



Legislative Assembly for the ACT

STANDING COMMITTEE ON LEGAL AFFAIRS

**Annual and financial reports of the
Department of Justice and Community
Safety and related agencies**

FEBRUARY 2004

Report 9

Committee membership

Mr Bill Stefaniak MLA (Chair)

Mr John Hargreaves MLA (Deputy Chair)

Ms Kerrie Tucker MLA

Secretary: Ms Judith Henderson

Administration: Mrs Judy Moutia

Resolution of appointment

On 11 December 2001 the Legislative Assembly for the Australian Capital Territory resolved to establish a general purpose standing committee, called the Standing Committee on Legal Affairs:

to perform the duties of a scrutiny of bills and subordinate legislation committee and examine matters related to community and individual rights, consumer rights, courts, police and emergency services, corrections including a prison, governance and industrial relations, administrative law, civil liberties and human rights, censorship, company law, law and order, criminal law, consumer affairs and regulatory services.¹

¹ Legislative Assembly for the ACT, *Minutes of Proceedings No 2*, 11 December 2001.

Terms of reference

Inquire into and report on the annual and financial reports for the calendar year 2002 and the financial year 2002-2003, according to the schedule determined by the Assembly.

The schedule defined that the following annual and financial reports be examined by the Standing Committee on Legal Affairs:

- Department of Justice and Community Safety
- Legal Aid Commission
- Public Trustee
- ACT Ombudsman
- ACT Electoral Commission
- Director of Public Prosecutions
- Nominal Defendant
- Australian Federal Police (ACT Region)
- Victims of Crime Support Program²

² Minutes of Proceedings, No 74, 25 September 2003.

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Summary of recommendations

Recommendation 1

- 2.15. The committee recommends that the Department of Justice and Community Safety revise the performance measure relating to attendance at bushfires.

Recommendation 2

- 3.5. The committee recommends that the annual report of the Victims of Crime Support Program include information on the budgeted allocation for each of the programs and a reconciliation of expenditure.

Recommendation 3

- 4.9. The committee recommends that future reports include a breakdown of the number of employees in ACT Policing who have identified as being from indigenous or culturally and linguistically diverse background.

Recommendation 4

- 5.7. The committee recommends that the annual report of the Nominal Defendant include a greater level of detail relating to outstanding liabilities and the amount recovered.

Recommendation 5

- 8.7. The committee recommends that as a matter of urgency the Government develop a co-ordinated approach to the provision of an appropriate secure mental health service where persons who are dangerous to themselves or others who have come into the criminal justice system but who have significant mental dysfunction can be detained.

1. Introduction

1.1. The Annual Reports of all ACT Government agencies were referred to the Standing Committees of the ACT Legislative Assembly on 25 September 2003 for examination and report.

1.2. The following annual reports were referred to the Standing Committee on Legal Affairs:

- Department of Justice and Community Safety (2002-03)
- Legal Aid Commission (2002-03)
- Public Trustee (2002-03)
- ACT Ombudsman (2002-03)
- ACT Electoral Commission (2002-03)
- Director of Public Prosecutions (2002-03)
- Nominal Defendant (2002)
- Australian Federal Police (ACT Region) (2002-03)
- Victims of Crime Support Program (2002-03)

1.3. The committee considered these reports at public hearings on Tuesday 2 December 2003 when the Minister for Police and Emergency Services and officials appeared and Tuesday 3 February 2004 when the Attorney General and officials were examined. A full list of participants is at Appendix 1.

1.4. The committee has no comments to make on the following reports:

- Public Trustee (2002-2003)
- ACT Ombudsman (2002-03)
- ACT Electoral Commission (2002-03).

Community input

1.5. A general advertisement inviting the public to comment on annual reports was placed in local newspapers at the end of October 2003. In addition the committee wrote to some organisations expected to have an interest in the annual reports inviting them to comment. Comments were received from one organisation – Victims of Crime Assistance League (ACT) Inc (VOCAL).

Purpose and intent of annual reporting

1.6. The primary function of annual reports by government agencies is to report to the minister responsible on the work of the agency for the financial or calendar year under review. Annual reports are also an important means through which the Legislative Assembly and the wider community can review the work of the executive.

1.7. The content and structure of annual reports must comply with two primary sets of requirements:

- statutory requirements which define the form and content of the financial statements and other information which must be included; and
- the Chief Minister's Annual Reports Directions (June 2003), which deal with both content and presentation of information.

1.8. The committee assessed the above annual reports against these two sets of requirements. In addition the committee found the guide published by the NSW Audit Office extremely useful in assessing the annual reports. This guide *Reporting performance: a guide to preparing performance information for annual reports* states that to provide performance information that demonstrates accountability for the expenditure of public monies annual reports should:

- report objectives that are clear and measurable;
- focus on results and outcomes;
- discuss results against expectations;
- be complete and informative;
- explain changes over time;
- provide evidence of value for money;
- discuss risks, strategies and the external operating environment.³

³ Audit Office of NSW, *Reporting performance: a guide to preparing performance information for annual reports*, November 2002, p 2.[cited 1 November 2003]. Available from Internet: URL <http://www.audit.nsw.gov.au/guides-bp/annualreporting.pdf>

Clarification of issues

1.9. The public hearings also provided Members with an opportunity to seek clarification about issues raised in the annual reports. The transcript of proceedings provides a full record of these discussions. These can be accessed on the Assembly Internet site <http://www.legassembly.act.gov.au/committees>.

2. Department of Justice and Community Safety

2.1. The Annual Report 2002-2003 of the Department of Justice and Community Safety includes the activities of the department as well as the following annexed reports:

- ACT Administrative Appeals Tribunal
- Agents Board
- Chief Coroner of the Australian Capital Territory
- Children's Court
- Commissioner for Land and Planning
- Credit Tribunal
- Discrimination Tribunal
- Essential Services Consumer Council
- Guardianship and Management of Property Tribunal
- Mental Health Tribunal
- Official Visitor – Remand
- Registrar of Co-operative Societies
- Residential Tenancies Tribunal
- Sentence Administration Board of the Australian Capital Territory

2.2. The report is in two volumes – Volume 1 covers the descriptive elements and Volume 2 covers the financial and performance statements.

Compliance with Directions

2.2. Overall the committee found the report to be informative and comprehensive.

2.3. It is well organised. Output classes are cross referenced from Volume 1 to Volume 2 enabling easy reference. Contact information is provided. Key achievements are analysed against organisational key objectives and the report explains changes over time. The report covers all the statutory requirements listed in the directions.

2.4. In the committee's view the report complies with the Chief Minister's Annual Reports Directions.

Naming of outputs

2.5. The committee sought clarification on Output 1.1 'Policy Advice', which has a total cost of \$4.710m. At first glance a reader would assume that this output related to policy advice to the Minister costing \$4.710m – a very high figure. However in discussions with officials the committee was told that this output is a conglomeration of a large number of different cost centres and covers costs associated with the Legislation and Policy Branch of the department.⁴ The renaming of this output would avoid any confusion.

Performance measures

Office of Fair Trading

2.6. The committee noted that the Auditor General reported an emphasis of matter in relation to the Statement of Performance. The results for ten measures were 'not measured' and no audit opinion was expressed for these measures. These measures are listed below.

Output Class 3.1: Regulatory Services

Quantity

- Complaints handled and advice given – Fair Trading
- Registrations, Licences, Permits and Renewals - Fair Trading
- Investigations, Inspections and Prosecutions – Fair Trading

Quality

- Licences, Registrations and Renewals issued without error and in accordance with Legislation and Policy of the Government – Fair Trading
- The success rate of disciplinary proceedings proved before courts and Tribunals – Fair Trading

⁴ Uncorrected Proof Transcript, 3 February 2004, p 9.

Timeliness

- Compliance with timeliness requirements of complaints – Fair Trading
- Compliance with timeliness requirements of Registrations, Licences and Inspections – Fair Trading

Cost

- Average cost per complaint and advice – Fair Trading
- Average cost per licence, registrations and renewals – Fair Trading
- Average cost per inspection, investigation and prosecution – Fair Trading

2.7. The notes to the performance statement gave system weaknesses and faults resulting in unreliable results as the reason for these measures not being reported. A new data-base is to be introduced in 2003-2004.

2.8. The committee sought information on how the reliability of the new system was being tested and was advised:

The OFT is committed to ensuring that all the necessary supporting systems required to verify its performance measures are in place. To that end a 100% review of all material relied upon to support the performance measures of the OFT will be conducted with independent internal audits at the end of each quarter. In addition, the Auditor General will audit the system well in advance of this year's audit so that any remaining issues can be fully addressed prior to the end of the financial year.⁵

2.9. As a result of this action, the committee expects that in future, the Office of Fair Trading will be in a position to accurately measure and report performance.

Emergency Services Bureau

2.10. The committee had a number of questions about the performance measures for the Emergency Services Bureau.

2.11. Of particular interest was that the result for Output 4.2 – Response: Quantity – estimated number of incidents attended by bushfire services –

⁵ Attorney General, Response to question on notice dated 28 January 2004.

which was well below target. The original target was 300 with a result of 92, or 69.3% below the target. The note explains the reason as the destruction of large areas (rather than presumably many small areas). This target was also not met in 2001-2002 when it was 47.3% below target. However, given that the ACT experienced severe bushfires in 2001-2002 and its worst bushfires on record during 2002-2003 when services were stretched beyond their limit in January 2003, the value of this measure needs to be strongly questioned. The committee asked the Government about the steps that were being taken to revise this measure. The Minister responded:

Generally speaking, the nature of bushfire events is recorded by the actual number of events. However, the January 2003 fires were clearly extraordinary and there is nothing to indicate that our previously established methodology is inadequate.⁶

2.12. An examination of the 2000-2001 and the 1999-2000 annual reports revealed the following.

- In 2000-2001 the estimated number of incidents attended by bushfire services was 69% below the original target and 59% below the amended target. The explanation given was a mild bushfire season and unseasonal weather patterns.⁷
- In 1999-2000 the estimated number of incidents attended by bushfire services was 62% below the original target. The explanation given was mild summer weather conditions with below average temperatures and high humidity.⁸

2.13. Therefore, in the last four financial years there have been two years where there has been a mild bushfire season followed by two years of severe bushfires, yet the estimated number of incidents attended by the bushfire service was almost the same and well below target in each of the four years.

2.14. The committee does not believe that this quantity measure provides an accurate or useful measure of performance.

⁶ Minister for Police and Emergency Services, Response to questions on notice dated 3 December 2003.

⁷ Department of Justice and Community Safety, *Annual Report 2000-2001, Financial Statements*, p 78 –79.

⁸ Department of Justice and Community Safety, *Annual Report 1999-2000, Financial Statements*, p 78 –79

Recommendation 1

2.15. The committee recommends that the Department of Justice and Community Safety revise the performance measure relating to attendance at bushfires.

Statistical information – Supreme Court

2.16. The committee requested basic statistical information on the Magistrates and Supreme Courts. The department was able to provide information relating to the Magistrates Court, however, had difficulty providing that information for the Supreme Court. This is a concern.

2.17. The Attorney General acknowledged this problem and indicated that the capacity to access detailed information about the operation of the courts is being pursued.⁹

2.18. Two initiatives currently underway are expected to result in improvements, namely, the introduction of a new case management system in criminal jurisdiction in all courts and the adoption of national key performance indicators.¹⁰

2.19. The committee looks forward to the annual report for 2003-2004 including more satisfactory statistical information about the operations of the courts especially the Supreme Court.

Comments on annexed reports

2.20. The Annual Report of the Department of Justice and Community Safety includes the following annexed reports:

- ACT Administrative Appeals Tribunal
- Agents Board
- Chief Coroner of the Australian Capital Territory
- Children's Court
- Commissioner for Land and Planning

⁹ Uncorrected Proof Transcript, 3 February 2004, p 10.

¹⁰ Uncorrected Proof Transcript, 3 February 2004, pp 9, 10.

- Credit Tribunal
- Discrimination Tribunal
- Essential Services Consumer Council
- Guardianship and Management of Property Tribunal
- Mental Health Tribunal
- Official Visitor – Remand
- Registrar of Co-operative Societies
- Residential Tenancies Tribunal
- Sentence Administration Board of the Australian Capital Territory.

2.21. The committee’s comments are confined to the following reports:

- Agent’s Board
- Official Visitor - Remand
- Mental Health Tribunal.

Agent’s Board

2.22. The annual reports for 2001-2002 and 2002-2003 refer to action underway to recover \$47,191 from the Real Estate Institute of the ACT following recommendations of the ACT Auditor General.¹¹ The committee was advised that the matter is now the subject of legal action.¹²

Official Visitor – Remand

2.23. Once again the Official Visitor – Remand raised the matter of the vacant position of Activities Officer. The position was vacant for most of 2002-2003 as well as most of 2001-2002, only being filled full-time from April 2002 to September 2002.¹³ The lack of an Activities Officer has resulted in detainees having no regular recreational activities during much of the reporting period.

¹¹ Department of Justice and Community Safety, *Annual Report 2001-2002*, p 180. Department of Justice and Community Safety, *Annual Report 2002-2003*, p 232.

¹² Attorney General, Response to question on notice, dated 28 January 2004.

¹³ Department of Justice and Community Safety, *Annual Report 2001-2002*, p 296. Department of Justice and Community Safety, *Annual Report 2002-2003*, p 328.

While the position was once again filled in July 2003,¹⁴ the committee is concerned that this position seems to be frequently vacant.

Mental Health Tribunal

2.24. The President of the Mental Health Tribunal reported that the ACT is the only Australian jurisdiction that does not remunerate non-psychiatric members of the Mental Health Tribunal.

2.25. The committee raised this matter with the Attorney General and was advised that the Government is considering the President's request as part of the 2003-2004 [sic] Budget process.¹⁵ Presumably the advice meant to refer to the 2004-2005 Budget process as the 2003-2004 Budget has been presented and is currently being implemented.

¹⁴ Attorney General, Response to question on notice, dated 28 January 2004.

¹⁵ Attorney General, Response to question on notice, dated 28 January 2004.

3. Victims of Crime Support Program

3.1. For the second year the reports of various programs supporting victims of crime have been published in a consolidated report. The Victims of Crime Support Program Annual Report 2002-2003 comprises the annual reports of:

- Victims of Crime Coordinator
- Victims Services Scheme
- ACT Policing Victim Liaison Program
- *Victims of Crime (Financial Assistance) Act 1983.*

Financial information

3.2. This report provides comprehensive descriptive information about the activities of the four programs that make up the Victims of Crime Support Program.

3.3. However, since each program is part of a larger agency, there is no financial information as it is embedded in the larger agencies' financial statements. In fact when the committee asked where the financial information for the Victims of Crime Support Program could be found it took some time for officials to identify any reference to that information in the annual report of the Department of Justice and Community Safety.

3.4. The committee considers that the annual report of the Victims of Crime Support Program should include information on the budgeted allocation for each of the programs and a reconciliation of expenditure. The annual reports of the ACT Electoral Commissioner or the Director of Public Prosecutions could provide a useful model.

Recommendation 2

3.5. The committee recommends that the annual report of the Victims of Crime Support Program include information on the budgeted allocation for each of the programs and a reconciliation of expenditure.

Volunteers

3.6. Some issues relating to volunteers were raised in this report and in correspondence received by the committee from the Victims of Crime Assistance League (ACT). The officials advised that these issues are being worked through and a resolution is expected by 1 July 2004.¹⁶

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¹⁶ Uncorrected Proof Transcript, 3 February 2004, p 9.

4. ACT Policing

4.1. The annual report of ACT Policing reports on policing services in the ACT provided by the Australian Federal Police. The provision of these services is guided by a contractual arrangement between the Commonwealth and the Territory governments. The details of this arrangement are underpinned by an annual Purchase Agreement that sets out the mix of services and performance targets to be delivered by ACT Policing each year.¹⁷

Compliance with Directions

4.2. ACT Policing Annual Report 2002-2003 is prepared in accordance with paragraphs 6.3 and 7.1 of the Policing Arrangement between the Commonwealth and Australian Capital Territory Governments.

4.3. The report is very informative containing a wealth of information on the operations of ACT Policing.

4.4. In the committee's view it complies with the Chief Ministers Directions.

4.5. The report also rates well against the NSW Audit Office criteria for annual reports in demonstrating accountability for the expenditure of public monies in that it:

- reports objectives that are clear and measurable;
- focuses on results and outcomes;
- discusses results against expectations;
- is informative;
- explains changes over time; and
- discusses risks, strategies and the external operating environment.

Worklife diversity

4.6. The report does not include a breakdown of the number of employees from indigenous or culturally and linguistically diverse background. In

¹⁷ ACT Policing Annual Report 2002-2003, p 6.

response to a question on notice requesting a breakdown of that information, the Minister for Police and Emergency Services advised that:

These data are not provided in the ACT Policing Annual Report as it is not mandatory for employees to declare indigenous, multicultural or linguistic status at the time of entry to the Australian Federal Police. Where this information is provided it is on the basis of self-reporting and the data set is not considered to be a [sic] complete nor sufficiently accurate to constitute reliable representation of diversity within the AFP. This problem is experienced across a number of other agencies due to the voluntary nature of responses to such questions.¹⁸

4.7. The collection of equity and diversity data in both the Australian and ACT public services is based on a voluntary system of self-identification and as such it may under represent particular groups and therefore needs to be interpreted with caution. However in the public service in each of these jurisdictions a number of agencies are introducing strategies to improve their data collection on equity and diversity.¹⁹

4.8. Given that the report states that 'the AFP promotes worklife diversity as an important initiative in ensuring that the organisation is more representative of the community', future reports would benefit from the inclusion of a breakdown of the number of employees from indigenous and culturally and linguistically diverse background in ACT Policing, both as sworn and unsworn officers. This would provide some substantiation of the claim.

Recommendation 3

4.9. The committee recommends that future reports include a breakdown of the number of employees in ACT Policing who have identified as being from indigenous or culturally and linguistically diverse background.

Performance measures

4.10. The 2001-2002 annual report of ACT Policing was subject to a number of qualifications by the independent auditor – the Australian National Audit Office. These qualifications related to performance measures. The committee

¹⁸ Minister for Police and Emergency Services, Response to questions on notice dated 3 December 2003.

¹⁹ Australian Public Service Commission, *State of the Service Report 2002-2003*, p 116-118. ACT Government, *State of the Service Report 2002-2003*, p 31-34.

recommended that these measures be reviewed and notes that this has happened. In the new purchase agreement, signed in March 2003, performance indicators have been revised. They are now more easy to interpret, focus on policing issues and a large proportion rely on information provided by the community.

Accuracy

4.11. The committee questioned the accuracy of the following statement appearing on page 91.

The Canberra bushfires were the second biggest fire disaster in Australia behind Ash Wednesday in 1983 in which over 2000 homes and 75 lives were lost in Victoria and South Australia.

4.12. However, the committee noted that the bushfires in southern Tasmania in 1967 resulted in the loss of 62 lives and the destruction of 1300 houses. In response to the accuracy of the statement the Minister advised:

This information was taken direct from media reports at the time of the fires, which it is believed, were based on insurable loss including public assets. Research subsequently undertaken by ACT Policing and based on guidance by experts in the field indicates that severity would be more appropriately assessed on the basis of lives lost, number of homes lost and other damage. Using these criteria, the ACT fires are probably in the top ten since 1900. The most serious fire occurred in Victoria in 1939 with 71 lives lost.²⁰

4.13. The loss of any lives and property due to bushfires is a tragedy. However when this occurs it is important that the reporting of any comparative information is accurate.

²⁰ Minister for Police and Emergency Services, Response to question on notice dated 3 December 2003.

5. Nominal Defendant

5.1. The Committee examined the Annual Report 2002 of the Nominal Defendant.

5.2. The position of Nominal Defendant is established under section 215 of the *Road Transport Act 1999*. The Act specifies that as soon as practicable after the end of each calendar year, the Nominal Defendant must prepare and give to the Minister a report on the Nominal Defendant's operations during the year.

5.3. The role of the Nominal Defendant is:

- to act as the object of claims for damages for personal injuries arising from the use of any motor vehicle in the ACT which is not insured against third party personal injuries claims;
- to act as the object of claims for damages where a person injured is unable to identify the driver and vehicle at fault; and
- recover from uninsured drivers at fault, sums paid out by the Nominal Defendant.

Compliance with Directions

5.4. As a public authority the Nominal Defendant is not required to comply with all the Directions. As an office held by one person it is not relevant that the annual report voluntarily comply with most of the requirements of the Directions.

Financial information

5.5. The committee noted that the total amount paid out by the nominal Defendant in 2002 was \$1,549,148.25. Of that \$1,062,892.74 was for general damages. A total of \$44,543.51 was recovered from uninsured owners or drivers in reimbursement for settlements managed by the Nominal Defendant and \$198.00 was recovered from authorised insurers.²¹

5.6. The committee observed that the amount recovered is a very small percentage of the amount paid out by the Nominal Defendant. To provide greater transparency the report would benefit from a more detail relating to the amounts recovered and the amounts still outstanding.

²¹ The Nominal Defendant 2002 Annual Report, p 3.

Recommendation 4

5.7. The committee recommends that the annual report of the Nominal Defendant include a greater level of detail relating to outstanding liabilities and the amount recovered.

6. Legal Aid Commission

Compliance with Directions

- 6.1. As a public authority, the Legal Aid Commission is not required to report against all the requirements in the Chief Ministers Annual Report Directions.
- 6.2. Overall the committee found the report to be informative and comprehensive.
- 6.3. It is well organised. Contact information is provided. Outcomes are reported against targets for each area of activity, it reports changes over time and discusses the external operating environment.
- 6.4. In the committee's view the report complies with the Chief Minister's Annual Reports Directions.

Funding

- 6.5. An issue of great concern is under resourcing of the Family Law Section as a result of under funding from the Commonwealth. This resulted in a very serious constraints on the service provided in 2002-2003 with people falling through the net daily, people that the Chief Executive Officer describes as 'people with the most pressing circumstances'.
- 6.6. Negotiations for a new level of funding are planned, however in February 2004, the timeframe had not been identified.
- 6.7. The committee urges the Government to vigorously pursue additional funding for the Legal Aid Commission during the forthcoming negotiations.

7. Director Public Prosecutions

7.1. As a public authority the Director Public Prosecutions is not required to report against all the requirements in the Chief Ministers Annual Report Directions.

7.2. Overall the committee found the report to be most informative and comprehensive.

7.3. It is very well organised. Contact information is provided. It reports changes over time and discusses the external operating environment.

7.4. A very useful feature is the inclusion of a table on page 43 setting out its budget. As with several public authorities the financial transactions are subsumed within the audited financial statements of a department, in this case the Department of Justice and Community Safety.

7.5. In the committee's view the report complies with the Chief Minister's Annual Reports Directions.

8. Mental health services

8.1. The inadequacy of current mental health services to meet the needs of many people coming before the courts was raised again in annual reports this year.

8.2. The Director Public Prosecutions stated:

There is still a lack of suitable facilities for the securing of mentally impaired offenders and alternatives that are appropriate for their situation.²²

8.3. The President of the Mental Health Tribunal said:

Need for a secure forensic facility

Unfortunately the Tribunal continues to note the lack of appropriate facilities. There remains no suitable secure facility for forensic clients, or those found not guilty of criminal offences because of mental illness. Whilst lamenting this gap, it is pleasing to note that the government has indicated a willingness to finally establish a correctional facility within the ACT. It is hoped serious consideration is given to including a forensic facility that can assist people allegedly involved in crime with appropriate psychiatric services whether they be on remand or detained on order by the courts.²³

8.4. The committee pursued this matter with the Director of Public Prosecutions at the hearing on 3 February 2004. He said:

My view is that we need a facility that is not a remand centre or a jail, although it may be associated with those facilities, where persons who are dangerous to themselves or others who have come into the criminal justice system but who have significant mental dysfunction can be detained, so that they can be managed and so that they are not a continuing danger to the community or to themselves, but in a circumstance where they are provided with mental health assistance, treatment and supervision.²⁴

8.5. The committee raised this matter with the Attorney General, who in a response to a question on notice replied:

²² Director of Public Prosecutions Annual Report 2002-2003, p 5.

²³ Department of Justice and Community Safety Annual Report 2002-2003, p 318-319.

²⁴ Uncorrected Proof Transcript, 3 February 2004, p 37.

There is no provision for a secure forensic facility to be incorporated in the new ACT prison. Such a facility was excluded in the Prison Project provisions for the new correctional facility because it goes against the *National Statement of Principles for Forensic Mental Health*. These principles recommend that mental health patients be treated as such and accommodated away from a prison. ACT Corrective Services sees mental health as a health issue and concur with ACT Health on this.²⁵

8.6. Clearly there is a need for some kind of facility for this group of people. While it may not be the responsibility of the Department of Justice and Community Safety it is time that a co-ordinated approach was taken to resolving the issue.

Recommendation 5

8.7. The committee recommends that as a matter of urgency the Government develop a co-ordinated approach to the provision of an appropriate secure mental health service where persons who are dangerous to themselves or others who have come into the criminal justice system but who have significant mental dysfunction can be detained.

Bill Stefaniak MLA
Chair
9 February 2004

²⁵ Attorney General, Response to question on notice, dated 28 January 2004.

Appendix 1 - Witnesses at public hearings

2 December 2003

Nominal Defendant

Ms Jill Morters, Nominal Defendant

Emergency Services Bureau

Mr Bill Wood MLA, Minister for Police and Emergency Services

Mr Tim Keady, Chief Executive, Department of Justice and Community Safety (JACS)

Mr Brian Lenihan, Director Resource Management JACS

Mr Mike Castle, Executive Director, Emergency Services Bureau

Mr Peter Lucas Smith, Director, Bushfire and Emergency Services

Mr Stephen Bramah, Director, Support Services

Mr Ken Paulsen, Director, ACT Ambulance Service

ACT Policing

Mr Bill Wood MLA, Minister for Police and Emergency Services

Mr Tim Keady, Chief Executive, Department of Justice and Community Safety

Mr John Murray, Chief Police Officer

Ms Mandy Newton, Deputy Chief Officer

Dr Tony Murney, Director Services, ACT Policing

3 February 2004

Department of Justice and Community Safety

Mr Jon Stanhope MLA, Attorney General

Mr Tim Keady, Chief Executive, Department of Justice and Community Safety (JACS)

Mr Brian Lenihan, Director Resource Management, JACS

Ms Elizabeth Kelly, Executive Director, Policy and Regulatory Division, JACS

Mr James Ryan, Director, ACT Corrective Services, JACS

Mr Bruce Kelly, Courts Administrator

Victims of Crime Support Program

Mr Jon Stanhope MLA, Attorney General

Ms Robyn Holder, Victims of Crime Coordinator

Ms Elizabeth Kelly, Executive Director, Policy and Regulatory Division, JACS

Legal Aid Commission

Mr Jon Stanhope MLA, Attorney General

Mr Chris Staniforth, Chief Executive Officer, Legal Aid Commission

Director Public Prosecutions

Mr Richard Refshauge, Director