



Legislative Assembly for the Australian Capital Territory

Standing Committee on Justice and
Community Safety

Inquiry into Community Corrections

Legislative Assembly for the Australian Capital Territory
Standing Committee on Justice and Community Safety

Approved for publication

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About the Committee

Establishing resolution

The Assembly established the Standing Committee on Justice and Community Safety on 2 December 2020.

The Committee's areas of responsibility are:

- ACT Electoral Commission
- ACT Integrity Commission
- Gaming
- Minister of State (JACS reporting areas)
- Emergency management and the Emergency Services Agency
- Policing and ACT Policing
- ACT Ombudsman
- Corrective services
- Attorney-General
- Consumer affairs
- Human rights
- Victims of crime
- Access to justice and restorative practice
- Public Trustee and Guardian

You can read the full establishing resolution [on our website](#).

Committee members

Mr Peter Cain MLA, Chair (from 10 February 2022)

Mr Jeremy Hanson CSC MLA, Chair (until 10 February 2022)

Dr Marisa Paterson MLA, Deputy Chair

Mr Andrew Braddock MLA (from 9 December 2021)

Ms Jo Clay MLA (until 9 December 2021)

Secretariat

Ms Kathleen de Kleuver, Committee Secretary (from 28 March 2022)

Dr David Monk, Committee Secretary (from 18 February to 28 March 2022)

Ms Brianna Gill, Committee Secretary (until 18 February 2022)

Ms Miona Ikeda, Assistant Secretary

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About this inquiry

Under Standing Order 216, a standing committee can self-initiate an inquiry into any subject area for which it is given responsibility by the establishing resolution. The Standing Committee on Justice and Community Safety resolved to conduct an inquiry into Community Corrections on 16 June 2021.

The Committee informed the Assembly of its intention to conduct this inquiry on 24 June 2021.

Terms of Reference

The Standing Committee on Justice and Community Safety resolved to inquire and report on the operation of community corrections, with particular reference to:

- The parole system;
- Intensive correction orders;
- The Sentence Administration Board;
- Drug and alcohol treatment orders;
- Recidivism outcomes;
- Experiences of offenders and their families;
- Experiences of victim survivors; and
- Any other relevant matter.

Contents

About the Committee	i
Establishing resolution	i
Committee members	i
Secretariat	i
Contact us	i
About this inquiry	iii
Terms of Reference	iii
Acronyms	vi
Recommendations	vii
1. Conduct of the inquiry	1
2. Community Sentencing	2
Community awareness of community sentencing	2
Intensive Corrections Orders	4
Electronic monitoring	6
Temporary powers for corrections officers	8
Sentencing Administration Board – accommodation	10
3. Transitioning back into the community and reducing recidivism	12
Justice Housing	12
Parole application periods	14
Community service placements	16
Education and employment	19
4. Drug and Alcohol issues	20
Drug and Alcohol Treatment Orders	20
Access to drug and alcohol programs	24
5. Impacts on victims	27
A single victims register with the Victims of Crime Commissioner	27
Taking victims concerns into account in risk assessments of perpetrators	28
6. Conclusions	29
Appendix A: Submissions	30
Appendix B: Witnesses	31
Wednesday, 16 February 2022	31
Thursday, 17 February 2022	32

Wednesday, 16 March 2022	32
Appendix C: Questions Taken on Notice	33
Questions Taken on Notice	33

Acronyms

Acronym	Long form
ACT	Australian Capital Territory
ACTCS	ACT Corrective Services
ACTCOSS	ACT Council of Social Service Inc.
AFI	Advocacy for Inclusion
AMC	Alexander Maconochie Centre
AOD	Alcohol and other drugs
ATODA	Alcohol Tobacco & Other Drug Association ACT
CCO	Community Corrections Officer
COVID-19	Coronavirus disease 2019
CSW	Community service work
DATOs	Drug and Alcohol Treatment Orders
DASL	Drug and Alcohol Sentencing List
DECO	Detention Exit Community Outreach
EM	Electronic Monitoring
GBO	Good Behaviour Order
ICO	Intensive Correction Order
JACS	Justice and Community Safety Directorate
LSI-R	Level of Service Inventory-Revised
MLA	Member of the Legislative Assembly
NDIS	National Disability Insurance Scheme
NSW	New South Wales
PALM	Program for Adolescent Life Management
QTON	Question Taken on Notice
SAB	Sentencing Administration Board

Recommendations

Recommendation 1

The Committee recommends that the ACT Government ensure there is awareness in the community of community sentencing options and their significance.

Recommendation 2

The Committee recommends that the ACT Government take action to remove the prohibition in the *Crimes (Sentencing) Act 2005* in relation to combination sentences.

Recommendation 3

The Committee recommends that the ACT Government implement electronic monitoring where appropriate as part of community corrections orders.

Recommendation 4

The Committee recommends that the ACT Government repeal the provisions of the *COVID-19 Emergency Response Legislation Amendment Act 2020* that provide temporary powers to Community Corrections Officers to apply a discretion when managing non-compliance with Good Behaviour Orders, Intensive Corrections Orders and Parole Orders instead of having such matters referred to the Sentencing Administration Board.

If the provisions are not repealed, the Committee recommends that the ACT Government ensure that the powers are not made permanent and, if the powers remain in any form, ensure that:

- the powers are confined to minor breaches;
- the powers are used only for low-risk offenders with sentences for minor matters; and
- any use of the powers is promptly notified to the Board for possible review.

Recommendation 5

The Committee recommends that the ACT Government and ACT judiciary work collaboratively to enable the Sentence Administration Board to sit within the court complex, and that the Attorney-General report quarterly to the Assembly until this is resolved.

Recommendation 6

The Committee recommends that the ACT Government review the existing funding model for justice housing to ensure that offenders being released from detention have access to suitable accommodation, to avoid prolonging detention due to lack of housing and to reduce risks of recidivism.

Recommendation 7

The Committee recommends that the ACT Government investigate the reasons that lead to lengthy parole application periods and implement options to reduce them.

Recommendation 8

The Committee recommends that the ACT Government explore ways for detainees to be placed on community service, and potentially within government directorates.

Recommendation 9

The Committee recommends that the ACT Government promote education and employment within the community corrections system, as a means of ending the cycle of recidivism

Recommendation 10

The Committee recommends that the ACT Government expand the eligibility criteria for Drug and Alcohol Treatment Orders with sufficient corresponding funding for the Drug and Alcohol Court.

Recommendation 11

The Committee recommends that the ACT Government ensure that people on community correction orders receive access to culturally appropriate alcohol and other drug treatment services that are adequately funded and offered to people routinely.

Recommendation 12

The Committee recommends that the ACT Government implement a single victims register under the Victims of Crime Commissioner as planned and that the Victims Crime Commissioner who will be responsible for the register is sufficiently resourced.

Recommendation 13

The Committee recommends that the ACT Government explore establishing a victims advisory body to provide advice to government on criminal justice policies to ensure that the government is fully informed by input from victims.

1. Conduct of the inquiry

- 1.1. The Committee received 30 submissions to the inquiry. These are listed in **Appendix A**.
- 1.2. The Committee held three public hearings on 16 February 2022, 17 February 2022 and 16 March 2022. Witnesses who appeared at these hearings are listed in **Appendix B**. The Committee also held one in-camera hearing on 30 March 2022.
- 1.3. The Committee had 19 Questions Taken on Notice from the public hearings. These are listed in **Appendix C**.

2. Community Sentencing

- 2.1. The Committee were interested in sentences served in the community as an alternative to imprisonment (where appropriate), that might lead to better recidivism outcomes.

Community awareness of community sentencing

- 2.2. The task of a judge or magistrate sentencing an offender is to impose a sentence in a manner that applies sentencing principles and considerations to all cases equally. The sentencing court must:
- balance the needs of the victim, the community, and the offender;
 - determine the factual basis upon which the sentence should be imposed; and
 - consider the circumstances of the offence.¹
- 2.3. A community-based sentence is a court order that allows offenders to stay out of prison and serve their punishment in the community instead. It differs to a court program which is used primarily as a way for the offender to avoid detention and address their offending behaviour and allows offenders an opportunity to give back to the community and address the issues which form the basis of their offending.²
- 2.4. Different community-based sentences are available in different states and territories.³ In the ACT, community-based orders are issued to offenders by the court and the Sentencing Administration Board (SAB). The type of order and conditions vary according to the offence, and most orders served in the community require supervision by the ACTCS Community Corrections team.⁴
- 2.5. Some examples of community sentencing are parole, Intensive Corrections Orders (ICOs), Good Behaviour Order (GBO), and Community Service Work (CSW) orders which may be made as part of an ICO or GBO.⁵
- 2.6. Part 3.6 of the *Crimes (Sentencing) Act 2005* provides for combination sentences, where the court has the flexibility of imposing any number of orders as part of a single sentence. For example, the Court may impose a sentence of full-time imprisonment with a period of parole, followed by a GBO with community service conditions.⁶

¹ Supplementary Explanatory Statement to Crimes (Sentencing) Bill 2005, *Proposed new clause 33(1)(fa)*, 7 April 2005, p 4.

² Victoria State Government, *Community work*, <https://www.corrections.vic.gov.au/community-corrections/community-work>, accessed 27 June 2022.

³ Sentencing Advisory Council, *Community-Based Sentences*, <https://www.sentencingcouncil.vic.gov.au/sentencing-statistics/community-based-sentences>, accessed 15 June 2022.

⁴ ACT Corrective Services, *Orders*, <https://correctiveservices.act.gov.au/community/orders>, accessed 20 June 2022.

⁵ ACT Corrective Services, *Orders*, <https://correctiveservices.act.gov.au/community/orders>, accessed 20 June 2022.

⁶ Explanatory Statement to Crimes (Sentencing) Bill 2005, *Combination sentences*, 7 April 2005.

- 2.7. A GBO requires the offender to be of good behaviour and not to commit further offences. A GBO may have conditions including CSW, rehabilitation, or probation.
- 2.8. If a GBO has a probation condition, the offender must accept supervision and comply with any reasonable direction from their corrections officer. Supervision may include regular appointments, home and field visits, and offence specific interventions. Failure to comply with the conditions of a GBO may result in a breach notice to the court. If a breach is proven the court will determine the appropriate action.⁷
- 2.9. An offender may be issued with an order to perform community work as part of their ICO or GBO. CSW orders can range from 20 to 500 hours of work, supervised by corrections officers.
- 2.10. An offender will be summonsed to court for a breach of a GBO, and in some instances, the court can vary or impose further conditions on the order or revoke the order and resentence the offender with a tougher penalty.

Community perceptions

- 2.11. There is a community perception in some areas that community sentences are a lighter touch:

We would say that we need a much more consistent approach to consultation with victim survivors across every matter where CCOs are making decisions. From my perspective, that is crucial in terms of them being able to make an informed risk assessment about the community safety aspects of their decisions. It is essential in terms of promoting transparency and building community confidence in the work of community corrections, particularly in light of notions in the broader community that community sentences are a soft option, if you like, for individuals.⁸

- 2.12. However, the Attorney-General strongly argued this was not the case, pointing out that community sentences such as ICOs are very intensive and require people to go through a range of treatments. The Attorney-General also pointed to benefits in reducing recidivism through community sentencing:

The indicative data suggests that the ICO has a relatively low re-offending rate with only 6% of offenders returning to custody in the ACT on either new offences or on remand and 24.7% returning on a community corrections order or another ICO. 3.7% of offenders are currently on a supervised bail order. Of the offenders that completed their ICO, 61.5% did not return to ACTCS.

However, there may be a small proportion of the 61.5% that have been or are currently before the court on further offences.⁹

⁷ ACT Corrective Services, *Orders*, <https://correctiveservices.act.gov.au/community/orders>, accessed 20 June 2022.

⁸ Ms Heidi Yates, Victims of Crime Commissioner, *Committee Hansard*, 17 February 2022, pp 55–56.

⁹ ACT Government, *Intensive Correction Orders – Statutory Review Report*, November 2019, p 21.

Committee comment

- 2.13. The Committee believes that it is important for the ACT community to be aware of the different types of community-based sentences, and to be aware that community-based sentences are not an ‘easy way out’.

Recommendation 1

The Committee recommends that the ACT Government ensure there is awareness in the community of community sentencing options and their significance.

Intensive Corrections Orders

- 2.14. The Committee heard that Intensive Corrections Orders (ICOs) are relatively new in the ACT and are a good alternative to imprisonment in certain circumstances:

ICOs were introduced on 2 March 2016 under the *Crimes (Sentencing) Act 2005*, as a sentencing option in the ACT. ICOs are available as an alternative to full time imprisonment for eligible offenders serving short sentences (generally up to two years, or in exceptional circumstances up to four years). With the consent of the offender, ICOs allow suitable offenders to serve their sentence of imprisonment in the community under the supervision of [ACT Corrective Services (ACTCS)].¹⁰

- 2.15. The Committee heard that ICOs can offer better outcomes for people who live their sentences in the community as opposed to being incarcerated.¹¹ The Committee also heard that ICOs should be actively pursued for transgender people due to the increased risks of sexual and physical violence they face in prison.¹² The importance of access to support for more vulnerable offenders when being assessed for and complying with ICOs was also raised.¹³

- 2.16. However, a witness (a former policeman) disagreed with increasing the use of ICOs:

The community quite rightly expects that if you commit a crime that warrants the court imposing a term of imprisonment, then that is where you go. The ICO regime circumvents this. It allows the courts, and indeed the government, to appear tough on crime when this is not the case. I would like to point out to the Committee that there are some people that cannot be rehabilitated, or simply will not be. The community needs protecting from these people.¹⁴

- 2.17. For an offender to be eligible for an ICO:

- The offender must be an adult;

¹⁰ ACT Government, *Submission 28*, p 4.

¹¹ Ms Joanne Smith, Wellways Australia, *Committee Hansard*, 16 February 2022, p 33.

¹² A Gender Agenda, *Submission 20*, p 4.

¹³ Wellways Australia, *Submission 17*, p 4; Advocacy for Inclusion, *Submission 19*, p 14; Our Booris, Our Way, *Submission 11*, p 6.

¹⁴ Mr Jason Taylor, *Committee Hansard*, 17 February 2022, p 65.

- The offender must be subject to a sentence of imprisonment which is generally for not more than two years but no more than four years; and
- The court must consider an ICO appropriate having regard to the level of harm to the victim and the community caused by the offence, whether the offender poses a risk to one or more people or the community, and the offender's culpability for the relevant offence having regard to the circumstances.¹⁵

Issues in respect of combination sentences

2.18. An ICO must not be combined with a sentence of full-time imprisonment, a suspended sentence of imprisonment, or a good behaviour order.¹⁶ Section 29 of the *Crimes (Sentencing) Act 2005* is intended to support the ICO as an effective stand-alone sentence, streamlining the management of offenders and making it easier to identify breaches. According to the *Intensive Correction Orders Review Report*, the prohibition against combining an ICO with a good behaviour order or suspended sentence reflects that an offender will be subject to an appropriate period of intensive supervision while subject to an ICO.¹⁷

2.19. The ACT Law Society expressed concern about the operation of section 29:

This section has been described by Justice Refshauge as “immensely problematic and calls for some reform” as “it is likely that a person suitable for an Intensive Correction Order will have been refused bail and remanded in custody, given the fact that he or she would be likely to be sentenced not merely to imprisonment but [to] a term of up to four years”.¹⁸

2.20. The Committee also heard that the prohibition on ICOs being combined with full-time imprisonment is causing problems in cases where an ICO is being considered for a person in custody with a single offence. This is because, in these situations, the court is unable to backdate the sentence to take into consideration the time spent in custody.¹⁹ In some cases, the courts have adopted ‘workarounds’. However, according to the ACT Law Society, this poses a public confidence risk:

The public may say that that is grossly inadequate. But it has hidden the fact that the reality was that the person also served six months in full-time imprisonment. The public may have been comforted, had they heard that it was six months full-time custody then a period under an intensive correction order. That gets masked at the moment, so there is a confidence issue. The other is that it can blur statistics.²⁰

2.21. The ACT Government advised that a move to aggregate sentencing has been raised in the *Intensive Corrections Orders Review Report* tabled in February 2020 and indicated that this

¹⁵ Crimes Sentencing Act 2005, s 11.

¹⁶ Crimes Sentencing Act 2005, s 29(b).

¹⁷ Mr Shane Rattenbury MLA, Attorney-General, *Intensive Corrections Orders Review Report* November 2019, p 6.

¹⁸ ACT Law Society, *Submission 24*, p 3.

¹⁹ Mr Michael Kukulies-Smith, ACT Law Society, *Committee Hansard*, 16 February 2022, p 43.

²⁰ Mr Michael Kukulies-Smith, ACT Law Society, *Committee Hansard*, 16 February 2022, p 45.

proposal would be subject to further consultation with stakeholders. The proposal is, however, still subject to further consideration noting that while it would increase access to ICOs, it raises broader issues on aggregate sentences.²¹

Committee comment

- 2.22. The Committee is concerned about the detrimental impact of the restriction on combined sentences in the *Crimes (Sentencing) Act 2005*. Noting that the ACT Government is still considering the restriction in the eligibility criteria for ICOs in respect of combined sentences raised in its 2020 review, the Committee urges the Government to take action to address this.

Recommendation 2

The Committee recommends that the ACT Government take action to remove the prohibition in the *Crimes (Sentencing) Act 2005* in relation to combination sentences.

Electronic monitoring

- 2.23. The Committee heard that 36 percent of the detainee population at the Alexander Maconochie Centre (AMC) is unsentenced (rising to 40 percent for indigenous detainees). According to Professor Lorana Bartels, electronic monitoring could provide an alternative to remand, and thereby help to avoid impacts on an individual's ability to access legal representation and participate in programs, and to avoid disruptions to housing, employment, and family. The experience in South Australia has shown that there is potential for electronic monitoring to be used for bail purposes as a way of managing risks of potential danger for a protected person.²²
- 2.24. The ACT is the only jurisdiction in Australia which does not use electronic monitoring.²³
- 2.25. A recent Queensland study conducted in 2019, however, found that there was evidence that electronic monitoring can work in certain circumstances, citing an NSW study showing reduced recidivism in some cases. Other studies observed a reduction in recidivism for sex offenders where electronic monitoring was used and found that electronic monitoring is cheaper than prison but more expensive than probation or parole.²⁴
- 2.26. Legal Aid ACT were in favour of introducing electronic monitoring measures for family violence cases. Legal Aid ACT were also in favour of using electronic monitoring as part of bail as an alternative to imprisonment and to alleviate issues caused by delays in obtaining hearing dates where a defendant is in custody.

²¹ Ms Karen Greenland, Executive Branch Manager, Criminal Law, Justice and Community Safety Directorate, *Committee Hansard*, 17 February 2022, p 111.

²² Professor Lorana Bartels, *Submission 22*, p 5.

²³ Professor Lorana Bartels, *Submission 22*, p 1.

²⁴ Professor Lorana Bartels, *Submission 22*, p 4.

- 2.27. However, Legal Aid ACT recommended that there first be consideration of how electronic monitoring would work in consultation with stakeholders—particularly those representing Aboriginal and Torres Strait Islander people and young adults. There also needs to be research on the relevant technology, and consideration of effective assessments for offenders, rehabilitation measures, and measures to avoid seeking financial reimbursement from offenders. A trial period of electronic monitoring was also recommended. Legal Aid ACT also provided substantial research on the use of electronic monitoring in Queensland, New South Wales, Tasmania, the Northern Territory, South Australia, and Victoria.²⁵
- 2.28. The Sentencing Administration Board (SAB) said consultation and careful consideration is needed before implementation of any electronic monitoring. The SAB stated that it considers the highest priority to be support and treatment for people with complex needs, including entrenched drug addiction, which requires an expansion of therapeutic treatment rather than monitoring.²⁶

Concerns with electronic monitoring

- 2.29. The Attorney-General told the Committee that, while electronic monitoring has been looked at in the past, there were concerns about the proportional cost of infrastructure given the small population in the ACT.²⁷ Electronic monitoring was used in the ACT from 2001 to 2004 but was phased out due to low usage. It was considered in 2013 to help alleviate accommodation pressures at the AMC, and further explored in 2016-17 but not pursued due to concerns with technological limitations, service delivery and outcome issues, and resourcing.²⁸
- 2.30. The Foundation for Alcohol Research and Education recommended delaying the introduction of electronic monitoring, raising a number of concerns:
- Current evidence suggests that Electronic Monitoring (including for Alcohol-Related Offences) in the criminal justice system is stigmatising, breaches human rights, is expensive and ineffective. The technology is unreliable, it does not reduce re-offending, does not reduce prison populations, it increases incarceration and does not treat problematic alcohol use. Electronic monitoring contributes to the criminalisation of children, First Nations peoples, people on low incomes and people with problematic alcohol and other drug use.²⁹
- 2.31. Professor Lorana Bartels told the Committee that in her previous ACT review of electronic monitoring in 2014, it was found that while there were some benefits in terms of it being a cost-effective alternative to imprisonment and a reminder to offenders that their

²⁵ Legal Aid ACT, *answer to QTON 19.1: Legal Aid ACT's position on electronic monitoring*, received 25 March 2022, pp 1–2.

²⁶ Sentence Administration Board, *answer to QTON 10 and 11: Use of electronic monitoring in community corrections*, received 23 February 2022, p 1.

²⁷ Mr Bruno Aloisi, A/g Assistant Commissioner, ACT Corrective Services, Justice and Community Safety Directorate, *Committee Hansard*, 16 February 2022, p 10.

²⁸ Mr Mick Gentleman MLA, Minister for Corrections, *answer to QTON 3: Past policy consideration of feasibility of electronic monitoring*, received 15 March 2022, p 1.

²⁹ Foundation for Alcohol Research and Education, *Submission 18*, p 2.

behaviour is being monitored, there were a significant number of concerns. These included little evidence of the effectiveness of electronic monitoring on reducing recidivism, impacts on women, technological issues such as loss of signal, tampering and false alerts, concerns about the role of private companies involved, and privacy.³⁰

- 2.32. While concerns were raised in respect of human rights, Professor Bartels told the Committee in her view that they were likely to be considered more acceptable compared to the more serious limitations of being incarcerated.³¹

Committee comment

- 2.33. The Committee is of the view that electronic monitoring would be of benefit in the ACT noting the improvements in electronic monitoring technology, evidence pointing to effectiveness of electronic monitoring from trials in other jurisdictions, reducing recidivism, and the high proportion of detainees at the AMC who are unsentenced.
- 2.34. The Committee considers that the use of electronic monitoring should be implemented and explored further in light of these benefits and improved technology, in consultation with stakeholders to ensure that the concerns raised were properly considered as part of the implementation.

Recommendation 3

The Committee recommends that the ACT Government implement electronic monitoring where appropriate as part of community corrections orders.

Temporary powers for corrections officers

- 2.35. Under Part 1.8 of the *COVID-19 Emergency Response Legislation Amendment Act 2020*, ACT corrections officers can deal with a range of breaches of parole, GBOs and ICOs.³²
- 2.36. The Committee heard from the Attorney-General that the measures were introduced to enable an alternative way of monitoring people if the SAB were unable to meet under COVID-19 restrictions. The Committee heard that while some measures under the Act had been made permanent, the temporary powers under Part 1.8 were considered but not included with the other measures made permanent. The Attorney-General advised that:

...while the public health emergency continues, we need those COVID provisions to remain. So while some have been made permanent, the ones that have not been still sit in place because of the ongoing public health emergency declaration, and those measures are all tied to the ending of that declaration.³³

³⁰ Professor Lorana Bartels, *Submission 22*, p 2.

³¹ Professor Lorana Bartels, *Committee Hansard*, 17 February 2022, p 85.

³² ACT Government, Corrective Services, *Community Instruction no. 13 COVID-19 Discretion: Managing Non-Compliance with Community Based Order*, [COVID-19 – Discretion Managing Non-Compliance with Community Based Order conditions.pdf \(act.gov.au\)](#), accessed 2 June 2022.

³³ Mr Shane Rattenbury MLA, Attorney-General, *Committee Hansard*, 17 February 2022, p 114.

- 2.37. The Crimes (Sentence Administration) COVID-19 Emergency Guidelines 2020 require corrections officers to consider human rights when making decisions, noting that while the guidelines limit human rights this is considered necessary, reasonable, and proportionate during the public health emergency.³⁴

Concerns with the temporary powers

- 2.38. While temporary powers for ACT corrections officers to manage breaches of corrective orders was introduced as a temporary measure, the Committee heard that there is limited or no Board scrutiny of the breach and this is a significant change in the way offenders are managed.³⁵

The amendment and Guidelines (the new law) empower ACTCS community corrections officers who allege certain types of breaches to also determine that no action is required or that a warning is required. They have this discretion to deal with breaches for any offender, including serious offenders such as child sex offenders and family violence offenders. Unfortunately, the Board was not consulted before the passage of the new law but has subsequently raised concerns about whether the new law is necessary during the COVID-19 emergency given the Board has achieved reasonable timeliness in hearing breach matters during the emergency.

Also, the Board is concerned that the new law raises community safety issues, and that there is an unjustified inconsistency between this new law and the principles of natural justice and human rights. During 2020-2021, ACTCS Community Corrections made 20 reports to the SAB that it had exercised the power to impose a warning for a breach. When the ACTCS decides to deal with a breach and take no further action, this action is not notified to the Board, so the total number of instances where ACTCS has dealt with a breach is not known by the Board.³⁶

- 2.39. The SAB was also concerned that use of the power is not restricted to minor breaches as was originally intended as described in the Explanatory Statement.³⁷ The SAB noted in this respect that there was one instance of an offender on a long parole period (who had been convicted of seven acts of indecency against a young person) travelling interstate without permission. Another offender with drug driving offences did not report at all to his community corrections officer over a long period. The SAB noted that it did not get any notification of either of these breaches.³⁸

Committee comment

- 2.40. The Committee is concerned that temporary arrangements permitting corrections officers to address breaches of parole and ICOs are still in place despite advice from the SAB that the Board has not been hearing breach matters on a timely basis since the onset of the

³⁴ ACT Government, Corrective Services, *Community Instruction no. 13 COVID-19 Discretion: Managing Non-Compliance with Community Based Order*, [COVID-19 – Discretion Managing Non-Compliance with Community Based Order conditions.pdf \(act.gov.au\)](#), accessed 2 June 2022.

³⁵ Sentence Administration Board, *Submission 23*, p 1.

³⁶ Sentence Administration Board, *Submission 23*, p 10.

³⁷ *Explanatory Statement*, COVID-19 Emergency Response Legislation Amendment Bill 2020, p 44.

³⁸ Sentence Administration Board, *Submission 23*, pp 10–11.

pandemic, that the SAB does not have oversight on cases where ACTCS have made a decision not to issue formal warnings and that the power is being applied even for breaches which are not minor.

Recommendation 4

The Committee recommends that the ACT Government repeal the provisions of the *COVID-19 Emergency Response Legislation Amendment Act 2020* that provide temporary powers to Community Corrections Officers to apply a discretion when managing non-compliance with Good Behaviour Orders, Intensive Corrections Orders and Parole Orders instead of having such matters referred to the Sentencing Administration Board.

If the provisions are not repealed, the Committee recommends that the ACT Government ensure that the powers are not made permanent and, if the powers remain in any form, ensure that:

- the powers are confined to minor breaches;
- the powers are used only for low-risk offenders with sentences for minor matters; and
- any use of the powers is promptly notified to the Board for possible review.

Sentencing Administration Board – accommodation

- 2.41. Previously, the SAB was located within the ACT courts precinct with a dedicated room. Over five years ago, the Chief Justice advised the SAB that they should relocate due to concerns that co-location of the SAB with the courts might result in a breach of separation of powers. However, the Committee heard this does not seem to be a concern in other jurisdictions. The SAB moved from the ACT Courts precinct at the beginning of COVID.³⁹
- 2.42. The Committee heard that the SAB currently sits at the premises of ACTCS and conducts all hearings by teleconference or through Microsoft Teams software.⁴⁰ However, according to the SAB this presents some risks:

This development is of concern to the Board and presents a risk to the community. At 30 June 2021, 19.6% (9) of the warrants issued by the Board during 2020-2021 were unexecuted warrants for offenders who participated in a teleconferenced hearing and had their order cancelled or suspended; many of these unexecuted warrants have led to offenders whose community corrections orders have been cancelled being at large in the community for some time. This risk to the community would be wholly avoided if the Board were to return to holding its hearings in-person in the ACT Courts Complex, once the COVID emergency ends.⁴¹

³⁹ Ms Laura Beacroft, Chair, ACT Sentence Administration Board, *Committee Hansard*, 17 February 2022, p 96.

⁴⁰ Sentence Administration Board, *Submission 23*, p 2.

⁴¹ Sentence Administration Board, *Submission 23*, p 10.

- 2.43. When the SAB had face-to-face hearings, if a community corrections order was cancelled, the offender was immediately taken into custody. However, in a virtual sitting arrangement, if a warrant is issued during the hearing, the offender either hands themselves in or police must then find and arrest the offender. As a consequence, some warrants are left unexecuted for some time.⁴²
- 2.44. A long-term accommodation plan for the SAB has not yet been identified, although the issue has been brought to the attention of the Attorney-General and the Minister for Corrections. There have also been considerable discussions with the judiciary on the issue of the use of the courts being identified as the most suitable location, and the possible breach of the separation of powers being ruled out as a concern. It is understood that this issue will be brought up with the new Chief Justice of the ACT Supreme Court.⁴³

Committee comment

- 2.45. The Committee notes that the SAB continue to have to hold parole hearings virtually, due to lack of accommodation at the ACT Court precinct. The Committee is concerned that this creates risks for offenders and the community.

Recommendation 5

The Committee recommends that the ACT Government and ACT judiciary work collaboratively to enable the Sentence Administration Board to sit within the court complex, and that the Attorney-General report quarterly to the Assembly until this is resolved.

⁴² Ms Laura Beacroft, ACT Sentence Administration Board, *Committee Hansard*, 17 February 2022, p 97.

⁴³ Mr Shane Rattenbury MLA, Attorney-General, *Committee Hansard*, 17 February 2022, pp 104–105.

3. Transitioning back into the community and reducing recidivism

Justice Housing

Insufficient justice housing

- 3.1. The Committee heard from multiple stakeholders that there was insufficient housing for people on parole and those who are subject to Intensive Corrections Orders (ICOs)—especially for people with complex needs, mental health concerns, and drug and alcohol dependency. The Committee also heard that there is insufficient culturally safe accommodation. The ACT Council of Social Service (ACTCOSS) stated:

We all recognise that there are not enough houses in the ACT, and that is significantly contributing to the number of people in the justice system in the ACT. Particularly when people are trying to leave incarceration, there can sometimes be lengthier stays in the AMC if they do not have a house to go back to.⁴⁴

With drug and alcohol, we have the Bush Healing Farm, but that is only for a select group of people who are eligible. It is not a residential rehab facility, which is something that we desperately need.⁴⁵

- 3.2. The Committee heard that the current justice housing program has been operating for 18 months with 10 houses and 24 beds. The program is designed to help offenders transition from the AMC to the broader community. Within the program, there are five beds being used for occupants who identify as Aboriginal or Torres Strait Islander and there are six beds in the women's space. There are three people on the women's waiting list and 31 on the men's waiting list. There are no spaces for families (for example, women with children), as the houses are shared or operated on a single person per room basis. It was acknowledged that different forms of housing could assist in meeting the diverse needs of people in the justice system, with stakeholders indicating that these needs are currently not being met under the justice housing program.⁴⁶

Impact on recidivism

- 3.3. The Committee heard from multiple stakeholders that unstable housing can lead to recidivism and to a return to drug and alcohol problems, as detainees can be very vulnerable. Unstable housing can also lead to a failure to meet conditions of parole and ICOs. Stakeholders provided the following examples:

I observed that the process of releasing women prisoners back into the community was less than ideal. More often than not they did not have stable housing (and would often spend time at my place) and as a result this left them highly vulnerable. This

⁴⁴ Dr Gemma Killen, Head of Policy, ACT Council of Social Service, *Committee Hansard*, 16 February 2022, p 50.

⁴⁵ Ms Rachelle Kelly-Church, Gulunga Program Manager, ACT Council of Social Service, *Committee Hansard*, 16 February 2022, p 51.

⁴⁶ Ms Tamara Graham, A/g Assistant Commissioner, Offender Reintegration, ACT Corrective Services, Justice and Community Safety Directorate, *Committee Hansard*, 16 February 2022, p 11.

vulnerability resulted in them returning to their old haunts and associates which usually resulted in them relapsing into drug and alcohol addiction and crime. What would follow was a quick downward spiral and further periods of imprisonment.⁴⁷

Investment in housing and homelessness strategies, in particular implementing a “housing first” strategy to manage the needs of people presenting with complex and intersecting needs, is also likely to be effective in the short to medium term in reducing rates of re-offending.⁴⁸

It’s not surprising then that many detainees are released into homelessness which in turn expedites their return to the justice system. Recent research on recidivism in the ACT notes that a lack of access to safe and affordable housing is a significant barrier to obtaining employment post-release. Inability to find and sustain suitable and fulfilling employment entrenches disadvantage and increases rates of recidivism.⁴⁹

3.4. A lack of housing can also mean that an offender may spend longer in incarceration:

A woman may not be able to get bail or may not have suitable accommodation and support to enable her to be placed on remand. Thus, she may end up in prison while awaiting her trial. Similarly, a woman seeking parole may be denied this opportunity because of social disadvantage which results in inadequate access to suitable housing, lack of employment opportunities, poor health, including mental health, and limited support for drug and alcohol programs.⁵⁰

Committee comment

- 3.5. The Committee notes evidence from numerous sources outlining the impacts of a lack of suitable and accessible housing has on the parole and successful rehabilitation of offenders and reducing the likelihood of recidivism. The Committee is of the view that this is an administrative mismatch of service delivery to actual demand, which prevents the achievement of government objectives to reduce recidivism, has a detrimental impact on offenders, and is more expensive in both the short and long terms. The Committee considers that the ACT Government should address issues associated with the lack of suitable housing as a matter of urgency.

Recommendation 6

The Committee recommends that the ACT Government review the existing funding model for justice housing to ensure that offenders being released from detention have access to suitable accommodation, to avoid prolonging detention due to lack of housing and to reduce risks of recidivism.

⁴⁷ Ms Kate Cleary, CEO, The Farm in Galong Ltd., *Submission 10*, p 2.

⁴⁸ A Gender Agenda, *Submission 20*, p 4.

⁴⁹ ACTCOSS, *Submission 26*, pp 8–9.

⁵⁰ National Council of Women, *Submission 29*, p 4.

Parole application periods

Issues with existing parole system

- 3.6. The Committee heard that the current parole process was complex, inefficient, and resulting in inequitable outcomes. There were many issues with existing parole processes particularly around the time taken to apply for parole, which some people said could be addressed by automatic parole for shorter sentences:

[W]e consider the current parole application process to be inefficient and may result in miscarriage of justice and put unnecessary additional pressure on the already thinly stretched prison system. The Society supports an approach similar to that of New South Wales (NSW), where automatic parole release is allowed for sentences of less than three years of imprisonment.⁵¹

There is no clear system so people can know when they will be eligible for parole, and the process is complex and takes a long time, so there is a lot of uncertainty for families and children who need to have proven plans and arrangements in place to satisfy care and protection and be able to be reunited with their children. Many people have extended time in AMC because of this, which means children are in care longer. We recommend that certain parole matters, such as those serving short sentences, should have automatic court ordered paroles.⁵²

- 3.7. Parole applications are lengthy processes. According to the SAB, the ACT Law Society and the SAB estimated parole applications to take three months on average, although the SAB said they were trying to bring the average period down to eight weeks.⁵³ Problems with the time taken to apply and consider parole applications in respect of shorter sentences were also raised (based on a three-month application and consideration period):

[I]f a person is sentenced to a period of 12 months imprisonment, with a non-parole period of 6 months, the sentence is backdated by 6 months to when the person was first remanded in custody. By virtue of the administrative process, that person may have to serve a 9-month term of imprisonment before their release, being 50% longer than the non-parole period.⁵⁴

- 3.8. Issues with the existing parole system centred around lack of knowledge, and the complexity involved which were raised in many submissions. For example, Advocacy for Inclusion (AFI) noted difficulties for people with disability:

While AFI notes that people must be supported to be responsible for their own decisions, we are also cognisant that many people within the criminal justice system may not have been taught self-advocacy skills. The inaccessibility of the current parole process perpetuates this disadvantage, meaning that people with disability may be less

⁵¹ ACT Law Society, *Submission 24*, p 2.

⁵² Our Booris, Our Way, *Submission 11*, p 5.

⁵³ Ms Laura Beacroft, Chair, Sentence Administration Board, *Committee Hansard*, 17 February 2022, p 88.

⁵⁴ ACT Law Society, *Submission 24*, p 1.

able to utilise the rules for their own benefit or to participate advantageously in bureaucratic processes.⁵⁵

AFI is also aware that people often receive little support throughout SAB processes. Many of these issues are discussed under 'The Parole Application Process', but include:

- The use of long, complex written documents and legal jargon.
- Minimal and varying support to complete SAB documents.
- The lack of support and burden of responsibility on people who may not have requisite skills. to participate in SAB processes.⁵⁶

3.9. Particular concerns impacting Aboriginal and Torres Strait Islander people were also raised:

The SAB, while having a singular Aboriginal and Torres Strait Islander representative, is not a culturally safe place to be able to apply for parole. The application process is daunting and faces extensive delays – it does not support trauma informed practices nor a journey of healing. A key issue affecting children in out of home care is that women don't have access to legal aid for SAB matters. Most of the Aboriginal and Torres Strait Islander women in custody in the ACT are mothers, and families can be large, such as 8 children.⁵⁷

3.10. In addition, issues were raised around the timing of parole being granted resulting in insufficient time to prepare for release and 'Catch 22' situations:

Specifically, people are often unable to organise community supports until they receive confirmation that parole has been granted. However, successful applicants are typically released within a week of their parole hearing and it is simply not possible to organise all the necessary supports during this short time. This means that parole applicants are often released without adequate community supports.

AFI notes that this is a pertinent issue for NDIS participants who are seeking parole. This is as the SAB will often not grant parole until a NDIS plan has been established, yet the NDIS will not develop a plan until a release date has been provided.⁵⁸

Automatic parole

3.11. Automatic parole exists in NSW, where a sentencing court can impose a date on which an offender is automatically released on parole. This can be revoked by the NSW State Parole Authority, and the court can impose a non-standard non-parole period when considering particular circumstances.⁵⁹

3.12. The SAB told the Committee that automatic parole is common in the United States and will have to be considered for the ACT when the number of cases increases to an extent that the Board is unable to look at every matter. In addition, the Committee heard that automatic parole could work depending on criteria such as whether cases are subject to

⁵⁵ Advocacy for Inclusion, *Submission 19*, p 9.

⁵⁶ Advocacy for Inclusion, *Submission 19*, p 12.

⁵⁷ Our Booris, Our Way, *Submission 11*, p 7.

⁵⁸ Advocacy for Inclusion, *Submission 19*, p 10.

⁵⁹ Legal Aid ACT, *answer to QTON 18: NSW sentencing regime*, received 25 March 2022.

management and supervision by the Board. It would also be necessary to consider how to manage reintegration issues, such as accommodation plans and National Disability Insurance Scheme (NDIS) plans.⁶⁰

- 3.13. The ACT Government is not currently considering an automatic parole process for the ACT.⁶¹

Concerns with automatic parole

- 3.14. The Victims of Crime Commissioner raised concerns that automatic parole could lead to risks to the immediate safety of any victim survivors in relation to violent crimes, noting that the parole application process gives the victim survivor an opportunity to raise any concerns.⁶²
- 3.15. The SAB raised concerns that automatic parole would lead to new risks of recidivism and risks to the victim and community safety, describing automatic parole as more of an economic measure. Further concerns were raised that there would be automatic parole regardless of the circumstances.⁶³

Committee comment

- 3.16. The Committee notes the challenges that are faced by detainees in applying for parole, particularly for vulnerable detainees due to the length of the parole application process. These challenges would likely be exacerbated if volumes of cases increased. The Committee considers that steps to reduce the parole application process are needed and should be informed by an analysis of why the parole application processes are taking so long.

Recommendation 7

The Committee recommends that the ACT Government investigate the reasons that lead to lengthy parole application periods and implement options to reduce them.

Community service placements

- 3.17. ACTCS provide minimum security detainees with the option to apply for transitional release, to participate in activities outside the AMC that directly contribute to their gradual return to the community and reduce the risk of recidivism. Many detainees experience significant disadvantage and challenges to reintegrate themselves back into the community upon release from custody.⁶⁴

⁶⁰ Ms Laura Beacroft, Chair, Sentence Administration Board, *Committee Hansard*, 17 February 2022, pp 90–91.

⁶¹ Mr Shane Rattenbury MLA, Attorney-General, *answer to QTON 15: Automatic paroles application process*, received 1 March 2022.

⁶² Ms Heidi Yates, Victims of Crimes Commissioner, *Committee Hansard*, 17 February 2022, p 58.

⁶³ Sentence Administration Board, *answer to QTON 10 and 11: Use of electronic monitoring in community corrections*, received 23 February 2022, p 3.

⁶⁴ ACT Corrective Services, *Transitional Release Program*, <https://correctiveservices.act.gov.au/reintegration-and-release/transitional-release-program>, accessed 23 May 2022.

Benefits of community-based work

- 3.18. Transitional release supports rehabilitation and prepares detainees for return to the community and aims to reduce the disadvantage many people leaving custody face in securing employment.⁶⁵ It also provides the opportunity for rehabilitation, through developing and improving work-related skills, as well as by increasing detainees' self-esteem and well-being and giving their lives new purpose and direction.
- 3.19. A study undertaken by the Bureau of Crime Statistics and Research in NSW demonstrated that involvement in CSW can have an effect on recidivism that is more positive than supervised probation.⁶⁶
- 3.20. CSW has attained increasing importance as a sentencing option in the ACT and in other Australian and international jurisdictions. There are a number of reasons posited for the use of CSW as a sentencing option:
- Punishment: an offender is required to commit time and work as a consequence of their offending behaviour.
 - Restitution: by undertaking unpaid work the offender is afforded an opportunity to 'make good' the damage done by offending.
 - Restoration: through involvement in work projects the offender may develop a capacity for positive engagement and develop pro-social relationships.⁶⁷
- 3.21. According to the ACT Government, the punishment rationale can exist comfortably with the rationales of restitution and restoration, particularly when the work undertaken is meaningful to the offender and contributes to skill development.⁶⁸

Existing Community Work arrangements

- 3.22. Within ACTCS, the CSW Unit sits within the Community Corrections Division and supports the administration of community-based sentences which also have a CSW condition. The CSW program represents an important engagement for community corrections with the broader community.⁶⁹
- 3.23. Detainees participating in the Transitional Release Program may be eligible to participate in supervised work crews in the community.⁷⁰ Community work crew options include:
- a) working alongside ACT Parks and Conservation Service (within the ACT Environment, Planning and Sustainable Development Directorate) to maintain ACT parks and reserves;

⁶⁵ ACT Corrective Services, *Transitional Release Program*, <https://correctiveservices.act.gov.au/reintegration-and-release/transitional-release-program>, accessed 23 May 2022.

⁶⁶ ACT Government, *Submission 28*, p 8.

⁶⁷ ACT Government, *Submission 28*, p 8.

⁶⁸ ACT Government, *Submission 28*, p 8.

⁶⁹ ACT Government, *Submission 28*, p 8.

⁷⁰ ACT Corrective Services, *Transitional Release Program*, <https://correctiveservices.act.gov.au/reintegration-and-release/transitional-release-program>, accessed 23 May 2022.

- b) community service activities such as graffiti removal and cleaning;
 - c) metal recycling and waste disposal; and
 - d) assisting in the maintenance of Aboriginal and Torres Strait Islander community areas such as the Boomanulla Oval.⁷¹
- 3.24. According to the JACS Annual Report 2019-20, 16,486 CSW hours were performed by 312 offenders over the 2019–20 financial year. Completion of educational or programs hours designed to address offending risk factors (up to 25 per cent of total hours) were also counted towards CSW hours.⁷²
- 3.25. There are currently 11 charity and not-for-profit organisations supporting CSW.⁷³ Organisations do not have to take a particular placement if they do not wish to do so, and the ACTCS will work with the organisations to ensure there is transparency on detainees' offence types.⁷⁴
- 3.26. Additionally, the Minister for Corrections, Mr Mick Gentleman MLA, said at the public hearing on 16 February 2022 that:

... we want to think about every option that is available, I think, to give these people [detainees] some feeling of worth in the community. And that assists us to bring them [detainees] back into the community at the end of their term. If there is an opportunity that we can do it within government services, I will certainly look at that and talk to the Attorney-General about it.⁷⁵

Committee comment

- 3.27. The Committee is of the view that detainees should be given more opportunities and assistance to reintegrate themselves back into the community through CSW.

Recommendation 8

The Committee recommends that the ACT Government explore ways for detainees to be placed on community service, and potentially within government directorates.

⁷¹ ACT Corrective Services, *Transitional Release Program*, <https://correctiveservices.act.gov.au/reintegration-and-release/transitional-release-program>, accessed 23 May 2022.

⁷² ACT Government, *Submission 28*, p 9.

⁷³ Mr Mick Gentleman MLA, Minister for Corrections, *answer to QTON 2: Service work placements*, 17 February 2022, received 19 May 2022.

⁷⁴ Ms Karen Doran, A/g Director-General, Justice and Community Safety Directorate, *Committee Hansard*, pp 9–10.

⁷⁵ Mr Mick Gentleman MLA, Minister for Corrections, *Committee Hansard*, 16 February 2022, p ?.

Education and employment

Role in reducing recidivism

- 3.28. The Committee were told that activities to promote education and employment along with reintegration and rehabilitation activities are considered when people come into the community corrections system. This is part of a general approach to reduce recidivism.⁷⁶
- 3.29. ACTCOSS observed that the inability to find and sustain suitable and fulfilling employment entrenches disadvantage and increases rates of recidivism.⁷⁷ This was also supported by the Justice Reform Initiative.⁷⁸
- 3.30. Wellways, in partnership with the ACT Government's Mental Health, Justice Health, Alcohol & Drugs Service, delivers the Detention Exit Community Outreach (DECO) program, a community-based psychosocial support and outreach service operating in the ACT since 2015. The DECO program is designed for people exiting from correctional or detention settings with serious mental illness, who are at risk of re-offending, or have limited supports in the community post release.⁷⁹
- 3.31. The DECO program enables case managers to support people with mental illness in the justice system (including offenders) with employment, living skills, self-esteem and socialisation. Most participants have been men with a diagnosis of severe mental illness. Many have a history of substance abuse or misuse, did not finish high school and/or have spent half their adult life in detention.⁸⁰
- 3.32. As of 30 June 2021, recidivism rates for participants in the DECO program have been less than 15 per cent. This example program has demonstrated that recidivism can be reduced. According to the ACT Mental Health Consumer Network, a program like this could help prevent further contact with the criminal justice system, potentially preventing young people from continuing into the system as an adult.⁸¹

Existing services

- 3.33. ACTCS provides assistance to offenders to improve their employment prospects after release:

ACTCS has a dedicated Employment Specialist position within the Offender Reintegration Division which was established permanently during 2019-20. This role offers a range of supports to offenders who are subject to community-based corrections orders and those who have been in custody to improve their chances of securing ongoing employment.

⁷⁶ Ms Karen Doran, A/g Director-General, Justice and Community Safety Directorate, *Committee Hansard*, 16 February 2022, p 8.

⁷⁷ ACT Council of Social Service Inc., *Submission 26*, p 9.

⁷⁸ Justice Reform Initiative, *Submission 5*, p 6.

⁷⁹ Wellways Australia, *Submission 17*, p 2.

⁸⁰ Wellways Australia, *Submission 17*, p 5.

⁸¹ ACT Mental Health Consumer Network, *Submission 14*, p 4.

These services include access to the Work Ready program (modularised course that builds skills and provides assistance in areas such as resume writing, job interview preparation, communication, goal setting and career planning); identification of suitable job vacancies through engaged employers; referrals to other employment assistance programs and Job Network Providers in the community to provide a connected service between offenders and employers.⁸²

- 3.34. The Attorney-General told the Committee that education and employment for those on community corrections orders is ‘really important’. He spoke to his previous experience as Minister for Corrections when he had formed the view that while the AMC has a strong focus on education it also needs industries for those who are better suited to employment areas such as baking, kitchen work, tools, or repairs.⁸³ Similar views were expressed in submissions seeking increased education and employment opportunities and access to the Transitional Release Centre.⁸⁴
- 3.35. Meridian called for more opportunities for eligible offenders to engage in education, training and employment whilst also ensuring that support and services exist for eligible offenders to access appropriate therapeutic programs.⁸⁵

Committee comment

- 3.36. Given the role that education and employment experience can play in preparing an offender in transitioning out of the corrections system – for example, by providing offenders with the skills and opportunities needed to find work and reducing the likelihood of recidivism – the Committee is of the view that more should be done to increase offenders’ access to education and employment opportunities within the justice system.

Recommendation 9

The Committee recommends that the ACT Government promote education and employment within the community corrections system, as a means of ending the cycle of recidivism

4. Drug and Alcohol issues

Drug and Alcohol Treatment Orders

- 4.1. The Committee was concerned about the low take-up of drug and alcohol treatment orders (DATOs). As of 2 February 2022, there were 29 active DATOs.⁸⁶ 51 treatment orders

⁸² ACT Government, *Submission 28*, p 11.

⁸³ Mr Shane Rattenbury MLA, Attorney-General, *Committee Hansard*, 17 February 2022, pp 116–117.

⁸⁴ Mr Kaon Bell, *Submission 8*, p 4, pp 10–11; Brendan Baker, *Submission 7*, p 1; Name withheld, *Submission 9*, p 1.

⁸⁵ Meridian, *Submission 2*, p 5.

⁸⁶ Mr Bruno Aloisi, A/g Assistant Commissioner, ACT Corrective Services, Justice and Community Safety Directorate, *Committee Hansard*, 16 February 2022, p 2.

have been imposed to date with 15 of those cancelled, with another 13 going through the assessment process.⁸⁷

- 4.2. DATOs were introduced as a sentencing option in the ACT on 3 December 2019 under the *Crime (Sentencing) Act 2005*. The service is gradually building up numbers.⁸⁸ DATOs are made in conjunction with a suspended sentence and can be from 12 months to two years duration.⁸⁹

Issues with the eligibility criteria

- 4.3. To be eligible to participate in the Supreme Court sentencing process (i.e. The Drug and Alcohol Sentencing List (DASL)), the person must:
- be over 18 years and live in the ACT;
 - have entered or indicated a guilty plea;
 - likely to be imprisoned between one and four years;
 - have no other sentencing orders in place;
 - be dependent on alcohol or other drugs;
 - give informed consent to the order being made; and
 - not have committed a serious violence offence or a sexual offence.⁹⁰
- 4.4. Submissions were favourable of the use of DATOs with most wanting the eligibility criteria expanded to:
- sentences of less than one year, to enable those with more complex issues such as mental illness and disability to be eligible; and
 - to allow cases to be referred from the Magistrates Court not just the Supreme Court.
- 4.5. For example, the ACT Law Society reported positive experiences with DATOs.⁹¹ A Gender Agenda also told the Committee that they welcome the implementation of DATOs as a substitute for incarceration and called for an expansion of the program.⁹²
- 4.6. Meridian told the Committee that the eligibility for DATOs should be expanded to include sentences of less than one year noting that a person with years of recurring petty crime due to ongoing drug abuse would not be eligible to benefit from the program.⁹³ This view was supported by The Alcohol Tobacco and Other Drug Association ACT.⁹⁴

⁸⁷ Ms Jennifer McNeill, Deputy Director-General, Justice and Community Safety Directorate, *Committee Hansard*, 17 February 2022, p 110.

⁸⁸ Mr Bruno Aloisi, A/g Assistant Commissioner, ACT Corrective Services, Justice and Community Safety Directorate, *Committee Hansard*, 16 February 2022, p 2.

⁸⁹ ACT Government, *Submission 28*, p 5.

⁹⁰ ACT Supreme Court, *Drug and Alcohol Sentencing List*, <https://www.courts.act.gov.au/supreme/law-and-practice/criminal/drug-and-alcohol-sentencing-list>, accessed 24 May 2022.

⁹¹ ACT Law Society, *Submission 24*, p 4.

⁹² A Gender Agenda, *Submission 20*, p 3.

⁹³ Meridian, *Submission 2*, p 4.

⁹⁴ Alcohol Tobacco and Other Drug Association ACT, *Submission 16*, p 2.

- 4.7. The Committee also heard that people with a disability are excluded from the intensive support provided under DATOs.⁹⁵ The Alcohol Tobacco and Other Drug Association ACT supported extending the criteria to individuals with comorbidities and ensuring equitable access for women.⁹⁶
- 4.8. The ACT Law Society told the Committee that the DASL should include Magistrates Court matters to allow earlier intervention before a person's drug and alcohol issues became more serious.⁹⁷ This was also supported by the Justice Reform Initiative.⁹⁸ The Attorney-General, however raised concerns that applying a full DATO on people involved early in the system may be too intense.⁹⁹
- 4.9. The Attorney-General also discussed the narrow eligibility for DATOs, noting that numbers were restricted while the Drug and Alcohol Court was being established. An evaluation of the Court is planned and broadening of criteria is likely to be an issue discussed in the evaluation including the concept of including matters from the Magistrates Court.¹⁰⁰

Gaps in approach for people with more complex issues

- 4.10. Problems with the siloed approach to treatments for people with drug and alcohol problems who also had mental health problems were raised several times, during the inquiry. Stakeholders observed that programs are offered in respect of drug and alcohol problems or mental health problems, but not both. This is despite mental health concerns and drug and alcohol dependency being closely linked.

People are often precluded from drug and alcohol treatment orders if they also have mental health concerns, despite high co-occurrence for mental illness and dependence on substance use.¹⁰¹

...people with comorbid mental illness and substance misuse receive less support due to siloed services. This is concerning due to the 'high prevalence of comorbidity between substance use disorders and other mental illnesses.'¹⁰²

We do believe that staff sometimes get caught in the system, in that they are only funded for treating alcohol and drugs or funded for treating mental health.¹⁰³

- 4.11. One witness gave an example of how current approaches lacked a holistic approach:

One of the big things we found when Bronte was released from the AMC was that, despite her being assessed as a prisoner at risk on admission, she was released on bail without a discharge plan from a mental health unit or the crisis support unit of the AMC. Again, it was just directed towards alcohol and drugs and not mental health.

⁹⁵ Advocacy for Inclusion, *Submission 19*, p 3.

⁹⁶ Alcohol Tobacco and Other Drug Association ACT, *Submission 16*, p 2.

⁹⁷ Mr Michael Kukulies-Smith, ACT Law Society, *Committee Hansard*, 16 February 2022, p 47.

⁹⁸ Justice Reform Initiative, *Submission 5*, p 11.

⁹⁹ Mr Shane Rattenbury MLA, Attorney-General, *Committee Hansard*, 17 February 2022, p 110.

¹⁰⁰ Mr Shane Rattenbury MLA, Attorney-General, *Committee Hansard*, 17 February 2022, p 109.

¹⁰¹ ACTCOSS, *Submission 26*, p 13.

¹⁰² Advocacy for Inclusion, *Submission 19*, p 17.

¹⁰³ Dr Alison Childs, Canberra Mental Health Forum, *Committee Hansard*, 17 February 2022, p 62.

...She expressed suicidal thoughts when she was admitted to the AMC. They monitored her for five days; she was in the crisis support unit. She also managed to detox from her substance use. After that, she went into the mainstream wing with the women. When she was released on bail through AVL, from the AMC, the mental health clinicians were not aware that she had been bailed. When I rang them and asked them what the process was, they said, “We quite often don’t find out that people have been bailed until after the event.”¹⁰⁴

Other reservations with Drug and Alcohol Treatment Orders

- 4.12. The SAB advised the Committee that the eligibility criteria for DATOs are narrow, but also explained:

[T]he people who are subject to alcohol and drug orders may not necessarily be the people who are at highest risk to the community with alcohol and drug problems. That is not how criteria work. The board has people who have very high needs in alcohol and drug care who may be higher risk than those subject to the orders. We just have to be careful that the limited resources available for intensive alcohol and drug support and treatment do not automatically go to those on those orders when, in fact, we may have people before the board or just in the community, quite frankly—not even in the criminal justice system—who still might have higher risk for the community.¹⁰⁵

- 4.13. There were some other concerns raised with the Committee on the use of DATOs. For example:

- a) The Family and Friends for Drug Law Reform told the Committee that:

The effectiveness of a drug court to reduce reoffending depends in a large part on its capacity to engage and retain people in treatment. The New South Wales drug court has yet to demonstrate that capacity.¹⁰⁶

- b) The Tjillari Justice Aboriginal Corporation said:

With 14 Aboriginal people on drug and alcohol treatment orders, this is not an alternative to incarceration for Aboriginal offenders. The requirements to be placed on this type of order include the need to plead guilty to the offences before the Court and it has been reported that some people feel pressured to plead guilty for offences they believe they did not commit by their legal representatives... No clients we have spoken to have completed the program and remained drug and alcohol free.¹⁰⁷

Committee comment

- 4.14. It appears to the Committee that in most cases, DATOs have been a positive alternative to being detained. The Committee considers that there are several ways in which the criteria for DATOs could be expanded to increase accessibility. The Committee is also of the view

¹⁰⁴ Ms Janine Haskins, Canberra Mental Health Forum, *Committee Hansard*, 17 February 2022, p 63.

¹⁰⁵ Ms Laura Beacroft, Chair, ACT Sentencing Administration Board, *Committee Hansard*, 17 February 2022, p 99.

¹⁰⁶ Family and Friends for Drug Law Reform, *Submission 15*, p 49.

¹⁰⁷ Tjillari Justice Aboriginal Corporation, *Submission 25*, pp 5–6.

that the evaluation of the Drug and Alcohol Court is timely and should consider how to expand the criteria for DATOs where appropriate.

Recommendation 10

The Committee recommends that the ACT Government expand the eligibility criteria for Drug and Alcohol Treatment Orders with sufficient corresponding funding for the Drug and Alcohol Court.

Access to drug and alcohol programs

- 4.15. The Committee heard of the importance of programs for drug and alcohol dependence:

[D]iversion, early intervention and prevention are the best interventions you can have in this space. In terms of young people, one of the keys is trying to access them in the way that they want to be accessed as well.¹⁰⁸

- 4.16. The Ted Noffs Foundation advised that the risk of recidivism is reduced by nearly 50 per cent for young people after three months of treatment in their program, and that programs should be targeted:

Our Program for Adolescent Life Management (PALM) is for young people aged 12-18, with a focus on alcohol and other drug use. We know from the young people (18-22) that we work with through outreach, who end up in the AMC, or are involved in the adult justice system, that they would love to access a treatment option like PALM. They want a treatment option that's geared towards them, as young people, that is all about supporting them to address their issues.¹⁰⁹

Problems with accessing programs

- 4.17. While the rehabilitation benefits of drug and alcohol programs are apparent, there can be issues in accessing them. Prisoners Aid ACT told the Committee that while they had some success stories in helping people subject to corrections orders with their drug and alcohol issues, they would like more resources and to put in place more programs. They spoke of the positive feedback and appreciation from the people they have helped and how they would like to be able to do more.¹¹⁰
- 4.18. Wellways told the Committee that there is often the need to go outside the ACT for drug and alcohol rehabilitation because there is not enough in the ACT.¹¹¹

Particular issues for Aboriginal and Torres Strait Islander people

- 4.19. The Committee heard that there were particular pressures for Aboriginal and Torres Strait Islander people—particularly in regards to the accessibility of culturally safe and

¹⁰⁸ Mr Bruno Aloisi, A/g Assistant Commissioner, ACT Corrective Services, Justice and Community Safety Directorate, *Committee Hansard*, 16 February 2022, p 7.

¹⁰⁹ Ted Noffs Foundation, *Submission 13*, p 3.

¹¹⁰ Mr Glen Tibbits, Manager, Prisoners Aid (ACT), *Committee Hansard*, 17 February 2022, p 81.

¹¹¹ Ms Joanne Smith, Outreach Coordinator, Wellways Australia, *Committee Hansard*, 16 February 2022, p 33.

appropriate services. ACTCOSS told the Committee that funding for drug and alcohol treatment services must be prioritised, particularly for Aboriginal community-controlled organisations, noting that in the ACT, Aboriginal people are 12 times more likely to be subject to community corrections orders. Aboriginal and Torres Strait Islander people also had and have a lower completion rate of 69 per cent compared to 78 per cent for non-Aboriginal people in the last reporting period.¹¹²

- 4.20. The need for locally available culturally appropriate programs for Aboriginal and Torres Strait Islander people was highlighted by several stakeholders:

We need a local drug and alcohol treatment centre that is designed and run by Aboriginal and Torres Strait Islander community-controlled organisations that understand the need for a culturally strong drug and alcohol program. One client who was part of a recidivist cohort and had only ever been charged with minor crimes or breaches of their orders, left the ACT for treatment. Their two babies went into care when they first went to AMC, and during the treatment period. The only treatment option involved an 8-hour drive, and whilst there, they were sexually assaulted.¹¹³

- 4.21. The Committee also heard that drug and alcohol programs need to be conducted in culturally safe working environments. It was challenging for Aboriginal and Torres Strait Islander people to work in mainstream environments in the corrections system, noting high turnovers of Indigenous Liaison Officers and discrimination and racism issues. Moreover, existing programs such as the Galambany Circle Sentencing Court were not working as well as they should. It was proposed that the Ngunnawal Bush Healing Farm become a drug and alcohol centre to provide more support.¹¹⁴ The Committee were also told that use of the Ngunnawal Bush Healing Farm may not be an appropriate solution, as availability is limited to a select group of people and the Bush Healing Farm is not a residential rehab facility.¹¹⁵
- 4.22. The Ngunnawal Bush Healing Farm is an ACT program for anyone aged between 18 to 50 years old who identifies as an Aboriginal and/or Torres Strait Islander person and does not have a history of violent and/or sexual offending, to gain skills in resilience and receive wellbeing support and training to assist with gaining employment.¹¹⁶

Committee comment

- 4.23. The Committee is of the view that there are gaps in access to alcohol and other drug services, especially for Aboriginal and Torres Strait Islander people. The Committee considers that access to drug and alcohol programs should be increased particularly given the value that such programs play in reducing recidivism risks.

¹¹² Dr Gemma Killen, Head of Policy, ACTCOSS, *Committee Hansard*, 16 February 2022, p 49.

¹¹³ Our Booris, Our Way, *Submission 11*, p 7.

¹¹⁴ Ms Deborah Martin, Tjillari Justice Aboriginal Corporation, *Committee Hansard*, 17 February 2022, p 125.

¹¹⁵ Ms Rachelle Kelly-Church, Gulunga Program Manager, ACT Council of Social Service, *Committee Hansard*, 16 February 2022, p 50.

¹¹⁶ ACT Government Health, *Ngunnawal Bush Healing Farm*, <https://health.act.gov.au/services-and-programs/aboriginal-and-torres-strait-islander-health/health-and-wellbeing-service-0>, accessed 23 June 2022.

Recommendation 11

The Committee recommends that the ACT Government ensure that people on community correction orders receive access to culturally appropriate alcohol and other drug treatment services that are adequately funded and offered to people routinely.

5. Impacts on victims

A single victims register with the Victims of Crime Commissioner

- 5.1. Victims can register their names and contact details in order to receive information about a sentenced offender and the administration of their sentence. Victims who are registered are also invited to make a submission to the SAB, if the offender is being considered for release on parole or license. This allows the victim's concerns about their safety in respect of possible risks of violence or harassment by an offender on release to be considered.¹¹⁷
- 5.2. The Committee heard that there are three victims registers in the ACT, none of which sit with the Victims of Crime Commissioner:
1. The Adult Offenders Victims Register administered by ACT Corrective Services (under Chapter 10 of the *Crimes (Sentence Administration) Act 2005* and the *Victims of Crimes Act 1994*).
 2. The Youth Justice Victims Register, administered by the Director-General of the Community Services Directorate (under Chapter 10 of the *Crimes (Sentence Administration) Act 2005* and the *Victims of Crime Act 1994*).
 3. The Affected Persons Register, administered by the ACT Civil and Administrative Tribunal (under Part 7.2 of the *Mental Health Act 2015* and the *Victims of Crime Act 1994*).¹¹⁸

Problems caused by the lack of a central register

- 5.3. The current lack of a central register for victims of crime creates obstacles in ensuring victim survivor input:
- At present, the fact that the registers are in three different places makes it very difficult for victim survivors to understand their entitlements and where to go. A streamlined approach, where we have a single pathway in, is extremely important.
- I also think that the question about victims being uncertain regarding giving their personal details to agencies with whom they do not have trust and rapport is significant.¹¹⁹
- 5.4. The Attorney-General advised that each register has different legislative requirements, and that planning is underway to transfer all three registers to Victim Support ACT by the end of the 2021-22 financial year.¹²⁰

¹¹⁷ ACT Government, *Submission 28*, p 7.

¹¹⁸ Mr Shane Rattenbury MLA, *answer to QTON 13: Victims Registers*, 13 March 2022 (received 15 March 2022).

¹¹⁹ Ms Heidi Yates, Victims of Crime Commissioner, Committee Hansard, 17 February 2022, p 57.

¹²⁰ Mr Shane Rattenbury MLA, *answer to QTON 13: Victims Registers*, 13 March 2022 (received 15 March 2022).

- 5.5. At present, only one full-time equivalent position is available to administer all three registers with the Victims of Crime Commissioner. There are resourcing concerns relating to the possible increase in numbers of victim registrations once the registers are in the one agency.¹²¹

Committee comment

- 5.6. The Committee is concerned that the victims of crime registration framework may not be effective to ensure that victims are sufficiently supported including in respect of understanding their entitlements and receiving information to prepare victim impact statements. This appears to be due (at least to some extent) to the fact that there are three separate victim registers, and to the fact that none are administered by the Victims of Crime Commissioner (at the time of the hearing).

Recommendation 12

The Committee recommends that the ACT Government implement a single victims register under the Victims of Crime Commissioner as planned and that the Victims of Crime Commissioner who will be responsible for the register is sufficiently resourced.

Taking victims concerns into account in risk assessments of perpetrators

- 5.7. A new Charter of Rights for victims of crime commenced early last year, based on the *Victims of Crimes Act 1994*.¹²² ACTCS must consider the concerns of the victim about the need for protection from violence or harassment by the offender when preparing a pre-sentence report or an intensive correction assessment in relation to an offender.¹²³
- 5.8. The Victims of Crime Commissioner spoke of the need for better processes within ACTCS to uphold the rights of victims under the charter:

We would say that we need a much more consistent approach to consultation with victim survivors across every matter where CCOs [community corrections officers] are making decisions. From my perspective, that is crucial in terms of them being able to make an informed risk assessment about the community safety aspects of their decisions.¹²⁴

- 5.9. The Victims of Crime Commissioner also spoke to the need for a domestic and family violence specific risk assessment framework beyond the current LSI-R tool (Level of Service Inventory-Revised – an assessment used to measure an inmate’s risk to re-offend and to define the inmate’s programming needs), which is not domestic and family violence

¹²¹ Ms Heidi Yates, Victims of Crime Commissioner, *Committee Hansard*, 17 February 2022, p 57.

¹²² ACT Government Victim Support, *Charter of Rights for victims of crime*, <https://www.victimsupport.act.gov.au/victims-rights>, accessed 23 June 2022.

¹²³ *Victims of Crime Act 1994*, s17B.

¹²⁴ Ms Heidi Yates, Victims of Crime Commissioner, *Committee Hansard*, 17 February 2022, p 55.

specific. The Commissioner also noted that there are adverse consequences in current risk assessments, stating:

A really practical example of that is that there is only one community corrections DFV program for offenders, the domestic abuse program. You have to be assessed as a high-risk offender to enter that program. It is often the case that an LSI-R assessment might indicate that someone is not high risk and therefore cannot access that program; they are then released to a community program, and the community program, applying the ACT government risk DFV framework, says, “They are high risk and therefore they can’t come to our program.”¹²⁵

Committee comment

- 5.10. The Committee supports the Victims of Crime Commissioner’s position that there should be more emphasis and more structured measures put in place to assist corrective officers, to take into account the victim survivor experience and insights when conducting risk assessments as part of the decision-making process in relation to breaching of orders and early ending of supervision orders.

Recommendation 13

The Committee recommends that the ACT Government explore establishing a victims advisory body to provide advice to government on criminal justice policies to ensure that the government is fully informed by input from victims.

6. Conclusions

- 6.1. This Committee makes 13 recommendations.
- 6.2. The Committee thanks everyone who contributed to this inquiry, including all witnesses who appeared at the hearings and those who made a written submission.
- 6.3. The Committee gained valuable insights into pathways for offenders through the Alexander Maconochie Centre or through supervision in the community, reintegration back into society and impacts on recidivism.

Peter Cain MLA
Chair
July 2022

¹²⁵ Ms Heidi Yates, Victims of Crime Commissioner, *Committee Hansard*, 17 February 2022, p 59.

Appendix A: Submissions

No.	Submission by	Received	Published
1	Legal Aid ACT	12/08/21	18/08/21
2	Meridian	21/08/21	22/09/21
3	Prisoners Aid ACT	23/08/21	22/09/21
4	Canberra Mental Health Forum	26/08/21	22/09/21
5	Justice Reform Initiative	27/08/21	22/09/21
6	Uniting	27/08/21	22/09/21
7	Brendan Baker	18/10/21	17/11/21
8	Kaon Bell	21/10/21	17/11/21
9	Name withheld	26/10/21	17/11/21
10	The Farm in Galong	13/11/21	08/12/21
11	Our Booris Our Way	23/11/21	08/12/21
12	Jason Taylor	24/11/21	08/12/21
13	Ted Noffs Foundation	26/11/21	08/12/21
14	ACT Mental Health Consumer Network	29/11/21	08/12/21
15	Family and Friends for Drug Law Reform	29/11/21	08/12/21
16	Alcohol Tobacco & Other Drug Association ACT	30/11/21	08/12/21
17	Wellways Australia	30/11/21	08/12/21
18	Foundation for Alcohol Research and Education	30/11/21	08/12/21
19	Advocacy for Inclusion	30/11/21	08/12/21
20	A Gender Agenda	30/11/21	08/12/21
21	ACT Ombudsman	30/11/21	08/12/21
22	Lorana Bartels	30/11/21	08/12/21
23	Sentence Administration Board	01/12/21	08/12/21
24	ACT Law Society	02/12/21	08/12/21
25	Tjillari Justice Aboriginal Corporation	03/12/21	08/12/21
26	ACT Council of Social Service Inc.	03/12/21	08/12/21
27	ACT Disability Aged & Carer Advocacy Service Inc.	09/12/21	02/02/22
28	ACT Government	17/12/21	02/02/22
29	National Council of Women of ACT	08/02/22	16/02/22
30	Domestic Violence Crisis Service	31/03/22	26/05/22

Appendix B: Witnesses

Wednesday, 16 February 2022

Minister for Corrections

- **Mr Mick Gentleman MLA**, Minister for Corrections
- **Ms Karen Doran**, A/g Director-General, Justice and Community Safety Directorate
- **Ms Corinne Justason**, A/g Commissioner, ACT Corrective Services, Justice and Community Safety Directorate
- **Mr Bruno Aloisi**, A/g Assistant Commissioner, Community Corrections and Release Planning, ACT Corrective Services, Justice and Community Safety Directorate
- **Ms Tamara Graham**, A/g Assistant Commissioner, Offender Reintegration, ACT Corrective Services, Justice and Community Safety Directorate

ACT Ombudsman

- **Ms Penny McKay**, A/g Ombudsman
- **Ms Louise Macleod**, A/g Deputy Ombudsman

Alcohol Tobacco & Other Drug Association

- **Dr Devin Bowles**, Chief Executive Officer

Ted Noffs Foundation

- **Mr Lachlan Dean**, ACT Regional Manager

Wellways Australia

- **Ms Joanne Smith**, Outreach Coordinator

A Gender Agenda

- **Ms Jenni Shoring**, A/g Executive Director

ACT Law Society

- **Mr Michael Kukulies-Smith**, Chairperson of the Criminal Law Committee

ACT Council of Social Service Inc.

- **Dr Gemma Killen**, Head of Policy
- **Ms Rachelle Kelly-Church**, Gulunga Program Manager

Thursday, 17 February 2022

Victims of Crime Commissioner

- **Ms Heidi Yates**, Commissioner

Canberra Mental Health Forum

- **Dr Alison Childs**, Co-Convenor
- **Ms Janine Haskins**

Individual

- **Mr Jason Taylor**

Justice Reform Initiative (ACT Chapter)

- **Professor Lorana Bartels**, Professor of Criminology, Australian National University and Co-Chair
- **Mr Gary Humphries**, Co-Chair

Prisoners Aid (ACT)

- **Dr Caroline Doyle**, President
- **Dr Hugh Smith**, Vice-President
- **Mr Glen Tibbits**, Manager

Sentencing Administration Board

- **Ms Laura Beacroft**, Chair

Attorney-General

- **Mr Shane Rattenbury MLA**, Attorney-General
- **Ms Jennifer McNeill**, Deputy Director-General, Justice and Community Safety Directorate
- **Mr Daniel Ng**, Executive Group Manager, Legislation, Policy and Programs, Justice and Community Safety Directorate

Tjillari Justice Aboriginal Corporation

- **Ms Deborah Martin**, Chief Executive Officer

Wednesday, 16 March 2022

Legal Aid ACT

- **Dr John Boersig PSM**, Chief Executive Officer
- **Ms Tamzin Lee**, Head of Criminal Practice

Appendix C: Questions Taken on Notice

Questions Taken on Notice

No.	Date	Asked of	Subject	Response received
1	16/02/22	ACT Corrective Services	DASL eligibility – participation rates	26/04/22
2	16/02/22	ACT Corrective Services	Organisations supporting community service work placements	19/05/22
3	16/02/22	ACT Corrective Services	Past policy consideration of feasibility of electronic monitoring	26/04/22
4	16/02/22	ACT Ombudsman	Access to legal services	23/02/22
5	16/02/22	A Gender Agenda	Number of TGI individuals	25/02/22
6	16/02/22	ACT Law Society	Sentence Administration Board meet	22/02/22
7	16/02/22	ACT Law Society	Legal representation in parole proceedings	22/02/22
8	17/02/22	Justice Reform Initiative	Expansion of restorative justice to federal offences	24/02/22
9	17/02/22	Prisoners Aid ACT	Special needs of transgender people in corrections systems	22/02/22
10	17/02/22	Sentence Administration Board	Participation of victims in the parole process	23/02/22
11	17/02/22	Sentence Administration Board	Number/percentage of breaches of intensive corrections orders	23/02/22
12	17/02/22	Attorney-General	Home detention	15/03/22
13	17/02/22	Attorney-General	Victims' registers	15/03/22
14	17/02/22	Attorney-General	Corrections programs to prevent separation of families	26/05/22
15	17/02/22	Attorney-General	Automatic paroles application process	02/03/22
16	17/02/22	Lorana Bartels	People with mental health issues	17/02/22
17	16/03/22	Legal Aid ACT	Legal assistance to non-ACT residents	25/03/22
18	16/03/22	Legal Aid ACT	NSW sentencing regime	25/03/22
19	16/03/22	Legal Aid ACT	Electronic Monitoring (EM)	25/03/22