain health-related behaviours as defiance or disobedience. This increases the risk of assault/excessive use of force by corrections officers, or disciplinary responses that may further traumatise prisoners.
- The CCC found that the inherently closed nature of prisons facilitates and perpetuates corruption. Prisons are isolated from society, and this lack of public scrutiny, when combined with loss of self-determination, leaves prisoners vulnerable to having their human rights violated and experiencing harm from corrupt behaviour.
 - The CCC concluded that greater investment in surveillance technology, such as closed circuit television and body worn cameras, reduced opportunities for prisoners to be mistreated and improved the capacity of oversight agencies to monitor corrupt behaviour.
 - 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.
 - A centralised intelligence unit has been established to enable 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.
 - Further, enhanced independent inspection and proactive information disclosure were critical to combating corruption in prison environments as robust oversight facilitates transparency and accountability.
- The relationships between corrections officers and prisoners that are necessary to maintain order in custodial environments, create significant corruption risks. Dynamic security and rehabilitation require greater interaction between staff and prisoners, including one-on-one interactions. While this provides significant benefits, it also increases the risk of inappropriate relationships forming.

Cleared as complete and accurate:	18/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-046	

- ACTCS continues to emphasise the importance of upholding integrity and improving integrity reporting. On 4 December 2017, an online Integrity Reporting Tool was established to provide a formal mechanism for all ACTCS staff to report matters relating to inappropriate behaviour and staff misconduct.
- Part of the 2017/18 Mid - Year Budget funded the establishment of the Intelligence and Integrity Unit. The creation of this unit enables ACTCS to enhance intelligence provisions across ACTCS, including the management of information and intelligence related to integrity issues.
- The Manager of the Intelligence and Integrity Unit commenced with ACTCS on 7 May 2018, and began developing initiatives to strengthen the management of intelligence and integrity matters. The initiatives include:
 - increasing executive oversight and governance;
 - enhancing accountability at all levels;
 - commencing education processes with staff across ACTCS; and
 - further streamlining of the integrity reporting process.
- The Intelligence Framework was notified and came into effect on 31 July 2018. The framework is the overarching policy which guides the intelligence cycle of information collection, reporting and analysis and how this is managed.

Background Information

- The commencement of Taskforce Flaxton was prompted by increases in the number of allegations made to the CCC about corrupt conduct involving staff in Queensland prisons. The outcomes of a number of CCC investigations identified possible systemic issues, in both government and privately run prisons in Queensland.
- ACTCS is currently considering the findings of the Taskforce with regards to relevance to ACTCS.

Cleared as complete and accurate:	18/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-046	

- Initial assessment of some of the findings written have been addressed already in recent and continuous reforms. This includes:
 - Structural review;
 - centralised intelligence;
 - establishment of an online Integrity Reporting Tool for ACTCS staff;
 - implementation of ethics, integrity and reporting misconduct training in ACTCS induction and custodial recruit training;
 - development of ethics and integrity awareness campaign for all ACTCS staff;
 - stronger governance;
 - However, there are a number of findings which will inform further work including the development of an anti-corruption framework.
- A copy of the Taskforce Flaxton Terms of Reference, issues paper and full report is available at <http://www.ccc.qld.gov.au/corruption/taskforce-flaxton/taskforce-flaxton-an-examination-of-corruption-risks-in-corrective-services-facilities>

Cleared as complete and accurate:	18/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	██████████
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-046	

ISSUE: HUMAN RIGHTS PRINCIPLES FOR CORRECTIONAL CENTRES

Talking points:

- On 30 January 2019, I was pleased to launch the *Human Rights Principles for Correctional Centres* ('the Principles') at the ACT Legislative Assembly.
- The *ACT Human Rights Act 2004* applies to everyone in the Territory, and the AMC was built with a focus on supporting the human rights of detainees and rehabilitation opportunities.
- These Principles clarify what that means for those in our adult correctional centres and provide a clear statement that detainees must always be treated with humanity, and given important support to ensuring a safe and just community in the ACT.
- The Principles solely apply to adult correctional centres. Bimberi already has a Charter of Rights for Young People.
- The Principles give clear meaning to the Government's commitment to Human Rights in the adult corrections context and will be used to support better outcomes for detainees health, safety, education, wellbeing, and integration back into the community.
- The ACT Human Rights Commission (ACTHRC), the Inspector of Correctional Services (the Inspector), Official Visitors and the ACT Ombudsman, will be able to utilise the Principles in performing their functions in relation to correctional centres.
- The Principles will be communicated through various means and methods with *ACT Corrective Service (ACTCS)* staff, detainees, families and friends to ensure clear and transparent understanding of the Principles and their application in the AMC.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-047	

- ACTCS will provide information pamphlets to detainees outlining the Principles and they will also be publicly available on the ACTCS website.

Key Information

- ACTCS will use the Principles to develop correctional centre policies and procedures that better support detainees, particularly those vulnerable detainee groups, including women, Aboriginal and Torres Strait Islander people, and people with a disability.

Background Information

- The Principles constitute outcomes or goals to be achieved by ACTCS, rather than a set of absolute standards.
- The Principles are informed by international human rights law, policy and practice, including general principles in the *Universal Declaration of Human Rights*, the *Standard Minimum Rules for the Treatment of Prisoners* and the United Kingdom *HM Inspectorate of Prisons' Expectations*.
- The structure and content of the Principles is based on the Healthy Prison concept, which was developed by the World Health Organisation and is an internationally accepted benchmark for effective prisoner management.
- The first draft of the Principles was released for public consultation on 7 April 2018.
- As a result of discussions with stakeholders, the Principles were developed to make clear reference to the needs of vulnerable detainee groups, including women, Aboriginal and Torres Strait Islander people, and people with a disability.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-047	

Portfolio/s: Corrections and Justice Health

ISSUE: OFFICIAL VISITOR REPORTS

Talking points:

- The Official Visitors for Corrections are appointed to undertake independent inspections of adult correctional facilities in the ACT, and receive complaints from detainees under the *Official Visitor Act 2012*.
- The Official Visitor for Corrections provides a mechanism to monitor the quality of services received by people in a correctional setting, and ensure their rights are being maintained.
- The Official Visitors for Corrections are obliged to provide regular written reports directly to the Minister for Corrections. The reports summarise:
 - the number and types of complaints received,
 - the action taken on the complaints received, and
 - the number and kind of matters the Official Visitors referred to an investigative entity.
- Official Visitor reports are tabled in the Legislative Assembly as part of the Justice and Community Safety Directorate Annual Report.
- In the financial year 2017-18, a total of 112 visits were made to the Alexander Macaonochie Centre (AMC), court cells and other detainee locations by the Official Visitors for Corrections with a total of 91 visits made by the Aboriginal and Torres Strait Islander Official Visitor.
- I take this opportunity to thank the Official Visitors for the good work they continue to perform in support of all detainees, and to help ensure that we continue to provide quality correctional services in the ACT.

Cleared as complete and accurate:	06/03/2019	
Cleared by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Sch 2, s2.2 (a)(ii)	
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Jon Peach	
TRIM Ref:	2019/000011-048	

Key Information

- Although the number of visits to the AMC did not significantly increase from 2016-17 the number of complaints increased from 236 to 368. The primary reason for this may be due to increasing detainee population and increased access to, and use of the email system for complaints.
- There was an average of 1-2 email complaints per week received during the 2017-18 period. The most common types of complaints related to finance, maintenance, health, and probation and parole. The report outlined that most complaints received by ACTCS were being dealt with and that the transparency and communication between AMC staff and the Official Visitors for Corrections (OVC) has been excellent.
- The 2017-18 report noted increasing detainee population as a cause for concern and acknowledged that this may be, in part, due to a lack of exit options for detainees. Limited access to social and community housing likely impacts on the availability of affordable housing options for detainees seeking to be bailed or paroled from the AMC.

Background Information

- On 17 Dec 2017, Mr Shannon Pickles and Ms Denise Brassier were appointed as the Official Visitors for Corrections for a three year term. Ms Tracey Whetnall continued as the Aboriginal and Torres Strait Islander Official Visitor.
- The *Official Visitors Act 2012* was enacted to improve monitoring and complaints systems for people who are being held in government institutions. The Act created a specific statutory requirement that there must be an official visitor for corrections who is an Aboriginal and Torres Strait Islander to ensure such an official visitor is always appointed. Prior to the notification of the Act, the *Corrections Management Act 2007* managed the appointment and functions of the OVC. In accordance with the *Corrections Management Act 2007*, the Act maintained that reports must be generated as soon as practicable after the end of each quarter for the Minister.
- During 2017-18, a large scale review of the entire Official Visitor scheme was undertaken and some of the practical feedback around difficulties in responsibly for recruitment, induction and training were provided. It is expected the recommendations of this review will come into effect over the next 12 months which may lead to significant change in the functioning and oversight of the Official Visitor scheme.

Cleared as complete and accurate: 06/03/2019
Cleared by: Deputy Director-General Ext: 50567
Contact Officer name: Sch 2, s2.2 (a)(ii)
Lead Directorate: Justice and Community Safety
Cleared for release: Yes
Information Officer name: Jon Peach
TRIM Ref: 2019/000011-048

Portfolio/s: Corrections and Justice Health**ISSUE: INSPECTOR OF CORRECTIONAL SERVICES TABLING A CRITICAL INCIDENT & ASSAULT REPORT (25 OCTOBER 2018) IN FEBRUARY 2019****Talking points:**

- The ACT Inspector of Correctional Services (the Inspector) reviewed a critical incident which occurred at the Alexander Maconochie Centre on 25 October 2018, under section 18(1)(c) of the *Inspector of Correctional Services Act 2017* (the Act).
- The critical incident involved a detainee being assaulted by other detainees at the Alexander Maconochie Centre (AMC) on 25 October 2018. The victim was admitted to the Canberra Hospital for treatment.
- A critical incident is defined in the Act, and includes ‘an assault of use of force that results in a person being admitted to hospital’. On his own initiative the Inspector conducted a desktop review of the incident.
- On 3 December 2018, a draft copy of the Inspector’s critical incident report was provided to me, as Minister for Corrections and Justice Health, and the Director-General, Justice and Community Services Directorate. Comments were provided to the Inspector and considered in the preparation of the final report.
- Pursuant to section 27 of the Act, the Inspector must give a report on each review to the ACT Legislative Assembly within six months of its completion.
- The Inspector has prepared a final version of his report which was provided to the Speaker and tabled in the ACT Legislative Assembly on 12 February 2019.
- The report contains no recommendations, however, seven findings were made by the inspector. These findings acknowledge that ACT Corrective Services (ACTCS) policies and procedures operated effectively at the time of the incident.

Cleared as complete and accurate: 18/01/2018
Cleared by: Deputy Director-General Ext:
Contact Officer name: Jon Peach Ext:
Lead Directorate: Justice and Community
Safety
Cleared for release Yes
Information Officer name: Sch 2, s2.2 (a)(ii)
TRIM Ref:

Key Information

- In Summary, the seven findings acknowledge that:
 - AMC staff responded in a timely manner to the incident;
 - The detainees in the report were appropriately classified as medium security;
 - There was no intelligence or other information available to ACTCS to suggest that the victim was at risk of assault;
 - There were no failings of security procedures or practices that contributed to the assault;
 - That notifications of the incident were made in accordance with policies and procedures;
 - It was reasonable that the detainees involved were accommodated in the same unit; and
 - There were no human rights issues identified in the review.

Background Information

- The Act and the Inspector were established in response to recommendation 8 of the Moss Review.
- Section 18 (1) of the Act (Attachment B) stipulates that the Inspector:
 - must examine and review each correctional centre at least once every two years,
 - must examine and review correctional service at least once every two years,
 - may review a critical incident.
- The Inspector has completed a review of one other critical incident (January 2019) in an ACT correctional centre. A Government response addressing the recommendations and findings of the review will be tabled on Tuesday 19 March 2019.
- On 14 December 2018, the Inspector provided me a draft 'Report of a review of a correctional service: The care and management of remandees at the Alexander Maconochie Centre 2018'. The final report was tabled on 20 February 2019. The ACT Government is considering the findings and a Government Response will be tabled in June 2019. On 21 November 2018, the Inspector commenced his first

Cleared as complete and accurate: 18/01/2018
Cleared by: Deputy Director-General Ext:
Contact Officer name: Jon Peach Ext:
Lead Directorate: Justice and Community
Safety
Cleared for release Yes
Information Officer name: **Sch 2, s2.2 (a)(ii)**
TRIM Ref:

healthy prison review. The Inspector is expected to attend the AMC in early July 2019, and it is expected that this review will be completed before the end of 2019.

Womens Accommodation

- The AMC currently houses 37 women, 17 remanded and 20 under sentence.
- Women in the AMC are provided an opportunity to participate in a range of programs which include:
 - **RUSH** - The RUSH program is an adaptation of Dialectical Behaviour Therapy.
 - **Worldview** - Aboriginal and Torres Strait Islander program dedicated to supporting better outcomes post release – involves employment and accommodation for the men, just been rolled out with the women so not sure what their service offering will be there.
 - **S.M.A.R.T Recovery Program** - SMART is psychoeducational program which assists with problematic behaviours, such as alcohol, drugs, cigarettes, gambling, food, shopping, internet use etc.
 - **Pathways from Prison** (delivered by Toora Women)
 - **Art** (delivered in-house and also by an external person).
 - **CALM** - Culture and Aboriginal Land Management – indigenous cultural and horticulture program.
 - **Peer Mentor Program.**

Current policy review

- As part of ongoing continuous improvement ACTCS is undertaking a full review of all policies and procedures to ensure they are contemporary in the current Corrections environment.
- Update of rules and procedures occur on a routine basis to ensure accuracy and consistency.
- The development of the female offender framework will require consultation and active engagement with non-government organisations and key stakeholders in the coming months.

Need for a specific female offender framework

- Female offenders often have specific needs that differ from male offenders. It is important these specific needs are considered when accommodating and providing educational, training and rehabilitation programs to female offenders, and a female offender framework formalises this process. A female offender framework aims to meet the specific needs of female offenders and address their issues in order to

Cleared as complete and accurate: 18/01/2018
Cleared by: Deputy Director-General Ext:
Contact Officer name: Jon Peach Ext:
Lead Directorate: Justice and Community
Safety
Cleared for release Yes
Information Officer name: **Sch 2, s2.2 (a)(ii)**
TRIM Ref:

optimise the chances of successful rehabilitation and reintegration into the community post release.

Cleared as complete and accurate:	18/01/2018	
Cleared by:	Deputy Director-General	Ext:
Contact Officer name:	Jon Peach	Ext:
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	Sch 2, s2.2 (a)(ii)	
TRIM Ref:		

Portfolio/s: Corrections and Justice Health**ISSUE INSPECTOR'S REPORT – CARE AND MANAGEMENT OF REMANDEES AT THE AMC Wednesday, 20 February 2019****Talking points:**

- I welcome the first formal Review Report on *'The care and management of remandees at the Alexander Maconochie Centre 2018'* conducted by the Inspector of Correctional Services (the Inspector).
- The *Inspector of Correctional Services Act 2017* was passed by the ACT Government in response to the Moss Review, with the purpose to promote the continuous improvement of correctional centres and correctional services.
- The purpose of the Review Report was to examine how remandees are being managed in the current circumstances at the Alexander Maconochie Centre (AMC) and whether there is a need to do things differently to cater to the special needs of remandees as unconvicted persons.
- The Review Report is based on the Inspector's visit to the AMC between 11 and 15 June 2018.
- The Review Report made 39 findings, which cover a very broad range of often complex issues. I note that the Inspector has not made any recommendations.
- The Government and ACT Corrective Services (ACTCS) take the findings of the Review Report very seriously.
- ACTCS has already commenced taking steps to address the issues raised in the Review Report, and is currently reviewing all policies and procedures.
- A formal response to the Review Report will be tabled in the ACT Legislative Assembly in the June 2019 sitting period.
- I also note the Inspector has commenced work towards the first Healthy Prisons Review 2019. The Inspector is expected to attend the AMC in

Cleared as complete and accurate: 18/01/2018
Cleared by: Deputy Director-General Ext:
Contact Officer name: Jon Peach Ext:
Lead Directorate: Justice and Community
Safety
Cleared for release Yes
Information Officer name: David Pryce
TRIM Ref: 2019/0001-052

early July 2019, and it is expected that this review will be completed before the end of 2019.

Key Information

Concerns about separation of remandees

- The issue of the separation of remanded and sentenced detainees was canvassed through the Government's Response to Recommendation 6 of the Moss Review, which recommended *'That ACTCS establish a separate remand prison within the AMC to ensure remanded detainees are segregated from sentenced detainees'*.
- The Implementation Oversight Steering Committee found that Recommendation 6 could not be met until the ACT Government commits to building a separate remand facility.
- On 15 February 2019, I announced new funding to support the 'Building Communities, Not Prisons' (BCNP) initiatives.
- An initial \$14.5 million of funds was redirected away from a prison expansion into a range of community programs, legislative reforms and policy initiatives, as part of the midyear budget review process.
- As part of this work, planning and design funding has been allocated to the development of up to 80 beds in a new low security Reintegration Centre.

Concerns about human rights

- I acknowledge the findings of the Inspector around the human rights of detainees.
- The Report makes a statement regarding possible unreasonable or significant limitations on detainees human rights, a matter I take very seriously. I will review the advice the government has received from our proactive and ongoing relationships with a range of existing oversight bodies such as the Human Rights Commission, the Official Visitors, and the Ombudsman amongst others.

Cleared as complete and accurate:	18/01/2018	
Cleared by:	Deputy Director-General	Ext:
Contact Officer name:	Jon Peach	Ext:
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	David Pryce	
TRIM Ref:	2019/0001-052	

- I also look forward to these matters being considered again in future, and to working constructively with all relevant stakeholders to ensure a consistent appreciation of the matter.
- The ACT Government takes its human rights obligations very seriously and has entrenched its commitment to these obligations into law through the *Human Rights Act 2004*.
- ACTCS recently established the Human Rights Principles for ACT Correctional Centres. These Principles serve as a tool to guide ACTCS and the ACT Government in the performance of functions under the *Corrections Management Act 2007* and reflect the applicable rights enshrined under the *Human Rights Act 2004*.
- I am committed to providing a correctional services regime that supports human rights obligations.
- The observance of human rights is integral to good correctional centre management and the safest and most effective way of managing correctional centres.
- In support of this, I recently released the first *Human Rights Principles for ACT Correctional Centres* to provide a clear statement that detainees must always be treated with humanity and with respect for the inherent dignity of the human person.
- These Principles will also assist ACTCS to update and develop correctional centre policies and procedures that best support all detainees, including female, male, intersex and gender diverse, Aboriginal and Torres Strait Islander, culturally and linguistically diverse, those with a disability and older detainees.

Concerns around female detainees

- I acknowledge that the relocation of female detainees to the Special Care Centre (SCC) was not an ideal solution.
- The decision to move the female detainees was not taken lightly.

Cleared as complete and accurate: 18/01/2018
Cleared by: Deputy Director-General Ext:
Contact Officer name: Jon Peach Ext:
Lead Directorate: Justice and Community
Safety
Cleared for release Yes
Information Officer name: David Pryce
TRIM Ref: 2019/0001-052

- The move of the female detainees was considered the only realistic option at the time given the number of women in detention, limitations on the available accommodation within the AMC, the suitability of other contingencies considered at that time, and the need to best uphold the human rights of female detainees.
- A range of stakeholders were engaged prior to the movement of the female detainees to ensure that ACT Corrective Services could address any concerns that may be raised. The stakeholders engaged in the process included:
 - the President of the Human Rights Commission;
 - the Health Services Commissioner; and
 - the CEO of the Women’s Centre for Mental Health.
- The move was carefully managed by ACT Corrective Services in consultation with the ACT Human Rights Commission. Winnunga Nimmityjah Aboriginal Health and Community Services were also engaged to provide support and counselling to the women.
- A number of other Non-Governmental Organisation (NGO) providers were also engaged to work with the women.
- ACTCS has ensured the female detainees are provided access to an appropriate outdoor area throughout the majority of their unlock, and access to a range of therapeutic and criminogenic programs.
-

Background Information

- A summary of the themes of the findings is below:
 - Remanded detainees with sentenced detainees – Finding 1
 - Lack of ACTCS policies – Findings 2 and 12
 - Inductions for detainees on remand – Findings 3, 4, 5, 6 and 7
 - Time out of cell and access to email and telephones – Findings 8, 16, 17, 19
 - Dedicated cultural space areas and spaces for detainees – Findings 26 and 27

Cleared as complete and accurate:	18/01/2018	
Cleared by:	Deputy Director-General	Ext:
Contact Officer name:	Jon Peach	Ext:
Lead Directorate:	Justice and Community Safety	
Cleared for release	Yes	
Information Officer name:	David Pryce	
TRIM Ref:	2019/0001-052	

- Detainee visits – Findings 15, 20, 21, 22, 23, 24 and 25
- Staffing issues affecting lock-ins - Findings 9, 10, 11, 13 and 14

Cleared as complete and accurate: 18/01/2018
Cleared by: Deputy Director-General Ext:
Contact Officer name: Jon Peach Ext:
Lead Directorate: Justice and Community
Safety
Cleared for release: Yes
Information Officer name: David Pryce
TRIM Ref: 2019/0001-052