



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE

Asked by Mrs Elizabeth Kikkert MLA: To ask the Minister for Corrections

In relation to: **Assaults in the AMC**

Ref: JACS Annual Report 2019-2020, Output 2.1, subheading “Other Challenges”, p462

1. How many inmate on inmate assaults were there in total between 2019-2020 and the past three financial years?
 - a. How many of these assaults involved use-of-force from an ACTCS worker?
 - b. How many of these assaults required at least stitching at the onsite health centre?
 - c. How many of these assaults required a trip to the hospital?
 - d. How many of these assaults required admission to the hospital/emergency room?
 - e. Why are we seeing such a consistently high rate of inmate on inmate assaults?
2. How many inmate on staff assaults were there in total between 2019-2020 and the past three financial years?
 - a. How many of these assaults required at least stitching at the onsite health centre?
 - b. How many of these assaults required a trip to the hospital?
 - c. How many of these assaults required admission to the hospital/emergency room?
 - d. Why are we seeing such a consistently high rate of inmate on staff assaults?
 - e. How many hours of leave were granted to staff who had sustained an injury due to an assault by an inmate in 2018-2019, 2019-20 and 2020-21 ytd?
3. How many of these assault incident reports were delivered to the Inspector as per section 142 of the CM Act?

Mick Gentleman MLA: I am advised that the answer to the Member’s question is as follows:–

1. The total number of detainee on detainee assaults over the requested time period is provided in the table below:

	2016-17	2017-18	2018-19	2019-20
Total detainee on detainee assaults	86	87	60	66

- a. ACT Corrective Services (ACTCS) does not routinely collate aggregate data of this nature, and as a result it is not possible to provide the information within the requested timeframe.



LEGISLATIVE ASSEMBLY

FOR THE AUSTRALIAN CAPITAL TERRITORY

JACS No. 106

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- b. ACTCS does not routinely collate data specific to detainee on detainee assaults which result in stitching at the onsite health centre. While instances where stitching is required are documented on the relevant detainee health record and within individual incident reports, review of individual records over several years would be required to extract the specific information sought. As such, it is not possible to provide the information within the requested timeframe.

However, the ACT Government does provide data as part of its submission to the Report of Government Services (RoGS) each year. While not individually referencing stitching as an outcome, the RoGS defines assaults over this period as “acts of physical violence resulting in physical injury but not requiring *overnight* hospitalisation of ongoing medical treatment”. The data as presented in the 2021 RoGS is provided below:

	2016-17	2017-18	2018-19	2019-20
Total detainee on detainee ‘assaults’ as defined in RoGS	70	76	44	58

- c. Please refer to the RoGS data and response to question 1b above.
- d. ACTCS does not currently collate data specific to detainee on detainee assaults that require hospital admission year on year.

However, data from the 2021 RoGS is provided below for serious assaults over this time period, defined in the RoGS as “acts of physical violence resulting in injuries that require treatment involving overnight hospitalisation in a medical facility or ongoing medical treatment, as well as all sexual assaults”.

	2016-17	2017-18	2018-19	2019-20
Total detainee on detainee ‘serious assaults’ as defined in RoGS	16	11	16	8

- e. Between 2019 to 2020 and 2020 to 2021 the ACT rate of detainee on detainee assaults has decreased when compared to the previous two years. However, it is important to note that data relating to the rate of detainee on detainee assaults in the ACT should be viewed with caution due to the ACT’s relatively small detainee population.



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2. The total number of detainee on staff assaults over the requested timeframe is provided in the table below:

	2016-17	2017-18	2018-19	2019-20
Total detainee on staff assaults	8	5	2	10

- a. Staff do not receive any treatment at the onsite health centre.
- b. To determine if assaults required a trip to the hospital would represent a considerable administrative undertaking and involve review of individual incident and health records. As such, it is not possible to provide this information within the requested timeframe.
- c. To determine if assaults required admission to the hospital or emergency department would represent a considerable administrative undertaking and involve review of individual incident and health records. As such, it is not possible to provide this information within the requested timeframe.
- d. While there has been an increase in the number of detainee on staff assaults over the last year, examination of the data shows that many of these assaults were perpetrated by one detainee who receives intensive support through both ACTCS and Justice Health Services. The increased rate of detainee on staff assaults is not indicative of an overall increase of violence towards staff across the AMC, nor does the data does demonstrate there is a consistently high rate of detainee on staff assaults in the ACT. Data presented in Part C, Section 8, Table 8A.18 of the 2021 RoGS demonstrates that the rates for the ACT vary significantly over time, which is driven in large part by a combination of low numbers of detainee on staff assaults (as defined by RoGS) and the relatively small detainee population in the ACT.
- e. ACTCS is not able to provide this information within the requested timeframe.
3. Section 142 of the CM Act requires the Director-General to keep a record and report any use of force incident that causes injury or death and not more generally detainee on detainee and detainee on staff assaults. There were no instances of assault reported to the Inspector of Correctional Services under s142 of the *Corrections Management Act 2007*.

Approved for circulation to the Standing Committee on Justice and Community Safety

Signature: 

Date: 23/3/2021

By the Minister for Corrections, Mick Gentleman MLA