ACT Government
Justice and Community Safety

Open Access release outcome decision – Full access granted

Document Category: Ministerial Briefs

Title of document: Minister for Corrections – Quarter 4 2020 briefs

Description of the information: Question Time Briefs provided to the Minister for Corrections between 1 October and 31 December 2020.

The original record of this document did not contain information, the release of which would be contrary to the public interest. As such, the information contained in this document has been released in full for the reasons outlined below.

Grounds for decision to release

As per the public interest test set out in section 17 of the FOI Act, I have assessed the information contained in the ministerial briefs as being suitable for full release.

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;

(iv) ensure effective oversight of expenditure of public funds;

(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.

Review rights

My decision to release or 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:

ACT Ombudsman
Attention: ACT Strategy and FOI Section
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Via email: actfoi@ombudsman.gov.au

Further assistance

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

Authorised by

L. Callow

Lauren Callow
Information Officer
2 January 2026

ACT Government
Justice and Community Safety

OPEN ACCESS Q4 2020 SCHEDULE
PORTFOLIO: MINISTER FOR CORRECTIONS

No.	Folio	Description	Date	Status	Reason for non-release or deferral
Question Time Briefs - Sitting Days 2 & 3 December 2020					
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2	2-5	10 November Incident	December		
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4	12-19	Detainee Numbers and Accommodation Pressures	December		
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MINISTER FOR CORRECTIONS

QUESTION TIME BRIEFS

Question Time Briefs	
1.	10 November Incident
2.	AMC Operations
3.	Detainee Numbers and Accommodation Pressures
4.	ACTCS Policies
5.	Implementation of Healthy Prisons Report Recommendations
6.	Court Transport Unit Report Progress
7.	AMC Health Services
8.	Official Visitor Reports
9.	Inspector
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11.	ROGS Release
12.	COVID-19 at the AMC
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14.	Reintegration Centre
15.	AMC Transfers
16.	ACTCS Key Data

QUESTION TIME BRIEF

MIN:2020/000088-055

Portfolio/s: Corrections

10 NOVEMBER INCIDENT

Talking points:

Incident on 10 November 2020

- On 10 November 2020 at approximately 6:50pm, 27 detainees housed in the AU-North accommodation unit at the Alexander Maconochie Centre (AMC) refused to return to their cells for the night lock-in.
- The detainees were able to move between the AU-North unit and adjacent external yard and proceeded to start a fire in the external yard using bedding and furniture from within the unit, as well as wooden doors removed from programs rooms within AU-North.
- In order to ensure their safety, corrections officers withdrew from the unit and secured the remainder of the AMC accounting for all other detainees and staff on duty.
- Several detainees armed themselves with makeshift weapons such as broom handles.
- ACT Fire and Rescue (ACT F&R), ACT Ambulance Service and ACT Policing (ACTP) attended the AMC in response to the incident.
- ACTCS officers in full tactical Personal Protective Equipment (PPE), provided an escort for ACT F&R to safely extinguish the fire in the external yard. Detainees proceeded to light another fire to mattresses at the door between the external yard and the common space within the larger accommodation unit.
- Detainees started two additional fires within cells in AU-North, resulting in further smoke contamination and significant property damage.
- At approximately 9:30pm, the detainees informed ACTCS negotiators that they wished to surrender. Planning commenced for a safe surrender and a small response team entered the unit to check that the door to the external yard was secure before escorting ACT F&R to extinguish the two cells fires.
- The disturbance was resolved peacefully and no injuries were sustained by detainees or staff members.

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Cleared for public release by:	Deputy Director-General	Ext: 50567
Contact Officer name:	Jon Peach	Ext: 70879
Lead Directorate:	Justice and Community Safety	
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- The detainees involved were temporarily accommodated in cells, including three to a cell, for less than 12 hours following their surrender for appropriate placement assessments to be conducted.
- All 27 detainees were separated and relocated to new accommodation units appropriate to their security classification. Health checks were conducted by Justice Health Services and Winnunga Nimmityjah Aboriginal Health and Community Services prior to their relocation, and detainees were issued with a fresh set of clothes.
- The AMC remained in lock-down on 11 Wednesday 2020, with minimum entitlements under the *Corrections Management Act 2007* provided to detainees, including medication distribution, court and medical escorts, meals, and one-hour time out of cells per day.
- On 12 November 2020, the lock-down at the AMC ceased, and multiple regimes returned throughout the centre.
- The damage to the AU-North building is expected to exceed $200,000 and the ACTCS Director, Facilities Management met with Major Projects Canberra on 12 November 2020 to commence planning for the repairs. Major Project Canberra will manage the repairs, and the unit will remain offline until all work has been completed.
- The disturbance has been referred to ACTP for investigation.
- The Inspector of Correctional Services was notified of the incident on 10 November 2020 in accordance with the *Inspector of Correctional Services Act 2017*.
- ACTCS will conduct an internal review into the incident to consider the circumstances leading up to and during the incident, as well as to identify any lessons learned and improvements to prevent and manage any future disturbances.

Incidents on 11 November 2020

- There were two fires in the Management Unit at the AMC on the afternoon of 11 November 2020.
- The first occurred when a detainee involved in the incident on 10 November 2020 set fire to an item in his cell. ACTCS officers extinguished the fire.

- The second occurred when a detainee, who was not involved in the incident, lit a fire in his cell. This detainee has a history of fire lighting and receives intensive therapeutic support and intervention by ACTCS and health services. ACT F&R attended and extinguished the fire.

Incident on 14 November 2020

- On 14 November 2020 at approximately 11:07pm, detainees started a fire in the Sentenced Cottage 2 foyer. ACTCS officers extinguished the fire.
- Damage occurred to the flooring material of the stairs on the ground floor, as well as to the roof space and cabling in the ceiling. The cause of the fire is being investigated by ACTCS.
- On 16 November 2020, the ACT Insurance Agency (ACTIA) were notified and assessments are ongoing.

Key Information

- The AMC is a maximum-to-minimum security correctional centre surrounded by a maximum-security perimeter and is designed to accommodate all levels of security classification.
- The campus style of the AMC presents a risk within the limited amount of maximum-security accommodation available to male detainees and the requirement to house medium security detainees within minimum security cottages.
- In order to appropriately relocate the detainees that were involved in the incident on 10 November 2020, a number of detainees from other accommodation units were required to be relocated before the perpetrators could be moved from the external yard.
- All uniformed corrections officers are trained in the use of force, which includes the use of approved tactical PPE and tools, and in the use of force application of restraints on detainees. All recruits complete a five-day training course in the use of force and restraints.
- ACTCS introduced an enhanced use of force and restraints training package in 2018. A two-day refresher in the new package was rolled out to officers who had previously completed the recruit training course. To date, 204 officers have completed the refresher course.
- A one-day refresher training in the use of force and restraints is included in the *Corrections Officers Enterprise Agreement 2018-22*. Due to COVID-19 restrictions on physical distance and touch contact this training was paused but recommenced in October 2020.

- The following tactical controlled items are available to corrections officer to respond to disturbances:
    - Batons
    - PPE body armour
    - Shields
    - Mechanical restraints.

Background Information

- The disturbance on 10 November 2020, and subsequent fires on 11 and 14 November 2020 have attracted significant media attention.
- The mother of a detainee at the AMC contacted the Canberra Times regarding allegations of the conditions following the incident on 10 November 2020. The Canberra Times news article is available at: https://www.canberratimes.com.au/story/7014800/life-inside-jail-since-riot-three-to-a-cell-and-long-hours-in-lockdown/?utm_source=Canberra+Times&utm_campaign=eccbb8c9ad-EMAIL_CAMPAIGN_2020_11_17_03_13&utm_medium=email&utm_term=0_a4b15bbe48-eccbb8c9ad-70377658.

QUESTION TIME BRIEF

MIN:2020/0000088-052

Portfolio/s: Corrections

ISSUE: AMC OPERATIONS

Talking points:

Safety of detainees

- The safety and security of all detainees is a priority for ACT Corrective Services (ACTCS).
- ACTCS is continuously seeking to improve processes to enhance safety, security and good order at the Alexander Maconochie Centre (AMC).
- In 2017-18, a centralised intelligence unit was established across both Community and Custodial Corrections to work with ACTCS staff and ACT Policing (ACTP) to provide assistance with investigations and intercept and mitigate acts prior to their perpetration. The centralised unit also enables ACTCS to utilise proactive and intelligence-led strategies to detect and intercept contraband.
- The new, centralised Intelligence and Integrity Unit also participates in identifying and monitoring emerging security issues such as Outlaw Motorcycle Gangs and countering violent extremism.
- ACTCS continues to strengthen the close working relationship with ACTP, and held a joint day of action on 1 December 2019 to target the introduction of contraband to the AMC through social visits.

Safety of staff

- On 8 September 2020, the updated Use of Force Policy policy was notified to align with the new Use of Force training program that was established in 2019. ACTCS is committed to ensuring that force and restraint is only used as a last resort where strictly necessary and with only the minimum amount of force that is reasonable and proporitionate to the circumstances.
- Since 2018, there has been a strong focus on Use of Force training within ACTCS. Use of Force training is mandatory for all corrections officers and includes an annual refresher training day.
- ACTCS are in the process of reintroducing the use of chemical agents and developing an Advanced Use of Force training.

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Contact Officer name:	Jon Peach	Ext: 70879
Lead Directorate:	Justice and Community Safety	
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- Within correctional facilities, there is an inherent potential for conflict among some detainees. However, ACTCS staff work hard to de-escalate and prevent any serious incidents that may arise at the AMC. 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.

Response to serious assaults

- ACTCS continues to refer all serious assault allegations to ACTP for investigation. Since the changes implemented in the wake of the Moss Review, a number of assault cases have progressed to prosecution.
- The *Memorandum of Understanding* (MOU) between ACTCS and ACTP developed in response to recommendations 2 and 3 of the Moss Report is currently under review and consultations between ACTCS and ACTP have commenced.
- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister as the Inspector of Correctional Services (the Inspector) in response to recommendation 8 of the Moss Review. The purpose of establishing an external and independent Inspectorate of Correctional Services was to strengthen and improve existing oversight arrangements.
- The Inspector has provided reports on his examination of seven (7) critical incidents that occurred at the AMC, and the Government has responded to the recommendations and findings of all completed reports. Refer to **QTB – ACTCS – Inspector** for more information.

Contraband

- ACTCS employs a range of physical and static security measures to prevent the introduction of contraband into the AMC. This includes physical barriers, CCTV 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, when entering the AMC. These include:
    - metal detectors;
    - x-ray baggage scanner to scan property; and
    - physical searches of all vehicles entering and exiting the AMC, including use of mirrors to search under vehicles and random PAD dog searches (except in case of an emergency, for example, ambulances).
- In the 2019-20 financial year, ACTCS conducted 8,644 searches for contraband, 632 of which located contraband.
- In 2019-20, ACTCS intercepted visitors attempting to introduce contraband into the AMC on 20 occasions.
- Security consists of custodial officers who are tasked to carry out specific duties such as searches, urinalysis, perimeter checks, gate management and K9 management.
- On 8 August 2019, the AMC formally welcomed two new PAD dogs: a two year old New Zealand Huntaway named Doug, and an 18 month old Australian Kelpie named Luka. This has increased the K9 units capacity to intercept illicit substances before they enter the AMC, as well as within the Centre. A further K9 resource is currently under recruitment to bring the total to three (3).

Operational Results

- Between 1 January 2020 and 1 November 2020, ACTCS conducted 5,897 searches of cellular accommodation, cottage rooms and other common areas and a total of 375 contraband items were seized as a result. In addition to these searches:
    - 286 searches of staff and contractors. These searches resulted in 8 contraband items being located which were required to be stored outside of the AMC; and
    - 327 targeted searches of detainees. A targeted search is prompted by intelligence information or information provided by staff.

- The number and contraband types discovered during searches of detainees and detainee areas between 1 January 2020 and 1 November 2020 included:
    - Mobile telephones – 30;
    - Phone accessories (sim cards, chargers etc.) – 48;
    - USBs - 8;
    - Syringes (includes other injecting items) – 34;
    - Drugs – 97 (53 of which were unauthorised medications);
    - Drones – 0; and
    - Home made edged weapons – 30.

Key information

Report on Government Services Assaults data

- The 2020 Report on Government Services, released on 29 January 2020, identified that the ACT had the highest prisoner serious assault rate in the country, with the prisoner on prisoner serious assault rate increasing from 2.32 per 100 prisoners (11 serious assaults) in 2017-18 to 3.31 per 100 prisoners (16 serious assaults) in 2018-19.
- The ACT's prisoner on officer assault rate has decreased, from 1.05 per 100 prisoners in 2017-18 to 0.41 per 100 prisoners in 2018-19. This is a result of two (2) assault incidents against staff in 2018-19, compared to five (5) assault incidents against staff in 2017-18.

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.

- 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.
- CCTV is an important evidentiary tool to support successful investigation of assaults in the AMC so that offenders can be held accountable. The improved quality of the images captured by the CCTV cameras has assisted ACT Policing with investigation of assaults and incidents at the AMC.

Contraband

- An updated Contraband (Prohibited Items) Declaration for the AMC was published on 15 October 2019. The declaration incorporates items that utilise new technologies, such as watches with mobile phone, USB or internet capabilities.
- Contraband searches at the AMC include searches of both people and locations. Between 1 January 2020 and 1 November 2020:
    - 5,897 were routine (required by policy or procedure);
    - 327 were targeted; and
    - 7,728 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 to whom it was not lawfully prescribed 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.
- Improvised weapons have been seized that were created from a range of products available to detainees, including everyday household items. A reasonable and appropriate balance must be maintained between affording detainees the decency to utilise basic goods such as regular toothbrushes compared to silicon alternatives, and addressing safety and security risks where items have been misused.
- The AMC perimeter is approximately 1.3 kilometres in length and custodial officers check the grounds every morning to ensure no contraband has been dropped onto the premises overnight.

- Due to the COVID-19 pandemic, all social visits to the AMC were suspended from close of business on Sunday 22 March 2020 to ensure the health and safety of detainees and visitors. On Wednesday 9 September 2020, limited face-to-face social visits resumed at the AMC.

Emergency Lockdown – November 2019

- On 4 November 2019 during a perimeter check, a significant hole was located within the external perimeter fence at the AMC.
- An emergency roll check was immediately conducted, and all detainees accounted for.
- An unidentified community member threw a parcel over the fence into the grounds of the AMC on 3 November 2019. The unidentified person later returned, proceeded to make a hole in the fence, and threw the parcel further onto the prison grounds.
- To ensure the safety of the AMC, a Declaration of Emergency was issued by the Commissioner of ACTCS on 6 November 2019 under section 26 of the *Corrections Management Act 2007*.
- The Declaration of Emergency resulted in a complete lock-down of the AMC, during which ACTCS officers searched all units, buildings and grounds of the Centre with assistance from Corrective Services New South Wales K9 teams.
- The declaration was revoked on 11 November 2019. While various items of contraband were seized, no significant weapons were located.
- The incident was referred to ACT Policing for investigation and the Inspector of Correctional Services office was also advised.
- ACTCS initiated an Internal Management Review to establish facts and to determine appropriate responses.

Background Information

- On 15 April 2019, the Canberra Times reported that the rising numbers of makeshift weapons, and the constant accommodation pressures experienced, at the AMC places Corrections Officers at risk.
- 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 were the result of increased searches of detainees and visitors.

QUESTION TIME BRIEF

MIN:2020/000088-033

Portfolio: Corrections

ISSUE: DETAINEE NUMBERS AND ACCOMMODATION PRESSURES

Talking points:

Detainee numbers

- As at 18 November 2020, the detainee population at the Alexander Maconochie Centre (AMC) was 439.
- During the 2019/20 financial year, the average daily number of detainees at the AMC was 444.
- On 20 June 2018, detainee numbers in the ACT reached a high of 507.
- The AMC is the only adult correctional facility within the ACT and accommodates multiple cohorts including women, men, mainstream (general population) and protection (where there is specific information to suggest that there is a credible risk to the safety of the detainee).
- The original design of scattered accommodation placement at the AMC is no longer fit for purpose. Currently, mainstream and protection male detainees are housed in the same vicinity. These two cohorts of detainees are required to be physically separated to ensure safety, security and good order.
- The current housing of detainees does not meet the legislative requirement of segregating sentenced and remanded detainees.
- ACT Corrective Services (ACTCS) plans to relocate detainees in order for detainees to be housed together according to their cohort – mainstream or protected. It is anticipated that the relocations will occur in stages in order to reflect and respond to any issues that may arise.

Women detainee numbers

- As at 18 November 2020, the AMC had 28 women in custody; 14 remanded and 14 sentenced.
- The ACT female imprisonment rate has increased from 13.6 per 100,000 of the female adult population on 30 June 2015 to 19.5 per 100,000 of the female adult population on 30 June 2019.

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Contact Officer name:	Jon Peach	Ext: 70879
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- On 18 October 2018, female detainee numbers in the ACT reached a high of 51 detainees.
- The average daily number of detained females in the:
    - 2019/20 financial year was 32;
    - 2018/19 financial year was 40;
    - 2017/18 financial year was 38;
    - 2016/17 financial year was 33;
    - 2015/16 financial year was 23; and
    - 2014/15 financial year was 19.
- Female Sentence Management Officers are available to women for daily support, ongoing issues, referrals and welfare concerns. The AMC also provides a coordinator for women's and children's services for incarcerated parents.

<u>Management of Women Detainees</u>

- The same level of access to programs, education, healthcare, mental health services and recreation is offered to detainees irrespective of sex or gender.
- On 18 January 2019, an Executive Director Instruction was released to ensure that the management of female detainees remains consistent until a formal *Women Offenders Framework* and an operating model is finalised.
- 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.
- A Womens Reference Group has been established as a short-term measure to identify opportunities to positively support women within the AMC through enhanced engagement with the community sector

pending the implementation of the ACTCS *Women Offenders Framework*. Refer to **QTB - ACTCS – ACTCS Reform**.

- The Womens Reference Group consists of women representatives from ACTCS, oversight agencies, and various organisations involved in the criminal justice system. Meetings are held bi-monthly and chaired by the Commissioner, ACTCS.

Aboriginal and Torres Strait Islander detainee numbers

Incarceration Rates

- Aboriginal and Torres Strait Islander people continue to be significantly over-represented in the criminal justice system, as both victims and offenders, principally due to historical social disadvantage, social exclusion and systemic racism. The rate of Aboriginal and Torres Strait Islander people held in the AMC as a proportion of the total detainee population is a major concern to the ACT Government.
- The ACT has experienced a steady increase in Aboriginal and Torres Strait Islander detainees from 2014 onwards. However, the ACT figures remain well below the national average for Aboriginal and Torres Strait Islander people as a percentage of the total detainee population.
- As at 18 November 2020, Aboriginal and Torres Strait Islander male detainees accounted for:
    - 23 percent of the total AMC detainee population – 101 detainees out of a total 439.
    - 20.7 percent of the total AMC male population – 85 detainees out of a total 410.
- As at 18 November 2020, Aboriginal and Torres Strait Islander female detainees accounted for:
    - 3.6 percent of the total AMC detainee population – 16 detainees out of a total of 439.
    - 55.2 percent of the total AMC female population – 16 detainees out of 29.
- The average number of Aboriginal and Torres Strait Islander detainees by financial year was:

- 2019/20 financial year was 107;
- 2018/19 financial year was 110;
- 2017/18 financial year was 103;
- 2016/17 financial year was 92;
- 2015/16 financial year was 92; and
- 2014/15 financial year was 68.

- On 12 January 2019, Aboriginal and Torres Strait Islander detainee numbers in the ACT reached a high of 126.
- From 1 July 2019 to date the highest number of:
  - **male** Aboriginal and Torres Strait Islander detainees recorded at the AMC was 102 on 2 September 2019 .
  - **female** Aboriginal and Torres Strait Islander detainees recorded at the AMC was 20 on 20 June 2020.

Recidivism

- The ACT Government is committed to reduce recidivism by 25 per cent by 2025.
- The Justice and Community Safety Directorate (JACS) Aboriginal and Torres Strait Islander Justice Partnership Agreement commit to reducing over-representation by reducing recidivism and increasing access to diversionary programs, improving services and focusing on data collection and reporting.
- The ACT Aboriginal and Torres Strait Islander Agreement 2019-2028 Justice Action Plan was implemented in 2019. The Agreement has four core focus areas including children and young people, cultural integrity, inclusive community and community leadership accompanied by six significant focus areas with justice being amongst housing, health and wellbeing, employment and economic independence, education and connecting the community.
- Aboriginal and Torres Strait Islander detainees are able to access programs, services and education available to the general AMC population, as well as programs and services specifically targeted

towards Aboriginal and Torres Strait Islander people through the Indigenous Services Unit.

- In 2018-19, the recidivism rates for Aboriginal and Torres Strait Islander ex-detainees returning to corrective services was:
    - 80 percent for **male** ex-detainees; and
    - 92 percent for **female** ex-detainees.
- Given the comparatively small numbers of offenders in the ACT, relatively small fluctuations in the number returning to corrective services can significantly affect the rate from year to year. Further, given the size of this population, any variations to the risk profile of offenders released in a given year may significantly affect the rate of recidivism for that cohort.

Extended Throughcare

- The ACT Government provided recurrent funding of $5.347 million in the 2017-18 Budget for the Extended Throughcare Program.
- This funding includes an additional full-time employee in the designated position of Indigenous Throughcare Transition Officer, to focus on supporting Aboriginal and Torres Strait Islander ex-detainees reintegrating into the community.
- ACTCS also works with Yeddung Mura, who deliver an Aboriginal and Torres Strait Islander Throughcare Support Program that provides culturally appropriate support that enables people to succeed on their journey from custody to community.

Accommodation pressures

- The AMC has experienced accommodation pressures for several years as a result of an upward trend in detainee numbers, and the relative size of the mainstream and protection cohorts.
- Detainee numbers have fluctuated over the past three months, with the average population at the AMC as follows:
    - 444 in August 2020;
    - 446 in September 2020; and

- 438 in October 2020.

- As at Wednesday 29 July 2020, the AMC operational bed capacity increased from 511 to 516, due to 5 additional beds being commissioned in the Transitional Release Centre (TRC). This increased the bed capacity in the TRC to 20.
- In 2017, women detainees were relocated to the Special Care Centre (SCC) due to the rapid increase in the number of women detainees at the AMC. This relocation was not ideal but, in the circumstances, was found to be the most timely and suitable accommodation option.
- The most suitable and cost-effective option for women detainees is to remain in the SCC and establish the AMC 'Womens Precinct'. The Womens Precinct would compromise the SCC, Remand Cottage 2, BBQ area and a new programs and education building, and be surrounded by a high security perimeter fence to remove line of sight of male detainees.
- The number of beds for women detainees would increase from 57 to 77, with the addition of 20 cottage beds. The addition of these 20 cottage beds will decrease the available beds for male detainees, therefore it is imperative that the Reintegration Centre is completed prior to this occurring.

Key Information

Feasibility Study

- A feasibility study for the future expansion of the AMC was funded by Government in the 2017/18 mid-year budget. The objective of the feasibility study was to identify, prioritise and inform future correctional requirements in a staged and cost effective manner.
- The feasibility study involved an infrastructure based assessment to address male and female accommodation issues at the AMC.
- An Executive Summary of the Feasibility Study was publically released on the JACS website in March 2019.
- 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* (BCNP). BCNP is a strategy aimed at reducing reoffending and improving community safety.

Womens Reference Group

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Contact Officer name:	Jon Peach	Ext: 70879
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- On 18 December 2019, the Minister held a roundtable forum at the AMC with a number of stakeholders to discuss womens concerns regarding the female detainee population.
- Immediate outcomes of the forum included:
    - Seeking training for AMC management and staff to raise awareness around Trauma Informed practice;
    - Establishing a Women's reference group to consider how we can enhance service provision in the AMC and, importantly, post release;
    - Undertaking further immediate landscaping of the grassed area to the rear of the SCC and considering of extension of dedicated outdoors areas for women to access;
    - Considering alternative movement routes between SCC and amenities such as admission and visits;
    - Confirming that all female detainees do have a Sentence Management Officer and are aware of them; and
    - Engaging with relevant stakeholders inviting them to be part of the development of the *Women Offenders Framework*.
- The Womens Reference Group Terms of Reference were endorsed by the Group on 4 August 2020. The Group is intended to:
    - Identify key service gaps in relation to meeting the needs of women offenders;
    - Discuss practical and quick soluations to these service gaps;
    - Consider options to actively engage women detainees in meaningful constructive activity within the AMC; and
    - Identify opportunities to assist in supporting rehabilitation efforts for women offenders in the AMC and upon return to community.

<u>Extended Throughcare</u>

- The University of New South Wales evaluation of the Throughcare program found positive outcomes for Aboriginal and Torres Strait Islander women engaged in the program but highlighted an area for improvement in engaging Aboriginal and Torres Strait Islander men.
- On 1 April 2018, the Extended Throughcare Program made amendments to the program eligibility criteria. The changes allowed ACTCS to lower the eligibility point for Aboriginal and Torres Strait Islander clients and extending the program to male and female remand and sentenced detainees. The Extended Throughcare Program can now be accessed by:
    - All women who have served greater than 30 days;

- Men who identify as Aboriginal and Torres Strait Islander and have served greater than 91 days (three months) in custody; and
- Men who do not identify as Aboriginal and Torres Strait Islander and have served greater than 182 days (six months) in custody.

Background Information

Detainee numbers

- Since 2012 the ACT has experienced an upward trend in detainee numbers, with the exception of 2019/20 which was an anomaly in detainee population figures. However, the overall trend in the ACT has been mirrored at a national level. Since 30 June 2017, the adult prisoner population has increased across all States and Territories except for South Australia, which recorded a small decrease.

Accommodation pressures

- 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;
    - 2017/18 financial year was 474, with a high of 507 on 20 June 2018;
    - 2018/19 financial year was 484, with a high of 501 on 11 July 2018; and
    - 2019/20 financial year was 444, with a high of 466 on 1 June 2020.

ACTCS Aboriginal and Torres Strait Islander staff

- The JACS Reconciliation Action Plan expired in 2019 and a new Action Plan is currently under development.
- The Government is committed to building and maintaining a strong Aboriginal and Torres Strait Islander workforce in ACTCS. This improves the ability for ACTCS to provide informed culturally appropriate and sensitive responses to specific Aboriginal and Torres Strait Islander issues.
- As at 5 November 2020, ACTCS had 23 employees that identified as being from Aboriginal or Torres Strait Islander background. This represents 4.87 percent of the total ACTCS workforce.
- ACTCS employs Aboriginal and Torres Strait Islander staff in identified and non-identified positions which enhances its ability to provide culturally appropriate responses to Indigenous matters.

QUESTION TIME BRIEF

MIN:2020/000088-032

Portfolio: Corrections

ISSUE: ACT CORRECTIVE SERVICES POLICIES

Talking points:

- ACT Corrective Services (ACTCS) has undertaken significant policy reform since 2018 across all areas of operations.
- Between 2018-20, a Policy Project was undertaken to review and update all ACTCS custodial operations and corporate policies and operating procedures.
- Since this Project commenced, 70 policies have been replaced by updated policies that align with legislative requirements and current practice, and that set the foundations for best practice. Preparations for the implementation of a further 8 policies is currently underway.
- 33 operating procedures have also been replaced, with more in development, including a Security Framework to ensure humane but robust security is maintained in correctional facilities.
- Key policies developed as part of this Project include:
    - *Aboriginal and Torres Strait Islander Policy Statement* - commits the ACTCS workforce to deliver on responding to the over-representation of Aboriginal and Torres Strait Islander peoples in the ACT criminal justice system.
    - *Detainee Delegates Policy* – formalising the process of delegates meetings at the Alexander Maconochie Centre as a forum for positive dialogue between detainees and senior custodial management.
    - *Remand Detainees Policy* – ensuring that detainees on remand are subject to fewer restrictions than sentenced detainees as far as practicable.
    - *Placement and Shared Cell* – enhancing the risk assessment and records keeping processes for decisions on accommodation placements and to ensure safety, security and good order at the AMC.

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- *Staff Peer Support Policy* – Supporting the commitment of ACTCS to prioritising staff health and wellbeing.

- In 2019, ACTCS Community Corrections commenced a project to update and renew all policy documents relating to the supervision of offenders, sentence management and programs and reintegration. This project is ongoing and due for completion by mid-2021.
- As part of undertaking policy reform, ACTCS has engaged in consultation with the Human Rights Commission and the ACT Omnbudsman. ACTCS has committed to consulting with the Human Rights Commission for future policy development in line with recommendation 28 of the Inspector of Correctional Services *Healthy Prison Review of the AMC.*
- ACTCS has also developed an *Open Access Policy 2020* to ensure that policies and procedures are widely accessible on the ACT Government Open Access Register.

Key Information

- Policies due to be released in coming months include:
  - *Incentives and Earned Privileges Policy* (see QTB **ACTCS – ACTCS Reform**)
  - *Discipline Policy* – a new, thorough, process for disciplinary proceedings in correctional centres, including hearings to determine a fair outcome.
  - *Visits* – enhanced processes to ensure safety, security and good order during visits at the AMC.
  - *Searching* – ensuring best practice searching procedures for staff, detainees and visitors to correctional centres.
  - *Drug and Alcohol Testing* – introducing a voluntary program of self-testing to support detainees wishing to address their illicit substance use.
  - *Transitional Release Program* – enhanced processes to encourage eligible detainees to access and participate in transitional release to support a successful reintegration into the community.
- The ACTCS *Policy Framework Policy* establishes a process for the regular review and updating of policies and operating procedures to ensure currency and legislative compliance.

Background Information

- Historically, ACTCS did not have a process to ensure the regular review and monitoring of policy documents. This has been addressed as part of the comprehensive review undertaken since 2018.

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QUESTION TIME BRIEF

MIN:2020/000088-056

Portfolio/s: Corrections

IMPLEMENTION OF HEALTHY PRISONS REPORT RECOMMENDATIONS

Talking points:

- On 26 November 2019, the ACT Inspector of Correctional Services tabled the first Healthy Prison Review (the Review) of the Alexander Maconochie Centre (AMC) in the ACT Legislative Assembly.
- The Review made 51 findings and 73 recommendations, which cover a broad range of often complex issues.
- The ACT Government has carefully considered all of these findings and recommendations made in the Review and tabled its Response in the Legislative Assembly on 21 May 2020 outlining that it:
    - Agreed to 61 recommendations;
    - Agreed in principle to seven recommendations;
    - Noted three recommendations; and
    - Not agreed with two recommendations.
- Many findings and recommendations made in the Healthy Prison Review had already been identified by ACT Corrective Services (ACTCS) and a range of actions were already in progress to address the issues raised.
- As of 25 November 2020:
    - 38% of recommendations have been completed, including:
        - a review of the Peer Mentor Program to ensure Aboriginal and Torres Strait Islander detainees are supported appropriately;
        - a review and increase of the detainee self-catering allowance; and
        - notification of the ACTCS *Placement and Shared Cell Policy 2020*.
    - 23 recommendations are scheduled to be completed within the next three months, including:
        - completion of the Women Offender Framework; and
        - the Custodial Policy Review Project.
- Although there has been an operational impact on actioning the recommendations due to COVID, ACTCS remains committed to implementing this important work.

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Contact Officer name:	Jon Peach	Ext: 70879
Lead Directorate:	Justice and Community Safety	
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QUESTION TIME BRIEF

Key Information

- 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 Healthy Prison Review was to conduct a whole-of-centre review of the AMC and examine whether the AMC meets the 'healthy prison test'.
- The ACT Inspector of Correctional Services and his team attended the AMC from 1 – 5 July 2019 to conduct the onsite component of the review.
- Recommendation 3, that ACTCS provide male and female peer support workers in the admissions centre to support detainees on their arrival to AMC, was not agreed to as:
    - ACTCS is of the opinion that having peer support workers in the admissions area meet with new detainees would significantly increase the amount of time new detainees spend in the admissions area.
    - There are peer support worker positions for both genders in the induction process, where more time is available for such interaction without the risk of lengthening the admission processes.
- Recommendation 39, that the ACT government fund the creation of a new administration officer position in the Indigenous Services Unit at a level comparable to other such positions in ACTCS, was not agreed to as:
    - There is sufficient administrative capacity at the AMC for the Indigenous Services Unit to access appropriate admin support.
    - Progress on the implementation of agreed recommendations is monitored closely by ACTCS (via monthly internal reports) and by the Inspector of Correctional Services (via quarterly progress reports).

Background Information

- The 'Healthy Prison Test' was devised by the World Health Organisation and is based on four pillars:
    - Safety;
    - Respect and dignity;
    - Purposeful activity; and
    - Rehabilitation and preparation for release.

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QUESTION TIME BRIEF

MIN:2020/000088-057

Portfolio/s: Corrections

COURT TRANSPORT UNIT REPORT PROGRESS

Talking points:

- Section 18(1)(b) of the *Inspector of Correctional Services Act 2017* (the Act) requires that the Inspector of Correctional Services (the Inspector) 'examine and review correctional services at least once every two years'.
- The current review of a correctional service pertains to the ACT Corrective Services (ACTCS) Court Transport Unit (CTU).
- The Inspector first requested data for this review on 13 January 2020, and various additional requests for information were made up until mid-June 2020.
- On 30 June 2020, the Inspector provided the draft report of the CTU Review to the former Minister for Corrections and Justice Health, the Director-General of the Justice and Community Safety (JACS) Directorate, and the ACTCS Commissioner for fact-checking.
- On 10 August 2020, the JACS Director-General provided a response to the draft report outlining several issues.
- It is anticipated that the final CTU Review Report will be tabled in the ACT Legislative Assembly during the week of 30 November 2020.

Key Information

- The draft report makes 11 findings and 27 recommendations centred around the following topics:
    - CTU related policies and procedures;
    - operations;
    - security and safety;
    - staff and training;
    - arrangements concerning young detainees;
    - access to detainees by professionals;
    - relationship between CTU and ACT Courts; and
    - relationship between CTU and the Sentence Administration Board.

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- Fact-checking of the draft report identified a range of issues, mostly related to the lack of evidence presented for findings and claims made in the report. In many instances, anecdotal evidence is presented as fact and forms the basis for recommendations.
- There is a considerable risk in publishing reviews that rely on anecdote and opinions from a small number of staff and other stakeholders to inform recommendations rather than being evidence-based.

Background Information

- Pursuant to section 27 of the Act, the Inspector must give a report on each examination and review conducted by the Inspector to the ACT Legislative Assembly within six (6) months of completing the examination and review.
- Section 29(1) of the Act requires the Inspector to provide the Minister for Corrections and the JACS Director-General with a draft copy of the report at least six (6) weeks prior to submitting it to the ACT Legislative Assembly.
- Section 29(2) of the Act allows the Minister for Corrections and the JACS Director-General to provide comments in relation to the draft report within the six (6) week period.
- The previous review of a correctional service, *The Care and Management of Remandees at the Alexander Maconochie Centre 2018*, was tabled in the ACT Legislative Assembly in February 2019.

QUESTION TIME BRIEF

MIN:2020/000088-041

Portfolio: Corrections

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.
- The Arrangement addressed Recommendation 4 of the Moss Review, and recommendations from the *Independent Review of Mental Health Services at the Alexander Maconochie Centre* (the McGrath Review).
- In April 2018, services related to health care supports for detainees at risk of suicide or self-harm transferred to Canberra Health Services from ACTCS.

Integration of Winnunga health services into AMC

- The ACT Government committed $8.3 million to integrate the Winnunga Nimmityjah Aboriginal Health and Community Services (Winnunga) holistic model of care to Aboriginal and Torres Strait Islander detainees at the AMC in line with Recommendation 5 of the Moss Review.
- On 18 January 2019, the first patient's health care was transferred from Justice Health Services to Winnunga.
-

Improved Health Services facilities

- A newly constructed modular building for health services is in place within the secure perimeter of the AMC, and is now occupied. This will allow refurbishment of the existing Hume Health Centre throughout the 2020/21 financial year.
- These improvements were funded as part of a $4.022m capital fund over two years (2017-18 and 2018-19) to provide a temporary

accommodation solution for Winnunga and renovation of the existing Hume Health Centre.

Key Information

- Since 2017, Justice Health Services and ACTCS have worked collaboratively with Winnunga 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 the delivery of coordinated health care services at the AMC.
- Staff from Winnunga have been present in the AMC since July 2018, developing protocols for the integrated service delivery. A Working Group was established to work through the clinical and operational arrangements for the successful integration of health services at the AMC.
- That work informed an MOU and three 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. The MOU and schedules were signed on 21 December 2018.
- $4.372m was 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 was allocated as follows:
    - 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 were 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.*

QUESTION TIME BRIEF

MIN:2020/000088-035

Portfolio/s: Corrections

ISSUE: OFFICIAL VISITOR REPORTS

Talking points:

- The Official Visitors for Corrections are appointed to visit adult correctional facilities in the ACT, and receive complaints from detainees under the *Official Visitor Act 2012*.
- The Official Visitors 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.
- Between 1 July 2019 and 30 June 2020, the Official Visitors for Corrections made a total of 136 visits to the AMC, court cells and other detainee locations.
- Between 1 January and 30 June 2020, the Official Visitors made a total of 62 visits to the AMC.
- The number of Official Visitor visits increased from 86 in the 2018-19 financial year to 136 during the 2019-20 financial year.
- The number of complaints significantly increased from 347 in 2018-19 to 703 in 2019-20. However, it is important to note that the Official Visitors changed the way that they report complaints at the commencement of 2020. Official Visitors now report on the number of complaints received, rather than the number of detainees who have made a complaint.
- In 2019-20, the most common complaints to the Official Visitors were in relation to health, maintenance, visits, education and employment, association concerns, and policy (specifically search processes, i.e. strip searches).
- ACT Corrective Services has an excellent working relationship with the Official Visitors and continues to work closely to explore and resolve these issues.
- 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.

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QUESTION TIME BRIEF

Key Information

- The Official Visitors (OVs) are obliged to provide a quarterly written report to the Minister as soon as practicable after the end of the quarter. The reports summarise:
    - the number and types of complaints received;
    - the action taken on the complaints received;
    - the number of times the OVs inspected a detainee's records without the detainee's consent (which can only occur in limited circumstances); and
    - the number and kind of matters that the Official Visitors referred on to an investigative entity.
- On 17 December 2017, Mr Shannon Pickles and Ms Denise Brasser were appointed as the Official Visitors for Corrections for a three-year term.
- On 7 January 2020, Ms Vicki Quinn and Ms Violet Sheridan were appointed as the Aboriginal and Torres Strait Islander Official Visitors for a three-year term.
- OVs can only inspect a detainee's records without the detainee's consent when:
    - The OV has taken reasonable steps to obtain consent;
    - The OV believes that the detainee is not able to provide consent;
    - Accessing the record is necessary and appropriate to fufill the OVs duties; and
    - The detainee has not shown that they do not consent to the record being accessed.

Background Information

- The *Official Visitors Act 2012* (the Act) 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 OV who is an Aboriginal and Torres Strait Islander to ensure such an OV is always appointed. Prior to the notification of the Act, the *Corrections Management Act 2007* managed the appointment and functions of the OV. 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 OV scheme was undertaken and some of the practical feedback around difficulties in relation to recruitment, induction and training were provided.
- In September 2020, updated *Official Visitor Guidelines 2020* were published under the *Official Visitor Act 2012.* These Guidelines standardise the visits and complaint handling processes for OVs.

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QUESTION TIME BRIEF

MIN:2020/000088-036

Portfolio/s: Corrections

ISSUE: INSPECTOR OF CORRECTIONAL SERVICES

Talking points:

- Establishing an Inspector of Correctional Services was a commitment of the Government in response to Recommendation 8 of the Moss Review. It recognised that effective independent oversight is vitally important to maintain public confidence in our correctional system.
- The Inspector of Correctional Services (the Inspector) has provided seven (7) Critical Incident Reviews, one (1) thematic review of the conditions of remand detainees, and one (1) healthy prison review to the Speaker of the ACT Legislative Assembly.
- 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.

Remand Review

- The Care and Management of remandees at the Alexander Maconochie Centre (AMC) ('Remand Review') was the Inspector's first thematic review and was tabled in the ACT Legislative Assembly on 20 February 2019.
- The Review made 39 findings.
- The Government Response to the Remand Review was tabled in the ACT Legislative Assembly on 6 June 2019.

Healthy Prison Review

- The Healthy Prison Review was tabled in the Legislative Assembly on 26 November 2019.
- The Government Response to the Healthy Prison Review was tabled in the ACT Legislative Assembly on 21 May 2020.
- ACT Corrective Services (ACTCS) is currently implementing the recommendations as outlined in the Government Response. Please refer to **QTB – ACTCS – Implementation of Healthy Prisons Report Recommendations** for further information on the Healthy Prison Review recommendations.

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- Healthy Prison inspections and reviews are based on the concept of a healthy prison which was first set out by the World Health Organisation, and are accepted internationally as the benchmark for custodial environments. They rely on four pillars:
    - Safety – prisoners, even the most vulnerable, are held safely;
    - Respect – prisoners are treated with respect for their human dignity;
    - Purposeful activity – prisoners are able and expected, to engage in activity that is likely to benefit them; and
    - Rehabilitation – prisoners are prepared for release into the community, and helped to reduce the likelihood of re-offending.

Court Transport Unit Review

- In January 2020, the ACT Inspector of Correctional Services commenced the process for his next review of a correctional service, which is a review of the Court Transport Unit. Please refer to **QTB – ACTCS – Court Transport Unit Report Progress.**

Critical Incidents

- The *Inspector of Correctional Services Act 2017* (the Act) provides that the Inspector 'may review a critical incident on the inspector's own initiative'. All reviews to date were conducted at the Inspector's own initiative.
- A critical incident is defined in the Act, and includes 'an assault or use of force that results in a person being admitted to hospital'. To date, the majority of critical incident reviews undertaken concern incidents of assaults at theAMC that resulted in the hospitalisation of a detainee. One exception relates to a disturbance at the AMC on 10 November 2020, which the Inspector is currently reviewing.

QUESTION TIME BRIEF

Critical incident date	Details	Media interest
23 May 2018	The critical incident involved an Indigenous detainee who was assaulted by a non-Indigenous detainee at the AMC. The Report contains ten (10) findings and one (1) recommendation for the ACT Government to consider. The final version of the Report was tabled in the ACT Legislative Assembly on 27 November 2018, and the ACT Government response to the report was tabled in the ACT Legislative Assembly on 19 March 2019.	No
25 October 2018	The critical incident involved the assault of a detainee at the AMC, resulting in hospital admission. The Report contains seven (7) findings. The final version of the Report was tabled in the ACT Legislative Assembly on 12 February 2019, and the ACT Government response to the report was tabled in the ACT Legislative Assembly on 14 May 2019.	No
16 December 2018	The critical incident involved the assault of a detainee at the AMC, resulting in hospital admission. The Report contains six (6) findings and one (1) recommendation for the ACT Government to consider. The final version of the Report was tabled in the ACT Legislative Assembly on 5 June 2019. The ACT Government response to the report was tabled in the ACT Legislative Assembly on 24 October 2019.	No
1 January 2019	The critical incident involved the assault of a detainee at the AMC, resulting in hospital admission. The Report contains seven (7) findings and three (3) recommendations for the ACT Government to consider. The final version of the Report was tabled in the ACT Legislative Assembly on 30 July 2019, and the ACT Government response to the report was tabled in the ACT Legislative Assembly on 24 October 2019.	Yes This incident was the subject of media interest following the Attorney-General's response to the detainee and the tabling of the Inspector's Report. On 28 June 2019, the Chief Minister received a request for a remission of sentence for the assaulted detainee. The request was referred to the Attorney-General, who responded by letter on 31 July 2019, advising that the circumstance did not appear to provide a basis for remission

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		and that it was not appropriate to consider the matter as the detainee was appealing his sentence.
15 April 2019	The critical incident involved the assault of a male detainee by up to two (2) other detainees, resulting in hospital admission. The Report contains five (5) findings. The final version of the Report was tabled in the ACT Legislative Assembly on 30 July 2019, and the ACT Government response to the report was tabled in the ACT Legislative Assembly on 24 October 2019.	No
5 December 2019	The critical incident involved the assault of a male detainee in a cell by another detainee, resulting in hospital admission. The Report contains nine (9) findings and one (1) recommendation for the ACT Government to consider. The final version of the Report was tabled in the ACT Legislative Assembly on 21 May 2020, and the ACT Government response to the report was tabled in the ACT Legislative Assembly on 23 July 2020.	No
13 January 2020	The critical incident involved the assault of a male detainee by up to two (2) other detainees, resulting in hospital admission. The Report contains ten (10) findings and two (2) recommendations for the ACT Government to consider. The final version of the Report was tabled in the ACT Legislative Assembly on 21 May 2020, and the ACT Government response to the report was tabled in the ACT Legislative Assembly on 23 July 2020.	Yes This incident was subject to media interest due to next of kin coincidentally being at the hospital and spotting the victim prior to formal hospital admission and therefore prior to next of kin notification.
4 October 2020	A detainee was allegedly assaulted by another detainee, resulting in hospital admission. The Inspector of Correctional Services is in the process of reviewing this critical incident.	Yes This incident was subject to media interest and reported on in the Canberra Times on 16 October 2020, naming the victim (Mr Fanti).
10 November 2020	There was a disturbance at the AMC with all 27 detainees located in AU North refusing to lock in. Multiple fires were lit and external support was provided by ACT F&R and AFP. Detainees surrendered after approximately 5 hours, and no injuries occurred to detainees or staff. The Inspector of Correctional Services is currently reviewing this critical incident.	Yes This incident was subject to significant media interest.

QUESTION TIME BRIEF

Background Information

- Following the Moss Review and in recognition of the unique make-up of the ACT's correctional system and increasing population pressures, the ACT Government committed to establishing an external and independent Inspectorate of Correctional Services, intended to strengthen and improve existing oversight arrangements.
- In May 2018, the ACT Government announced the appointment of Mr Neil McAllister to the role of Inspector of Correctional Services for the ACT.
- The office of the Inspector of Correctional Services is now fully operational and is committed to ensuring continuous improvement through its systemic and regular reviews of correctional services.

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QUESTION TIME BRIEF

MIN:2020/000088-043

Portfolio/s: Corrections

ISSUE: JUSTICE HOUSING PROGRAM

Talking points:

- As part of the *Building Communities Not Prisons* program, several initiatives, including the Justice Housing Program (JHP) were funded by the Government through the 2018-19 Budget review and the 2019-20 Budget process.
- This initiative has established a Supported Transitional Justice Housing Program across the ACT to support efforts to reduce reoffending and overcrowding at the Alexander Maconochie Centre (AMC).
- The JHP is a collaboration between the Justice and Community Safety Directorate, Community Services Directorate, the social and community housing sector and support agencies, aiming to meet the diverse needs of people in the criminal justice system who are on bail or exiting custody.
- The JHP provides an accommodation option for those who otherwise would be incarcerated in the AMC due to a lack of suitable community based accommodation. This includes supported accommodation that could act as a stepping stone to longer term or permanent accommodation in public housing, community housing or the private rental market. An example is those who are remanded in custody instead of receiving bail in the community because they do not have a suitable address.
- The JHP service provider works with residents to source and transition into other long term accommodation. It is important to note that this support relates to a resident's accommodation and does not detract from other services with which an individual may be engaged, such as outreach or counselling services.
- The housing stock for the JHP is sourced from Housing ACT under arrangements ensuring public housing stock availability is not impacted by this initiative.
- Seven houses are currently operational. An additional property will be ready for occupancy by mid December 2020.

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- Two properties are yet to be identified by Housing ACT.
- ACT Corrective Services (ACTCS) is taking the lead on service design and implementation, while property management and resident support will be undertaken by community sector organisation(s), contracted by ACTCS.
- ACTCS continues to collaborate with the service providers, community stakeholders, and residents of the program to refine the service model.

COVID-19 Response

- The eight houses funded for the expanded JHP are being established under one year contracts to provide bail and post-release accommodation for men, women and intersex/transgender people in order to effect a population reduction in the AMC.
- CatholicCare were successful in the separate procurement processes for occupant management and occupant support services of the JHP.
- Work will continue during this period to determine the 'beyond-COVID' operating model for the JHP.

Key Information

- The COVID 19 response within the JHP will:
  - Provide accommodation in eight additional houses sourced from Housing ACT, run by CatholicCare. These houses will be contracted for one year with a maximum of nine places (three houses) for women to expand accommodation options available for women leaving custody, to supplement the scarce provision in the housing and homelessness sector.
  - Provide reserved places for Aboriginal and Torres Strait Islander people proportional to, or exceeding, the proportion of Aboriginal people in custody at the AMC. This will be supported by an indigenous CatholicCare support worker, and referrals where requested to a community controlled organisation to support culturally appropriate 'wraparound' services to best meet the needs of the cohort.
  - Provide a bail accommodation transition support service of six beds which caters for those who would usually be granted bail by the courts but only on the condition that they have appropriate housing. The bail hostel was funded as part of the mid year cycle in 18/19, and was contingent upon the use of a specific Weston Creek property. This property did not meet building code and required significant expenditure to satisfy the requirements. As such, ACTCS is working

with CatholicCare to achieve the stated aims of the bail hostel initiative from within the housing provision for the JHP.

Drug and Alcohol Sentencing list

- While initially committed by the Justice and Community Safety Directorate Executives, the Drug and Alcohol Sentencing List is currently unable to access any accommodation in the JHP. Due to lack of referrals and the COVID-19 response, the two houses were re-purposed to provide bail accommodation for men.

Background Information

- In the 2019-20 budget, the initiative "Alternatives to jail through the Justice Housing Program (JHP)" received capital funding of $7.2m, $5m of recurrent funding to cover payments to a third party for managing the accommodation program, program brokerage and evaluation for 3 years and other operational costs totalling $6.441m from 2019-20 over a period of 4 years. The premise of this funding is 10 properties provided by Housing ACT.
- Funding of $6.493m over 3 years from 2018-19 was provided for the Bail Accommodation Transition Support Service (BATSS) with commitment of a building by Housing ACT to accommodate eight men, with onsite 24/7 staffing. While the use of the building did not progress, the service is operational from two houses with limited support from CatholicCare support workers in business hours.
- The BATSS and Drug and Alcohol Sentencing List accommodation were to be managed under the JHP umbrella. Drug and Alcohol Sentencing List accommodation was never funded, however people subject to a Drug and Alcohol Treatment Order will be considered for suitability in the post-release accommodation.
- The JHP project transitioned to ACTCS for design and implementation from October 2019.

QUESTION TIME BRIEF

MIN:2020/000088-044

Portfolio/s: Corrections

ISSUE: REPORT ON GOVERNMENT SERVICES (ROGS) RELEASE

Talking points:

The ROGS data for 2019-20 is currently under embargo and will be published in January 2021.

Costs

- The ACT's detainee cost per day continues to be higher than the national average. This is mostly attributable to the ACT's comparatively small prison population. The real net operating expenditure per detainee per day has decreased to $300.61 in 2018-19 from $342.04 the previous year.

Education

- In 2018-19 the ACT had a decrease in participation of detainees in education and training from 77.3 per cent in 2017-18 to 70.8 per cent. The ACT ranks first, followed by South Australia (SA) with 68.6 per cent and is placed well above the national average of 35.1 per cent.
- The ACT has been the highest-ranking jurisdiction in terms of education and training participation since the opening of the AMC, except for 2017-18 when SA surpassed the ACT in its performance against this indicator.
- The decrease in participation has occurred for a number of reasons: staffing profile changes for the education provider (new construction training courses, less students in general education), operational lock-ins, the management of cohort seperations between accommodation units necessary to ensure the safety and security of detainees, and also increased number of detainees engaged in the work.

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QUESTION TIME BRIEF

Employment

- The ACT detainee employment rate increased in 2018-19, with 80.7 per cent of the eligible detainee population participating in employment. This increase from 2017-18 (75.6 per cent) is predominately due to the increase of purposeful jobs for detainees as a result of the expansion of industries. The ACT performed better than all states except Western Australia (WA) and New South Wales (NSW) in this area and is just above the national average of 80.3 per cent.
- ACT Corrective Services continues to explore options on the feasibility of expanding industries within the AMC.

Recidivism

- In 2018-19, the ACT had 42.4 per cent of detainees (released from prison in 2016-17) returning to prison within 2 years of their release, a decrease of 1.8 per cent from 44.2 per cent in 2017-18. The national average in 2017-18 was 46.4 per cent.
- The return of ex-detainees to corrective services increased in 2018-19 to 71.3 per cent, from 69.9 per cent in 2017-18. The ACT return rate of ex-detainees to corrective services ranked the highest of all jurisdictions, and above the national average of 54.9 per cent.
- In 2018-19, 16.9 per cent of offenders (released from community corrections in 2016-17) returned to community corrections within 2 years from their releases, an increase from 14.9 per cent in 2017-18. The national average was 15.0 per cent.
- The return of ex-offenders to corrective services was 19.1 per cent in 2018-19 up from 16.8 per cent in 2017-18. The ACT performed the third best after Victoria (VIC) and WA, and was less than the national average of 23.9 per cent.

Time out of cells

- Detainees are spending more time out of their cells at the AMC, averaging 9.4 hours per day. This follows the introduction of a 9.5-hour daily regime for the centre.

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- The ACT Government will continue to build on this to ensure detainees can spend their time purposefully accessing work, programs, education, visits and recreation that support them to successfully reintegrate to our community.

Key Information

- The ACT's detainee cost per day continues to be higher than the national average of $231.39. The ACT is ranked as the third highest in real net operating expenditure per detainee, following VIC and Tasmania (TAS).
- The net operating expenditure per offender per day increased from $37.44 in 2017-18 to $40.96 in 2018-19. ACT ranked the second highest in real net operating expenditure per offender following Northern Territory (NT) and was significantly higher than the national figure of $25.75.
- The ACT recorded zero escapes, deaths in custody, or serious assaults on correctional officers in 2018-19.
- There was an increase in average detainee numbers of 2.1 per cent to reach 484 in 2018-19 from 474 in 2017-18.
- The ACT was at 110.3 per cent design capacity utilisation at the AMC in 2018-19. This demonstrates an increasing capacity utilisation compared with 2017-18 when the facilities design capacity utilisation was 108.0 per cent. This is a direct result of an increase in the detainee population.
- The prisoner on prisoner assault rate decreased from 16.02 per 100 prisoners (76 assaults) in 2017-18 to 9.09 per 100 prisoners (44 assaults) in 2018-19.
- The prisoner on prisoner serious assault rate increased from 2.32 per 100 prisoners (11 serious assaults) in 2017-18 to 3.31 per 100 prisoners (16 serious assaults) in 2018-19.
- As at 18 November 2020, Aboriginal and Torres Strait Islander people accounted for 117 detainees out of a total of 439.
- The average daily number of offenders in community corrections remained a growing trend from 2015-16. The number was 1,129 in 2018-19 compared to 1,094 in 2017-18, an increase of 3.2 per cent.
- The percentage of community corrections orders that were completed has declined since 2009-10, although there was a marginal improvement between 2013-14 to 2014-15 and from 2017-18 to 2018-19.
- The decrease in operating costs at the AMC results from a restructure of ACTCS operations the previous year.

QUESTION TIME BRIEF

MIN:2020/000088-049

Portfolio/s: Corrections

ISSUE: COVID-19 at the AMC

Talking points:

- There are currently no confirmed cases of coronavirus within the Alexander Maconochie Centre (AMC). As at 19 November 2020, one hundred and twenty-nine (129) detainees have been tested since the commencement of the pandemic and returned a negative result.
- As at 19 November 2020, one (1) detainee is in isolation at the AMC.
- Detainees are placed on isolation if they:
    - Have identified on admission as having either travelled overseas, interstate, or to a hotspot area within the last fourteen (14) days;
    - Have been in contact with someone who has tested positive for COVID-19 within the last fourteen (14) days;
    - Have shared a cell with a detainee who has been tested for COVID-19; or
    - Are unwell and are exhibiting flu-like symptoms.
- ACT Corrective Services (ACTCS) enacted detailed pandemic arrangements for a staged response to the situation. As at 19 November 2020, both community and custodial operations are operating at Stage 1.
- This situation will continue to be monitored in line with advice from Health Protection within ACT Health.
- AMC Training and Programs rooms will resume full capacity, accommodating up to 25 people and increasing program participation.

<u>Social visits resumption</u>

- On Wednesday 9 September 2020, limited face-to-face social visits resumed at the AMC. Staff, visitors and detainees were informed about the resumption of visits on Wednesday 2 September 2020.
- New visitor restrictions have been implemented to ensure that ACTCS meets both public health advice and workplace health and safety guidelines.

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- Due to physical distancing requirements, social visit sessions are limited to five (5) in person visits per session. Only one (1) adult visitor and one (1) child visitor per detainee is permitted per visit. Social visits are also limited to immediate family and partners only.
- Visitors are required to print and complete the *ACTCS COVID-19 Screening Form* each time they visit the AMC. The screening tool will be used to identify whether it is safe for the visitor to enter the Centre and will be made available on the ACTCS website and in the reception area.
- The changes implemented by ACTCS to resume social visits are consistent with the practices in other jursidictions:
    - Social distancing principles are abided by and screening methods for COVID-19 are utilised in all jurisdictions
    - Similar restrictions on the number of visitors are in place in all jurisdictions
    - Western Australia, Queensland, South Australia and NSW have continued video visits
- Although these changes are in response to the COVID-19 pandemic, the new processes may have long lasting benefits of strengthening ACTCS' security provisions and reduce the opportunity for contraband to enter the AMC.

All persons wishing to enter the AMC are required to undergo a touchless thermometer check, in addition to answering a number of screening questions.**Activity packs for detainees**

- The Programs and Interventions team prepared a range of self-paced program booklets and activity packs for detainees during the pandemic. These packs provide detainees with ways to use their time meaningfully, including learning new strategies and for enjoyment. Self-paced booklets and card making kits are also being offered to detainees who are waiting for court appearances by telephone.
- As at 19 November 2020, 568 certificates of completion have been issued for self-paced programs. This includes 522 certificates issued to male detainees and 46 certificates to female detainees.
- On 2 November 2020, the fifth self-paced booklet, Self Esteem, was distributed to detainees.

QUESTION TIME BRIEF

Personal Protective Equipment

- The use of Personal Protective Equipment (PPE) at the AMC is in accordance with the Public Health Guidelines that are currently in place.
- PPE is not required for general work activities but is required for those working in close contact with people who have been placed on isolation and/or those who have been confirmed to have COVID-19. Correctional officers and other staff will be issued with appropriate PPE equipment where they are required to engage directly with detainees who have been placed on isolation.
- Masks will be issued to any detainees infected to prevent the spread of the disease where they are in contact with others.
- Appropriate signage is on display at 2 Constitution Avenue advising offenders who are unwell or experiencing flu-like symptoms to remain away and make telephone contact, as well as general hygiene advice.

Video visits

- Between 2 – 16 July 2020, ACTCS sent out a survery to families and friends who were visiting detainees by video. The survey was sent to approximately 300 visitors and 115 responses were received.
- The survey identified that the majority (93 percent) of respondents were satisfied with the video visits and would like to see them offered as a permanent visit option in addition to face-to-face visits.
- The survey also identified the following benefits for visitors:
    - Limiting exposure of the environment to children;
    - Allowing family and friends who are overseas and interstate to see a detainee more regularly;
    - Convenience; and
    - Safer for those with medical conditions.
- Visitors and family members of detainees will continue to receive updates via the ACTCS website. Detainees will also continue to receive weekly electronic notices to keep them updated on the situation both in the community and at the AMC.

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- Video visits have continued and detainees may have up to one (1) video visit and one (1) in person visit per week. Visits are up to one (1) hour in duration.
- Non-Contact Visits have ceased to occur – these have been replaced with the option for video visits.

Audio Visual Link

- Audio-Visual Links (AVL) to the Courts and Sentence Administration Board (SAB) have been in high demand at the AMC throughout the pandemic, however availability is limited.
- While the Courts and SAB have both maximised the use of AVL and telephone hearings, this is not sustainable once restrictions ease and the facilities are returned to their original purpose as Programs rooms.
- The Courts, SAB and other stakeholders are extremely keen to continue the use of AVL and thereby reduce unnecessary detainee movement.

Key Information

Visits

- AMC conducted 2351 visits between 9 September 2020 and 18 November 2020. 58% (1372) of these visits were conducted via video and 42% (979) were conducted in person.
- ACTCS' response to resuming social visits is consistent with other jurisidictions:
    - Western Australia and Queensland have implemented the following:
        - COVID-19 screening prior to visits entering prisons, including the requirement to complete a questionnaire
        - Social distancing, increased cleaning and hygiene stations
        - Restrictions on the number of visits per session and the number of visitors
        - Continuation of video visits.
    - The Northern Territory has introduced similar measures:
        - Restrictions on the number of visitors per detainee (however two children are permitted to visit, compared to one child in the ACT) and the number of visits per week (one) with visits limited to one hour
        - Social distancing and additional hygiene measures
        - However, detainees are required to wear a mask during visits.

- Social visits in South Australia are suspended for two weeks as of 17 November 2020 following a staff member testing positive for COVID-19 at the Yatala Labour Prison:
  - Zoom visits are continuing during this time
  - Professional visits have been reduced to 50% capacity with only one visitor per detainee and social distancing principles must be adhered to (including not sharing any pens, documents, etc.).
- New South Wales are resuming social visits from 23 November 2020 with the following conditions:
  - Social distancing must be abided by (with the exception of an elbow or fist bump at the commencement of the visit)
  - COVID screening and increased hygiene must be adhered to
  - There is a limit on the number of visitors for each detainee (one child and one adult or two adults)
  - Visits will be for 30 minutes and provided masks must be worn by visitors for the duration of the visit (with the exception of children under the age of 12)
  - Video visits will continue.
- Tasmania have implemented similar requirements for social visits:
  - COVID-19 screening prior to visits entering prisons, including the requirement to complete a questionnaire
  - A maximum of two visitors are permitted per detainee (including children)
  - Hugging or kissing is not permitted during visits
  - The Visitor Reception does not accept property items.

- All social visits to the AMC were suspended from close of business on Sunday 22 March 2020 to ensure the health and safety of all detainees and visitors.
- Since Wednesday 25 March 2020, detainees have been provided with an additional $20 phone credit to assist with contact to their family and friends, and with effect from Friday 27 March 2020, ACTCS commenced the use of video visits using the video communication program 'Zoom'.
- Visitors are asked to arrive at least 30 minutes prior to their visit time to complete the requirements of entry.
- Detainees are required to complete a 'Visitor Nomination' form before visits can be booked. This form was circulated to all detainees in late July 2020.
- Detainees can nominate up to ten (10) visitors they would like to receive visits from on their 'Visitor Nomination' form.

- Following these nominations, visitors are required to confirm their identity with ACTCS before they can attend a visit. These changes were communicated to visitors on Friday 14 August 2020.
- Visits must be booked 72 hours prior to the intended visit. Visitors must call AMC Executive Support and leave a message to arrange a visit.
- Visitors will receive a text message confirming the outcome of their booking enquiry. Visitors without a mobile phone will be contacted by telephone.
- Detainees do have the option to apply to the General Manager AMC in exceptional circumstances for other visits arrangements.
- Unfortunately, due to cleaning requirements, the following services and facilities are not available during visits:
    - toilet facilities
    - barista
    - the BBQ and outdoor play equipment.
- Professional visits are able to occur in person and via video at the choice of the professional agency and the availability of the video equipment.

Activities

- The activity packs offer a range of craft and brain teasers, including find a picture, find a word, sudoku and origami. Craft packs are also available, including making cards with scrapbooking paper and colouring/drawing ideas and lesson pages. Packs are available to all detainees.
- Hepatitis ACT have donated a selection of card making, colouring in sheets, drawing paper, hepatitis information booklets and packs of cards for distribution to detainees.
- The self paced booklets may be submitted to the Programs Unit for review and, if completed, a certificate will be awarded. This will assist detainees in custody for a short period who wish to demonstrate their engagement in a short intervention and encourage detainees to increase their own self development and independence in skill building. It is envisaged these programs may be used beyond the COVID-19 pandemic.

Pandemic arrangements for staff

- ACTCS staff were identified as 'Essential Workers' and were required to continue to provide key mandated services within the ACT and to maintain community safety. ACTCS increased flexible working arrangements where possible to maintain social distancing by reducing the volume of employees within the workplace.

- Stage 1 of ACTCS' pandemic arrangements consists of adopting social distancing principles, undertaking screening of offenders and adjusting operational activities on a case-by-case basis to reduce the likelihood of infection.
- Sanitation stations have been placed at the entrance to all buildings within the AMC and at 2 Constitution Avenue.

Background Information

- The Canberra Times and ABC reported on the suspension of visits on Saturday 21 March 2020. The articles are available at:
    - https://www.canberratimes.com.au/story/6690073/infection-risk-shuts-visitors-out-of-canberra-jail/?src=rss
    - https://www.abc.net.au/news/2020-03-21/canberra-records-new-cases-of-covid-19-prison-visits-stopped/12077734
- In order to limit any spread of infection, offender attendance in court is being minimised and may be rescheduled and the obligations of staff to attend reduced. ACTCS introduced a Telephone Court option for magistrates to supplement their existing Audio-Visual Links and the usual face-to-face court appearances.
- Due to maximum room occupancy levels, changes were made to the AMC Education timetable. The timetable was separated into four education sessions per day. This reduced the majority of education classes for participating detainees from 2.5 hours per week to 1 hour per week.
- ACTCS worked closely with other jurisdictions to assist with decision making during this time through the Corrective Services Administrators Council.
- A Coordination Centre within ACTCS was established and commenced Monday 23 March 2020 at 2 Constitution Avenue.
    - The purpose of the centre is to have a team who can coordinate, manage and support all COVID-19 related matters and provide updates to staff, detainees and stakeholders in a timely manner.
    - The Coordination Centre will be operating from 0830 to 1600 Monday to Friday, for pandemic related matters only.
- A Situation Report is developed and distributed each weekday confirming key issues from the previous 24 hours and issues presenting.

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- A fact sheet about COVID-19 was published and distributed to detainees on Tuesday 24 March 2020. The fact sheet covered the following information:
    - What is coronavirus and COVID-19?
    - What do you need to know?
    - What are the symptoms?
    - How can we help prevent the spread of coronavirus?
    - What about visitors?
    - Attendance at court.

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QUESTION TIME BRIEF

MIN:2020/000088-053

Portfolio/s: Corrections and Justice Health

ISSUE: ACTCS REFORM

Talking points:

- The ACT Corrective Services (ACTCS) Strategic Plan 2019-24 contains four pillars under the banner of 'One Team, One Purpose: Supporting a Safer Community':
    - Safety – Maintaining community safety is our priority
    - Reintegration – Supporting offenders to positively change their lives is our focus
    - Dignity – Treating people with humanity, dignity and respect is our mandate
    - Excellence – Developing organisational capacity and capability, and ensuring continuous improvement is our commitment.
- To achieve the strategic plan goals, a significant program of reform is underway to support the provision of a leading correctional service to the ACT community. This includes:
    - Development of an Integrated Offender Management model
    - AMC Reform project
    - Women Offenders Framework
    - Aboriginal and Torres Strait Islander Offenders Framework
    - Workforce reform
    - Community and volunteer engagement
    - ACTCS Disability Action and Inclusion Plan .

<u>Integrated Offender Management (IOM)</u>

- The IOM model aligns with the ACT Government's commitment to Reducing Recidivism and will embed early release planning and the ACTCS *Reintegration Framework* across custodial and community operations through a holistic end to end sentence management process for offenders.

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- The IOM model will ensure that interventions are delivered in a considered and timely manner at the appropriate point of an offender's sentence. IOM also seeks to provide opportunities for offenders to engage in constructive activity throughout their custodial sentence and that those in the community post release or under community supervision, are supported appropriately.
- Development and implementation of an IOM model is a substantial program of work and is intended to be in place and operational by the end of 2021.

AMC Reform

- Includes:
    - Cohort moves to ensure physical separation between mainstream and protection detainees and enhance safety, security and good order in correctional centres.
    - Regime changes to better manage detainee cohorts and increase constructive activity through enhanced core day programs.
    - Development and implementation of violence reduction and drug strategy reforms.
    - Introduction of an Incentives and Earned Privileges scheme to encourage and reward positive and pro-social behaviours and engagement by detainees in their sentence management plans.

Women Offenders Framework

- ACTCS is currently developing a Women Offenders Framework that aims to address the specific needs of women in custody and supervised in the community, in order to optimise their chances of successful rehabilitation and reintegration. The Framework is expected to be completed by the end of 2020.
- The development of the Framework involves consultation and active engagement with non-government organisations and key stakeholders through a Reference Group.
- On 23 January 2020, the first Reference Group meeting was held for the Womens Offenders Framework.

- The Reference Group has been consulted regularly throughout the past six months and consultations will continue to inform the final Framework.
- Women with 'lived experience' of the correctional system in custody and in the community are also being consulted via a non-government provider, Women's Centre for Health Matters, so that their important perspective is considered and can inform the Framework development.

Workforce reform

- Review of corrections officer roster to improve efficiencies and increase predictability of future shifts for officers and align with the *Correctional Officer Enterprise Agreement 2018-2021* for the timely provision of rosters. The new roster will also expand the training commitment for officers to ensure that appropriate training is delivered to all officers.
- Creation of staff wellbeing forum incorporating the Worksafe ACT *Healthier Work* initiative.
- Creation of an Operational Support division with capability to invest in staff development and a skilled workforce.
- Development of an *Attraction and Retention Strategy*, including defining career pathways within operational divisions and pathways for Aboriginal and Torres Strait Islander and Culturally and Linguistically Diverse employees.
- Development of a *Staff Engagement Strategy* to promote engagement and wellbeing, and collaboration with Deakin University.

Aboriginal and Torres Strait Islander Offender Framework

- ACTCS is committed to addressing the overrepresentation of Aboriginal and Torres Strait Islander peoples in custody and the community through culturally safe intervention and rehabilitation.
- ACTCS is due to commence an Aboriginal and Torres Strait Islander Offender Framework to guide service delivery in a culturally sensitive and appropriate way. This Framework will compliment the Women Offenders Framework and will be completed in 2021.

- The Framework will guide frontline staff on the effective management and rehabilitation of Aboriginal and Torres Strait Islander offenders, and support the development and implementation of Indigenous programs and services.
- The Framework will be informed by extensive internal and external stakeholder consultation, including community Elders, the Aboriginal and Torres Strait Islander Elected Body, and key service providers such as Winnunga Nimmityjah Aboriginal Health and Community Services.

Community and volunteer engagement

- ACTCS is developing a policy for ongoing formal community engagement that will provide opportunities for service enhancements, improve awareness of ACTCS operations and processes and encourage collaboration between ACTCS and community stakeholders.
- The ACTCS *Community Engagement Policy* is due for completion at the end of 2020.
- Preparations for a program of volunteer engagement have commenced to provide support with the reintegration of offenders into the community from custody.

Disability Action and Inclusion Plan (DAIP)

- ACTCS is working with the Australian Network on Disability to develop a DAIP to improve access and participation of people with a disability across all areas of operations.
- The DAIP will enable ACTCS to identify where people with a disability come into contact with the service, including staff members, offenders and members of the community. It will also set out reasonable adjustments that can be made to improve access.
- The ACTCS DAIP will be launched on International Day of Persons with a Disability on 03 December 2020.
- Following implementation of the DAIP, in 2021 ACTCS will commence development of a *Corrections Disability Framework* under the ACT *Disability Justice Strategy 2019-29.*

QUESTION TIME BRIEF

Key Information

- Due to multiple unsuccessful recruitments for an Identified Senior Policy Officer position within ACTCS to lead the development of the Aboriginal and Torres Strait Islander Offender Framework, ACTCS intends to engage a consultancy to lead the development of the Framework working closely with the ACTCS Policy Unit.
- Procurement processes are currently being finalised.

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QUESTION TIME BRIEF

MIN:2020/000088-054

Portfolio/s: Corrections

ISSUE: REINTEGRATION CENTRE

Talking points:

- As part of the *Building Communities Not Prisons* initiative, the ACT Government committed to improving rehabilitation options for detainees at the Alexander Maconochie Centre (AMC), including through a purpose built Reintegration Centre that will support detainees in transitioning back to the community.
- Funding of $35 million (over three years) was allocated in the 2019-20 Budget to construct the 80 bed minimum security Reintegration Centre located outside the secure perimeter of the AMC. The Reintegration Centre will incorporate the 20-bed Transitional Release Centre.
- The Reintegration Centre is intended to reduce the time a person may be detained in custody through increasing the capacity of detainees to gain parole and, once released, to successfully reintegrate into the community with increased skills and strategies to address the causes of their criminogenic behaviours.
- To achieve the desired positive outcomes, there will be a key focus on job readiness, access to transitional release and employment in the community, family and community supports as well as interventions related to alcohol and drug misuse.
- The Reintegration Centre is intended to provide enhanced rehabilitation programs including trauma and relationship counselling, alcohol, tobacco and other drug rehabilitation, and jobs skills training in partnership with non-government and government organisations.
- As detainees accommodated in the Reintegration Centre will not access AMC facilities, the facility will include an industries building to provide detainees with work opportunities and skills training to enhance employment prospects on release.
- The Reintegration Centre will address the risk of overcrowding at the AMC and decrease the number of male detainees currently accommodated within the secure perimeter of the AMC.

Key Information

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QUESTION TIME BRIEF

- In December 2019, the Minister for Corrections and Justice Health reported to the Legislative Assembly on the progress of the Reintegration Centre.
- The Reintegration Centre project involves design and planning approvals to provide accommodation buildings for new beds and associated support, administration and stores.
- The design, procurement and construction of the facility is being managed by Major Projects Canberra.
- Following the announcement of the expansion of the Reintegration Centre as part of the 2018-19 budget review and the 2019-20 budget, a geotechnical investigation was commissioned to assess the subsurface soil and groundwater conditions across the site.
- The investigation identified a number of areas of concern which had different classifications for rectification before building works can commence.
- The rectification works have been considered as part of the project timelines and work is due to commence in 2021.
- The budget bid to support the works being undertaken will be submitted as part of the 2020-21 budget process as this was not included in the original project budget.
- Key milestones achieved to date include:
    - In May 2019, Perumal Pedavoli Pty Ltd was appointed to provide Design Consultancy Services for the Reintegration Centre.
    - 30 per cent Preliminary Sketch Plan documents were submitted in June 2019.
    - 80 per cent Preliminary Sketch Plan documents were issued for review in mid-December 2019.
    - The Development Application (DA) was submitted in May 2020.
    - 100 per cent Preliminary Sketch Plan was completed in September 2020.
    -
- The DA was approved in November 2020.The design phase of the Reintegration Centre is nearing completion, and a public tender will follow to enable construction to commence.
- A project to commence development of the Operating Model for the Reintegration Centre has commenced, with a preliminary model developed to date. The focus for the next six months is the development of a detailed operating model which is being progressed in consultation with current and released detainees, staff and community stakeholders.

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QUESTION TIME BRIEF

Background Information

- Since the opening of the AMC in 2009, detainee numbers have consistently exceeded forecast numbers.
- In 2017, the ACT Government agreed that a feasibility study be undertaken to identify, prioritise and program the delivery of future correctional requirements in a staged and cost-effective manner.
- In January 2019, during the 2018-19 mid-year review process, the ACT Government allocated $997 000 to ACTCS to commence planning and design for the Reintegration Centre.

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QUESTION TIME BRIEF

MIN:2020/000088-058

Portfolio/s: Corrections

ALEXANDER MACONOCHIE CENTRE TRANSFERS

Talking points:

- On 24 November 2020, five (5) male detainees were transferred from the Alexander Maconochie Centre (AMC) to NSW correctional centres.
- These detainees were involved in the disturbance which occurred at the AMC on 10 November 2020, where 27 detainees housed in the AU-North accommodation unit refused to return to their cells for the night lock-in.
- The impact of the disturbance placed increased pressure on the management of complex cohorts of detainees by ACTCS due to the temporary loss of an accommodation unit as a result of damage from the fires lit by detainees during the disturbance.
- The decision to transfer these 5 detainees to NSW was made to ensure the ongoing safety, security and good order of the AMC in consideration of the reduced capacity due to the temporary loss of the accommodation unit.
- The transfer of these detainees will not affect their ACT court orders and sentences.

Key Information

- The AMC manages multiple complex cohorts across minimum to maximum level security classifications and this requires individual detainee group placements to be considered for each relocation, which has been made increasingly difficult in the current circumstances.
- ACTCS will continue to consider appropriate risk assessments when considering the placement of detainees and the options available to ACTCS.

Background Information

- Two detainees have been transferred to NSW since 2018 based on risk assessments to ensure their safety and wellbeing and that of other detainees. The first transfer was on 23 September 2018, and the second on 12 March 2020.
- One of the detainees transferred on 24 November 2020 identifies as Aboriginal.

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Contact Officer name:	Jon Peach	Ext: 70789
Lead Directorate:	Justice and Community Safety	
TRIM Ref:	MIN:2020/000088-058	

QUESTION TIME BRIEF

MIN:2020/00008888-059

Portfolio/s: Corrections

ACT CORRECTIVE SERVICES KEY DATA (as at 1 November 2020)

Court Transport Unit (CTU)

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
24	N/A	N/A	N/A	N/A	N/A

- Five (5) officers are currently completing recruitment training and will commence duties at the CTU from 19 December 2020.

Vehicles

- Total number of vehicles – six (6) vehicles.
    - One (1) vehicle is currently in the process of transferring the equipment to the replacement vehicle. When completed, the vehicle will be returned to SG Fleet.

Custodial officers

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
203	25.0	75.0	5.91	3.18	8.2

- As at 2 December 2020, there were 211 funded FTE corrections officers at the AMC, with 188 officers currently employed.
- Fifteen (15) officers are currently completing recruitment training and will commence duties at the Alexander Maconochie Centre (AMC) from 19 December 2020.
- There are 71 weekday posts at the AMC, with 82 officers rostered on each day. This includes an additional 11 officers to account for unexpected and other leave.

Vehicles

- Total number of vehicles – eight (8) vehicles.

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- One (1) vehicle is currently in the process of transferring the equipment to the replacement vehicle. When completed, the vehicle will be returned to SG Fleet.

Custodial operations – All staff (inclusive of administrative and corrections officers)

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
39 – includes 2 on temporary contracts	30.5	69.5	5.96	3.86	9.1

Community Corrections and Release Planning

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
91.94 – includes 2 on temporary contracts	67.7	32.3	6.25	4.17	7.3

Vehicles

- Total number of vehicles – five (5) vehicles
    - Three (3) vehicles are located at 2 Consitution Avenue
    - Community Corrections and Release Planning has an additional two (2) vehicles based at the Transitional Release Centre adjacent to the AMC.

Corporate Services

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
62.84 – includes 6 on temporary contracts	49.2	50.8	0	3.08	27.7

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QUESTION TIME BRIEF

Vehicles

- Total number of vehicles – four (4) vehicles
    - Two (2) vehicles are located at 2 Consitution Avenue
    - Corporate Services also has an additional two (2) vehicles based at the AMC utilised by the Maintenance and Stores teams.

Operational Support

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
11.2	82.14	17.86	N/A	N/A	N/A

Office of the Commissioner and Executive

Staffing

Total FTE	% Female	% Male	% Indigenous	% Disability	% Multicultural
18 – includes 5 on temporary contracts	77.78	22.22	0	10.53	10.5

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