



Standing Committee on Justice and Community Safety

Inquiry into the Administration of Bail in the ACT **ANSWER TO QUESTION TAKEN ON NOTICE**

Asked by Dr Marisa Paterson MLA on 18 June 2024: Mr Shane Rattenbury MLA took on notice the following question:

Reference: Hansard [uncorrected] proof transcript [18 June 2024] [PAGE 38–39]

In relation to:

DR PATERSON: I would just like to know, of the 1000 or however many people are on bail—2000 I think it said—I would like to understand how many are supervised and supervised by whom, how many are unsupervised, and then in those categories where are the breaches are occurring. Because to me, that will be your evidence base for going more—there is a clear issue with unsupervised people breaching bail or unsupervised young people breaching bail, and perhaps we need to supervise them, or perhaps it is all happening under supervision, and why is supervision not working?

Mr Rattenbury: We will take that request on notice.

DR PATERSON: Thank you.

[Mr Shane Rattenbury MLA]: The answer to the Member's question is as follows:

ACT Courts and Tribunal and ACT Policing were not able to provide data on the supervision conditions of those on bail or whether those with supervision are breaching bail at the same rate.

However, ACT Corrective Services (ACTCS) data below provides some insight into the level of compliance for those on bail under ACTCS supervision over the last six years.

ACT Corrective Services supervised bail orders completed by financial year					
FY	Total orders - Completed	Total orders - Successful Completion	Total orders – Unsuccessful completion	Orders - Successfully Completed, %	No of Distinct Offenders associated with Unsuccessful completion
2018-19	2834	1818	1016	64.1%	405
2019-20	3569	2347	1222	65.8%	492
2020-21	3239	2629	610	81.2%	342
2021-22	2935	2619	316	89.2%	206
2022-23	2905	2718	187	93.6%	137
2023-24 YTD*	2833	2647	186	93.4%	150

*included up to May 24 - the most updated information available

This data is based on the completion reason recorded in CORIS which is ACTCS' offender management system.

Notes on the data:

- Unsuccessful completions include circumstances such as those where a bail order is breached or cancelled due to a failure to comply with specific bail conditions or due to an offence being committed during the bail period.
- Caution should be used when interpreting the number of distinct individuals associated with unsuccessful completion for the following reasons:
 - Generally, bail orders have a quite comparatively short life compared to other Probation orders or Parole orders.
 - A continuance of a bail order (without breach, cancellation etc) is also counted as a successful completion.
 - An individual person may be subject to multiple bail orders.

The Community Services Directorate has provided data on the number of young people on supervised orders for the timeframe referred to in the ACT submission:

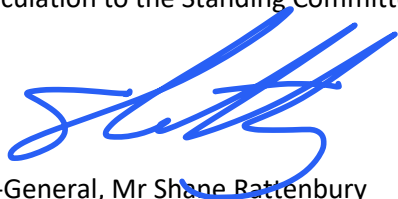
Date Range: 1 March 2023 to 29 February 2024	
Total supervised bail orders for the period:	106 (individuals may have more than one supervised bail order)
Individuals under supervised bail orders for the period:	60

Notes on the data:

- Persons under 18 years during the date range of 1 March 2023 to 29 February 2024
 - includes persons who turned 18 during the period as they were a young person (under 18) with supervised bail orders at a point in time during the period - 22 individuals with 34 supervised bail orders fall into this category.
- The "legal authority end date" and "legal authority start date" were used to determine orders relevant for the period.
- The Condition Type: 'Supervision' against an Order was used to determine if supervision is a condition of bail.

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

Signature:



Date:

9/7/24

By the Attorney-General, Mr Shane Battenbury