



## **Legislative Assembly for the Australian Capital Territory**

Standing Committee on Justice and  
Community Safety

# **Inquiry into Annual and Financial Reports 2021-22**

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

---

Approved for publication

---

Report 15  
10th Assembly  
March 2023



# 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

Dr Marisa Paterson MLA, Deputy Chair

Mr Andrew Braddock MLA

## Secretariat

Kathleen de Kleuver, Committee Secretary

Emma Weaver, Acting Assistant Secretary

Kate Mickelson, Assistant Secretary

Alex Hildyard, Administration Officer

## Contact us

**Mail** Standing Committee on Justice and Community Safety  
Legislative Assembly for the Australian Capital Territory  
GPO Box 1020  
CANBERRA ACT 2601

**Phone** (02) 6207 0524

**Email** [LACommitteeJCS@parliament.act.gov.au](mailto:LACommitteeJCS@parliament.act.gov.au)

**Website** [parliament.act.gov.au/parliamentary-business/in-committees](http://parliament.act.gov.au/parliamentary-business/in-committees)



## About this inquiry

Clause 3A of the establishing resolution refers all calendar and financial year annual and financial reports for 2021-2022 to the relevant standing committee for inquiry and report by 9 April 2023 of the year after the presentation of the report to the Assembly pursuant to the Annual Reports (Government Agencies) Act 2004.

# Contents

<b>About the Committee</b>	<b>i</b>
Establishing resolution	i
Committee members	i
Secretariat	i
Contact us	i
<b>About this inquiry</b>	<b>iii</b>
<b>Acronyms and abbreviations</b>	<b>vii</b>
<b>Recommendations</b>	<b>viii</b>
<b>1. Introduction</b>	<b>1</b>
Presentation of 2021-22 annual and financial reports	1
Public hearings	2
Questions on Notice and Questions Taken on Notice	2
<b>2. ACT Electoral Commission</b>	<b>3</b>
ACT Electoral Commissioner	3
Matters considered	3
<b>3. ACT Gambling and Racing Commission</b>	<b>4</b>
<b>4. ACT Human Rights Commission</b>	<b>5</b>
Matters considered	5
<b>5. ACT Inspector of Correctional Services</b>	<b>6</b>
Inspector of Correctional Services	6
Matters considered	6
Key Issues	7
<b>6. ACT Integrity Commission</b>	<b>8</b>
Integrity Commissioner	9
Matters considered	9
Inspector of the Integrity Commission	9
Matters considered	9
<b>7. ACT Ombudsman</b>	<b>10</b>
Matters considered	10
<b>8. ACT Policing</b>	<b>11</b>
Minister for Police and Emergency Services – Administrative arrangements	12
Matters considered	12

Key issues	13
<b>9. Justice and Community Safety Directorate</b>	<b>17</b>
Minister for Police and Emergency Services – Administrative arrangements	18
Matters considered	18
Key Issues	19
Minister for Corrections – Administrative arrangements	21
Matters considered	21
Key issues	23
Attorney-General – Administrative arrangements	26
Matters considered	27
Minister for Consumer Affairs – Administrative arrangements	28
Matters considered	28
Minister for Gaming – Administrative arrangements	29
Matters considered	29
Key issues	30
Special Minister of State – Administrative arrangements	32
Matters considered	32
Minister for Human Rights – Administrative arrangements	32
Matters considered	33
<b>10. Legal Aid Commission</b>	<b>33</b>
Matters considered	34
<b>11. Office of the Director of Public Prosecutions</b>	<b>34</b>
Matters considered	35
<b>12. Office of the Public Trustee and Guardian</b>	<b>35</b>
Matters considered	36
<b>13. Official Visitor Scheme</b>	<b>37</b>
Matters considered	37
<b>14. Conclusions</b>	<b>39</b>
<b>Appendix B: Witnesses</b>	<b>40</b>
1 November 2022	40
2 November 2022	40
3 November 2022	41
8 November 2022	41
9 November 2022	42
10 November 2022	43

11 November 2022	44
<b>Appendix C: Questions Taken on Notice</b>	<b>45</b>
Questions Taken on Notice	45
<b>Appendix D: Questions on Notice</b>	<b>48</b>
Questions on Notice	48



## Acronyms and abbreviations

Acronym	Long form
ACT	Australian Capital Territory
AFAC	National Council for Fire and Emergency Services
AFP	Australian Federal Police
AMC	Alexander Maconochie Centre
Bimberi	Bimberi Youth Justice Centre
CCTV	Closed-circuit television
CIT	Canberra Institute of Technology
CMS	Central Monitoring System
ComCen	ACT Emergency Services Agency Emergency Communications Centre
CTU	Court Transport Unit
EAP	Employee assistance program
EGM	Electronic gaming machine
ERC	Expenditure Review Committee
ESA	ACT Emergency Services Agency
EV	Electric vehicle
FOI	Freedom of information
ICS	Inspector of Correctional Services
JACS	Justice and Community Safety Directorate
MLA	Member of the Legislative Assembly
MOU	Memorandum of Understanding
NSW	New South Wales
OPCAT	Optional Protocol to the Convention against Torture
PACER	Police, Ambulance and Clinician Early Response
RBT	Roadside Breath Testing
RDT	Roadside Drug Testing
RTO	Registered Training Organisation
SES	State Emergency Service
TAFE	Technical and Further Education
UN	United Nations
UNSPT	United Nations Subcommittee on the Prevention of Torture

# Recommendations

## Recommendation 1

The Committee recommends that the ACT Government introduce legislation to make the Inspector of Correctional Services an Officer of the Legislative Assembly.

## Recommendation 2

The Committee recommends that the ACT Government ensure ACT Police are adequately funded to support Operation TORIC on an ongoing basis.

## Recommendation 3

The Committee recommends that the ACT Government look at evidence-based targeted programs to address the recidivism identified through Operation TORIC.

## Recommendation 4

The Committee recommends that the ACT Government look at evidence-based technological advances (particularly cameras on roads) to support police pursuits.

## Recommendation 5

The Committee recommends that the ACT Government introduce evidence-based advances in drug testing in the ACT as soon as the technology for the testing is available.

## Recommendation 6

The Committee recommends that the ACT Government ensure oversight by senior investigators and personnel in sexual assault investigations, to continue to provide better outcomes for victims and survivors.

## Recommendation 7

The Committee recommends that while the ACT Government considers options for electronic monitoring, it includes such monitoring for family violence and dangerous driving offenders who are on bail or parole in this consideration.

## Recommendation 8

The Committee recommends that the ACT Government expedite implementation of a plan to allow ACT Emergency Services Agency Emergency Communications Centre ambulance officers to be able to take breaks during the period 10.00 pm to 10.00 am.

## Recommendation 9

The Committee recommends that the ACT Government review its recruitment processes and fitness testing for the ACT Fire Service to ensure the ACT has the most up-to-date procedures and testing.

## Recommendation 10

The Committee recommends that the ACT Government view the recruitment of women into the ACT Fire and Rescue Service as a priority for the next annual reporting period.

### **Recommendation 11**

The Committee recommends that the ACT Fire Service meet its wellbeing commitments in the ACT Fire and Rescue Enterprise Agreement including:

- Firefighter-trained fitness leaders;
- ACT Fire and Rescue peer support firefighters; and
- Human Resources Commander

### **Recommendation 12**

The Committee recommends that the ACT Government prioritise the provision of education programs in the Alexander Maconochie Centre.

### **Recommendation 13**

The Committee recommends that the ACT Government explore ways to provide computer facilities to detainees at the Alexander Maconochie Centre to facilitate education.

### **Recommendation 14**

The Committee recommends that the ACT Government review sections of the Alexander Maconochie Centre fence line, particularly parts of the fence that are close to detainee's exercise quarters, to ensure that contraband and drugs cannot be delivered over the fence.

### **Recommendation 15**

The Committee recommends that the ACT Government continue to look at innovative ways to recruit women into the Corrections workforce.

### **Recommendation 16**

The Committee recommends that the ACT Government reconsider the introduction of a central monitoring system (CMS) in ACT clubs.

### **Recommendation 17**

The Committee recommends that the ACT Government implement bet and load limits on electronic gaming machine in the ACT and consider the introduction of cashless gaming.



# 1. Introduction

## Presentation of 2021-22 annual and financial reports

- 1.1. All annual and financial reports for the Territory were tabled between 12 October 2022<sup>1</sup> and 13 October 2022<sup>2</sup> in the ACT Legislative Assembly. A collated list of annual and financial reports is available [online](#).<sup>3</sup>
- 1.2. During its inquiry the Standing Committee on Justice and Community Safety was required to examine all or part of the following annual and financial reports for 2021-2022:
  - ACT Electoral Commission;
  - ACT Gambling and Racing Commission;
  - ACT Human Rights Commission (Incorporating Public Advocate of the ACT and Victims of Crime Commissioner);
  - ACT Inspector of Correctional Services;
  - ACT Integrity Commission;
  - ACT Ombudsman;
  - ACT Policing;
  - Justice and Community Safety Directorate;
  - Legal Aid Commission;
  - Office of the Director of Public Prosecutions;
  - Office of the Public Trustee and Guardian; and
  - Official Visitor Scheme.
- 1.3. The Committee's inquiry was undertaken amid the continuing COVID-19 pandemic. In light of this, all annual and financial report hearings were conducted in the ACT Legislative Assembly Chamber to allow for appropriate social distancing and other control measures. Witnesses were also able to attend via Webex.

---

<sup>1</sup> ACT Legislative Assembly, *Minutes of Proceedings*, No 61, 12 October 2022, p 839.

<sup>2</sup> ACT Legislative Assembly, *Minutes of Proceedings*, No 62, 13 October 2022, pp 849–850.

<sup>3</sup> Chief Minister, Treasury and Economic Development Directorate, *Annual Reports*, [https://www.cmtedd.act.gov.au/open\\_government/report/annual-reports](https://www.cmtedd.act.gov.au/open_government/report/annual-reports) (accessed 13 January 2023).

## Public hearings

- 1.4. The Committee held public hearings on 1 November 2022, 2 November 2022, 3 November 2022, 8 November 2022, 9 November, 10 November 2022, and 11 November 2022. At the hearings, the Committee heard from ACT Government Ministers, Directorate officials, and Statutory officers.
- 1.5. Witnesses who appeared before the Committee are listed at **Appendix A**. Transcripts from the public hearings are available on the ACT Legislative Assembly [website](#). Footage of the public hearings are available on the ACT Legislative Assembly [Video on Demand website](#).

## Questions on Notice and Questions Taken on Notice

- 1.6. A total of 56 questions were lodged during the inquiry. Forty-seven questions were taken on notice by Ministers and statutory office holders during the hearings, and nine Questions on Notice were submitted by Committee Members and visiting MLAs following the hearings.
- 1.7. The list of questions lodged during the inquiry are available at **Appendix B**, and all answers have been published on the inquiry [website](#).

## 2. ACT Electoral Commission

- 2.1. The ACT Electoral Commission is an independent statutory authority with responsibility for the conduct of elections and referendums for the ACT Legislative Assembly and for the provision of electoral advice and services. The commission is an Officer of the Legislative Assembly.<sup>4</sup>
- 2.2. Responsibilities cover areas such as:
- reporting to the Assembly on matters relating to elections referred to it by the Assembly;
  - providing information and advice related to elections to the Assembly, the Executive, the Head of Service, Directors-General, territory authorities, political parties, Members of the Legislative Assembly (MLAs) and candidates;
  - conducting education and information programs relating to elections;
  - conducting electoral research;
  - publishing electoral material;
  - providing fee-for-service electoral goods and services; and
  - conducting ballots for prescribed organisations.<sup>5</sup>
- 2.3. The ACT Electoral Commission is also responsible for undertaking key electoral roles, such as making the final determination of electoral boundaries and names of electorates in concluding the four yearly redistribution process; and sitting as a review body where appeals are made challenging decisions made by the Commissioner or the Commissioner's delegates.<sup>6</sup>

## ACT Electoral Commissioner

### Matters considered

- 2.4. During the ACT Electoral Commissioner's appearance before the Committee on 9 November 2022, the following matters were considered:
- Overseas voting;<sup>7</sup>
  - Electronic voting infrastructure and cybersecurity;<sup>8</sup>
  - Redistribution of electoral boundaries;<sup>9</sup>

---

<sup>4</sup> ACT Electoral Commission, [Annual Report 2021–22](#), p 2.

<sup>5</sup> ACT Electoral Commission, [Annual Report 2021–22](#), p 2.

<sup>6</sup> ACT Electoral Commission, [Annual Report 2021–22](#), p 3.

<sup>7</sup> *Proof Committee Hansard*, 9 November 2022, p 142.

<sup>8</sup> *Proof Committee Hansard*, 9 November 2022, pp 142–143; pp 145–146.

<sup>9</sup> *Proof Committee Hansard*, 9 November 2022, pp 142–144.

- Compliance and enforcement of prohibited donor legislation;<sup>10</sup>
- Compliance audits of political parties;<sup>11</sup>
- The use of social media to combat disinformation;<sup>12</sup>
- Establishment of the Electoral Integrity Advisory Panel;<sup>13</sup>
- Resourcing of the ACT Electoral Commission;<sup>14</sup> and
- Electronic voting verification.<sup>15</sup>

### 3. ACT Gambling and Racing Commission

- 3.1. The ACT Gambling and Racing Commission is an independent statutory authority responsible for ensuring the lawful conduct of gambling and racing in the ACT.<sup>16</sup>
- 3.2. The functions of the commission include:
  - regulating the activities of the casino, gaming machines, lotteries, racing, betting and interactive gambling;
  - approving gaming and racing activities;
  - monitoring and researching the social effects of gambling and of gambling harm;
  - providing education and counselling services;
  - reviewing legislation and policies relating to gaming and racing, and making recommendations to the Minister on those matters;
  - investigating and conducting inquiries into issues and activities of persons in relation to gaming and racing related matters;
  - monitoring and researching activities relating to gaming and racing;
  - engaging in community consultation, as appropriate; and
  - collecting taxes, fees and charges imposed or authorised by or under gaming laws.<sup>17</sup>
- 3.3. The commission has a Memorandum of Understanding (MOU) with the Chief Minister, Treasury and Economic Development Directorate (Access Canberra) on the provision of services for the administration of the gaming laws including the control, supervision and regulation of gaming and racing in the ACT.<sup>18</sup>

<sup>10</sup> *Proof Committee Hansard*, 9 November 2022, pp 144–145.

<sup>11</sup> *Proof Committee Hansard*, 9 November 2022, pp 146–147.

<sup>12</sup> *Proof Committee Hansard*, 9 November 2022, p 147.

<sup>13</sup> *Proof Committee Hansard*, 9 November 2022, pp 147–148.

<sup>14</sup> *Proof Committee Hansard*, 9 November 2022, p 148.

<sup>15</sup> *Proof Committee Hansard*, 9 November 2022, pp 148–150.

<sup>16</sup> ACT Gambling and Racing Commission, [Annual Report 2021-22](#), p 4.

<sup>17</sup> ACT Gambling and Racing Commission, [Annual Report 2021-22](#), p 4.

<sup>18</sup> ACT Gambling and Racing Commission, [Annual Report 2021-22](#), p 7.



## 4. ACT Human Rights Commission

- 4.1. The ACT Human Rights Commission is an independent agency established in 2006 under the HRC Act. The Public Advocate and the Victims of Crime Commissioner joined the Commission in April 2016.<sup>19</sup>
- 4.2. The role of the Human Rights Commission is to:
- promote understanding of human rights in the ACT;
  - identify and examine issues that affect human rights and the welfare of vulnerable groups in the ACT;
  - independently handle complaints about discrimination, and complaints between users and providers of prescribed services;
  - encourage service improvement and increase awareness of the rights and responsibilities of service users and providers;
  - provide advice to government and others about their human rights obligations;
  - provide advocacy for children, young people and adults experiencing vulnerability; and
  - deliver services to victims of crime and advocate for them.<sup>20</sup>
- 4.3. The ACT Human Rights Commission has the power to review the effect of ACT laws, including the common law, on human rights, and make recommendations to the Minister for Human Rights and the Attorney-General about systemic human rights issues.<sup>21</sup>

### Matters considered

- 4.4. The ACT Human Rights Commissioner, Victims of Crime Commissioner, Discrimination, Health Services, Disability and Community Services Commissioner and Public Advocate and Children and Young People Commissioner appeared before the Committee on 11 November 2022. The following matters were considered:
- The court support program;<sup>22</sup>
  - Support to victims of crime;<sup>23</sup>
  - Emergency detention under the Mental Health Act;<sup>24</sup>
  - The intermediary program;<sup>25</sup>
  - Handling of health service complaints;<sup>26</sup>

---

<sup>19</sup> ACT Human Rights Commission, [Annual Report 2021-22](#), p 18.

<sup>20</sup> ACT Human Rights Commission, [Annual Report 2021-22](#), p 18.

<sup>21</sup> ACT Human Rights Commission, [Annual Report 2021-22](#), p 18.

<sup>22</sup> *Proof Committee Hansard*, 11 November 2022, pp 177–179.

<sup>23</sup> *Proof Committee Hansard*, 11 November 2022, p 179.

<sup>24</sup> *Proof Committee Hansard*, 11 November 2022, pp 179–181.

<sup>25</sup> *Proof Committee Hansard*, 11 November 2022, pp 181–182.

<sup>26</sup> *Proof Committee Hansard*, 11 November 2022, pp 182–184.

- An increase in complaints of discrimination on the grounds of age or disability;<sup>27</sup>
- An increase in complaints of discrimination on the grounds of housing status;<sup>28</sup>
- Handling of discrimination complaints;<sup>29</sup>
- Oversight of Bimberi Youth Justice Centre;<sup>30</sup>
- Understanding young people's experience of racism;<sup>31</sup>
- Workload of staff and funding for the ACT Human Rights Commission;<sup>32</sup> and
- An increase in complaints of discrimination on the grounds of pregnancy.<sup>33</sup>

## 5. ACT Inspector of Correctional Services

- 5.1. The role of Office of the ACT Inspector of Correctional Services is to promote continual improvement of ACT correctional centres and youth justice facilities. The office oversees the Alexander Maconochie Centre (AMC), the Court Transport Unit (CTU) and Bimberi Youth Justice Centre (Bimberi).<sup>34</sup>
- 5.2. The office is required under legislation to conduct whole-of-centre reviews of correctional centres and youth justice facilities every three years, and additional reviews of correctional services every two years. The Inspector of Correctional Services may also review 'critical incidents' as they arise.<sup>35</sup>

## Inspector of Correctional Services

### Matters considered

- 5.3. During the appearance of the Inspector of Correctional Services before the Committee on 10 November 2022, the following matters were considered:
  - Funding for the Office of the Inspector of Correctional Services<sup>36</sup>;
  - Oversight of Bimberi Youth Justice Centre, including the Healthy Centre Review and requirements under the Optional Protocol to the Convention Against Torture (OPCAT)<sup>37</sup>;
  - Risk mitigation and oversight at the Alexander Maconochie Centre (AMC)<sup>38</sup>;

<sup>27</sup> *Proof Committee Hansard*, 11 November 2022, p 184.

<sup>28</sup> *Proof Committee Hansard*, 11 November 2022, pp 184–185.

<sup>29</sup> *Proof Committee Hansard*, 11 November 2022, p 185.

<sup>30</sup> *Proof Committee Hansard*, 11 November 2022, pp 185–187.

<sup>31</sup> *Proof Committee Hansard*, 11 November 2022, pp 187–188.

<sup>32</sup> *Proof Committee Hansard*, 11 November 2022, pp 188–189.

<sup>33</sup> *Proof Committee Hansard*, 11 November 2022, pp 189–190.

<sup>34</sup> ACT Inspector of Correctional Services, [Annual Report 2021–22](#), p 8.

<sup>35</sup> ACT Inspector of Correctional Services, [Annual Report 2021–22](#), p 8.

<sup>36</sup> *Proof Committee Hansard*, 10 November 2022, pp 151–152.

<sup>37</sup> *Proof Committee Hansard*, 10 November 2022, pp 152–153.

<sup>38</sup> *Proof Committee Hansard*, 10 November 2022, pp 153–154.

- The visit by the United Nations (UN) Subcommittee on the Prevention of Torture (UNSPPT) to the AMC<sup>39</sup>;
- Human Rights Commission training for new corrections officers<sup>40</sup>;
- Access to computers and the internet by detainees for study purposes<sup>41</sup>;
- Technicalities to be addressed to facilitate the Office of the Inspector of Correctional Services' powers of access with respect to OPCAT inspections<sup>42</sup>;
- Oversight of detention on mental health grounds<sup>43</sup>; and
- Restricted access to phones and the ability to call loved ones by detainees.<sup>44</sup>

## Key Issues

### Inspector of Correctional Services an Officer of the Legislative Assembly

- 5.4. The Committee examined the issue of funding for the Office of the Inspector of Correctional Services (ICS),<sup>45</sup> noting that funding issues had been discussed during recent Budget Estimates hearings, and that the Select Committee on Estimates 2022–2023 had recommended that ICS be adequately resourced.<sup>46</sup> The Commissioner commented that ICS had made a number of budget submissions with no feedback other than that they did not progress in the budget process.<sup>47</sup> The Commissioner noted that ICS had never been funded for oversight of Bimberi Youth Justice Centre, and in addition, had been given additional responsibilities under the Optional Protocol to the Convention Against Torture (OPCAT) which were also unfunded.<sup>48</sup> During hearings the Commissioner outlined how ICS had managed resources to fund an additional position from their operational budget.<sup>49</sup>
- 5.5. When questioned on funding for the ICS office, the Minister for Corrections commented that budget submissions go to the Expenditure Review Committee (ERC) and are decisions for budget cabinet, not for a single Minister, and that he has supported the ICS in budget bids.<sup>50</sup> The Minister did not agree or disagree with statements from the ICS that the lack of human resources limited their ability to perform their functions.<sup>51</sup> When asked if the Minister was concerned that the ICS did not have the resources to verify whether recommendations were being implemented, the Minister responded:

<sup>39</sup> *Proof Committee Hansard*, 10 November 2022, pp 154–155.

<sup>40</sup> *Proof Committee Hansard*, 10 November 2022, p 155.

<sup>41</sup> *Proof Committee Hansard*, 10 November 2022, p 156.

<sup>42</sup> *Proof Committee Hansard*, 10 November 2022, pp 156–157.

<sup>43</sup> *Proof Committee Hansard*, 10 November 2022, pp 157–158.

<sup>44</sup> *Proof Committee Hansard*, 10 November 2022, p 158.

<sup>45</sup> *Proof Committee Hansard*, 10 November 2022, pp 151–152.

<sup>46</sup> Select Committee on Estimates 2022–2023, *Inquiry into the Appropriation Bill 2022–2023 and Appropriation (Office of the Legislative Assembly) Bill 2022–2023*, pp 99–100.

<sup>47</sup> Mr Neil McAllister, Inspector of Correctional Services, *Proof Committee Hansard*, 10 November 2022, p 151.

<sup>48</sup> Mr Neil McAllister, Inspector of Correctional Services, *Proof Committee Hansard*, 10 November 2022, p 152.

<sup>49</sup> Mr Neil McAllister, Inspector of Correctional Services, *Proof Committee Hansard*, 10 November 2022, p 152.

<sup>50</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Proof Committee Hansard*, 1 November 2022, pp 24–25.

<sup>51</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Proof Committee Hansard*, 1 November 2022, pp 24–25.

I think we have accepted all of the recommendations that the inspector has put forward and moved to implement those recommendations. I am not concerned about our response to that.<sup>52</sup>

### Committee comment

- 5.6. The Committee has significant concerns regarding the ICS' ability to perform sufficient legislative oversight due to lack of staffing and resources.
- 5.7. The Committee considers that greater separation between the Minister for Corrections and the ICS is necessary to facilitate appropriate oversight and recommendation implementation evaluation. The Committee is of the view that in order to ensure adequate funding and resourcing on an ongoing basis, ICS should be made an Officer of the Legislative Assembly through legislation.

#### Recommendation 1

The Committee recommends that the ACT Government introduce legislation to make the Inspector of Correctional Services an Officer of the Legislative Assembly.

## 6. ACT Integrity Commission

- 6.1. The ACT Integrity Commission's purpose is to strengthen public confidence in the integrity of the ACT Government by preventing, investigating and exposing corruption.<sup>53</sup>
- 6.2. The commission's functions are to:
- investigate alleged corrupt conduct;
  - refer suspected instances of criminality or wrongdoing to the appropriate authority for further investigation and action;
  - prevent corruption, including by:
    - researching corrupt practices; and
    - mitigating the risks of corruption;
  - publish information about investigations it has conducted, including lessons learned;
  - run education programs about the operation of the Integrity Commission Act and the Commission, including providing advice, training and educational services to:
    - the Legislative Assembly and the public sector, to increase capacity to prevent corrupt conduct;
    - people who are required to report corrupt conduct under the Integrity Commission Act; and

<sup>52</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Proof Committee Hansard*, 1 November 2022, p 25.

<sup>53</sup> ACT Integrity Commission, [Annual Report 2021–2022](#), p 6.

- the community, about the detrimental effects of corruption on public administration and ways to help prevent corrupt conduct;
- receive, assess, refer and investigate reports of disclosable conduct;
- oversee ACT public sector agencies' management of public interest disclosures; and
- foster public confidence in the Legislative Assembly and public sector.<sup>54</sup>

## Integrity Commissioner

### Matters considered

6.3. During the Integrity Commissioner's appearance before the Committee on 2 November 2022, the following matters were considered:

- Progress of the investigation into Canberra Institute of Technology (CIT);<sup>55</sup>
- Provenance of reports received by the commission which are not mandatory disclosures or disclosed under the Public Interest Disclosure Act 2012;<sup>56</sup>
- Community education on corruption;<sup>57</sup>
- Progress on implementation of recommendations made by the Inspector of the Integrity Commission to improve processes;<sup>58</sup>
- What might constitute maladministration;<sup>59</sup>
- Resourcing of the Integrity Commission;<sup>60</sup> and
- Training for ACT Public Service staff in procurement.<sup>61</sup>

## Inspector of the Integrity Commission

### Matters considered

6.4. During the Inspector of the Integrity Commission's appearance before the Committee on 2 November 2022, the following matter was considered:

- Complaints pertaining to the Integrity Commission.<sup>62</sup>

<sup>54</sup> ACT Integrity Commission, [Annual Report 2021–2022](#), p 6.

<sup>55</sup> *Proof Committee Hansard*, 2 November 2022, p 54.

<sup>56</sup> *Proof Committee Hansard*, 2 November 2022, p 55.

<sup>57</sup> *Proof Committee Hansard*, 2 November 2022, pp 55–56;

<sup>58</sup> *Proof Committee Hansard*, 2 November 2022, pp 56–57.

<sup>59</sup> *Proof Committee Hansard*, 2 November 2022, pp 57–58.

<sup>60</sup> *Proof Committee Hansard*, 2 November 2022, p 59.

<sup>61</sup> *Proof Committee Hansard*, 2 November 2022, pp 59–60.

<sup>62</sup> *Proof Committee Hansard*, 2 November 2022, p 51.

## 7. ACT Ombudsman

- 7.1. ACT Ombudsman's role is to influence systemic improvement in public administration in the ACT and provide assurance that ACT Government agencies and other designated entities act with fairness and integrity.<sup>63</sup>
- 7.2. The Ombudsman supports Government agencies to provide accessible and effective complaint handling processes to the public, through traditional complaint handling activities and oversight of:
- the ACT Freedom of Information (FOI) framework;
  - the ACT Reportable Conduct Scheme;
  - ACT Policing; and
  - the ACT Integrity Commission (as the Inspector).

### Matters considered

- 7.3. During the ACT Ombudsman's appearance before the Committee on 2 November 2022, the following matters were considered:
- Challenges identified in the Ombudsman role;<sup>64</sup>
  - Major priorities and objectives for the Ombudsman;<sup>65</sup>
  - Complaints received by the ACT Judicial Council and how they are handled;<sup>66</sup>
  - Complaints by victims of crime seeking reviews of the performance of the judiciary and appointment processes;<sup>67</sup>
  - Whether the Attorney-General had received the Annual Report;<sup>68</sup>
  - Whether there has ever been a complaint from the Attorney-General;<sup>69</sup>
  - ACT Government decisions not to publish open access information;<sup>70</sup>
  - Performance indicators against service standards completed within 90 days;<sup>71</sup>
  - A drop in the finalisation rate of complaints;<sup>72</sup>
  - A decrease in the number of complaints received;<sup>73</sup>

---

<sup>63</sup> ACT Ombudsman, [Annual Report 2021–22](#), p 8.

<sup>64</sup> *Proof Committee Hansard*, 2 November 2022, pp 39–40.

<sup>65</sup> *Proof Committee Hansard*, 2 November 2022, pp 40–41.

<sup>66</sup> *Proof Committee Hansard*, 2 November 2022, pp 41–42.

<sup>67</sup> *Proof Committee Hansard*, 2 November 2022, p 42.

<sup>68</sup> *Proof Committee Hansard*, 2 November 2022, pp 42–43.

<sup>69</sup> *Proof Committee Hansard*, 2 November 2022, p 43.

<sup>70</sup> *Proof Committee Hansard*, 2 November 2022, pp 43–44.

<sup>71</sup> *Proof Committee Hansard*, 2 November 2022, p 44.

<sup>72</sup> *Proof Committee Hansard*, 2 November 2022, pp 44–45.

<sup>73</sup> *Proof Committee Hansard*, 2 November 2022, p 45.

- The Reportable Conduct Scheme;<sup>74</sup>
- Trends in the number of complaints relating to residential care organisations;<sup>75</sup>
- Time frames and extension requests for freedom of information processing;<sup>76</sup>
- Improvements to service delivery;<sup>77</sup>
- Funding for the office of the ACT Ombudsman;<sup>78</sup>
- Oversight of covert and intrusive powers;<sup>79</sup>
- Oversight of the child sex offenders register;<sup>80</sup>
- Types of allegations and whether they were sustained;<sup>81</sup>
- The effect of COVID-19 on achieving delivery targets, and resourcing to achieve the targets;<sup>82</sup>
- The effect of contracting a surge team to handle complaints;<sup>83</sup> and
- Complaints about ACT Policing.<sup>84</sup>

## 8. ACT Policing

- 8.1. ACT Policing is responsible, through a Purchase Agreement with the Australian Federal Police (AFP), for providing quality and effective policing services to the ACT.<sup>85</sup>
- 8.2. The Purchase Agreement defines the three main outcomes against which performance is measured:
  - Reduce crime;
  - Public safety; and
  - Community and partner engagement.<sup>86</sup>

---

<sup>74</sup> *Proof Committee Hansard*, 2 November 2022, p 45.

<sup>75</sup> *Proof Committee Hansard*, 2 November 2022, pp 45–46.

<sup>76</sup> *Proof Committee Hansard*, 2 November 2022, p 46–47.

<sup>77</sup> *Proof Committee Hansard*, 2 November 2022, pp 47–48.

<sup>78</sup> *Proof Committee Hansard*, 2 November 2022, p 48.

<sup>79</sup> *Proof Committee Hansard*, 2 November 2022, pp 48–49.

<sup>80</sup> *Proof Committee Hansard*, 2 November 2022, pp 49–50.

<sup>81</sup> *Proof Committee Hansard*, 2 November 2022, p 50; Ms Penny McKay, Acting ACT Ombudsman, *answer to QTON 024: Allegations for Matters Finalised*, 2 November 2022 (received 16 November 2022), pp 1–3.

<sup>82</sup> *Proof Committee Hansard*, 2 November 2022, p 50.

<sup>83</sup> *Proof Committee Hansard*, 2 November 2022, pp 51–52, 52–53.

<sup>84</sup> *Proof Committee Hansard*, 2 November 2022, p 52.

<sup>85</sup> ACT Policing, [Annual Report 2021–22](#), p 10.

<sup>86</sup> ACT Policing, [Annual Report 2021–22](#), p 11.

## Minister for Police and Emergency Services – Administrative arrangements

8.3. The Committee examined the following matters allocated to the Minister for Police and Emergency Services and Justice and Community Safety Directorate:

- Policing Policy and ACT Policing.<sup>87</sup>

### Matters considered

8.4. During the Minister for Police and Emergency Services' appearance before the Committee on 1 November 2022, the following matters were considered:

- Operation Oquendo II and Operation TORIC;<sup>88</sup>
- Re-arrest of offenders under Operations Oquendo I and II and Operation TORIC;<sup>89</sup>
- Level of recidivism compared to other jurisdiction;<sup>90</sup>
- Motor vehicle theft;<sup>91</sup>
- Police pursuit policy;<sup>92</sup>
- Police use of spit hoods;<sup>93</sup>
- Liaison with New South Wales (NSW) Police regarding drug decriminalisation;<sup>94</sup>
- Roadside breath testing (RBT) and roadside drug testing (RDT);<sup>95</sup>
- Offences of sexual intercourse with no consent;<sup>96</sup>
- Bail breaches;<sup>97</sup>
- Body-worn cameras;<sup>98</sup>
- Development work on facilities;<sup>99</sup>
- Use of force and handcuffs;<sup>100</sup>
- Content of media releases relating to alleged offenders;<sup>101</sup>

---

<sup>87</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

<sup>88</sup> *Proof Committee Hansard*, 1 November 2022, p 2.

<sup>89</sup> *Proof Committee Hansard*, 1 November 2022, pp 2–3.

<sup>90</sup> *Proof Committee Hansard*, 1 November 2022, pp 3–4.

<sup>91</sup> *Proof Committee Hansard*, 1 November 2022, pp 4–5.

<sup>92</sup> *Proof Committee Hansard*, 1 November 2022, pp 5–6.

<sup>93</sup> *Proof Committee Hansard*, 1 November 2022, pp 6–7.

<sup>94</sup> *Proof Committee Hansard*, 1 November 2022, pp 7–9.

<sup>95</sup> *Proof Committee Hansard*, 1 November 2022, pp 9–10.

<sup>96</sup> *Proof Committee Hansard*, 1 November 2022, pp 10–12.

<sup>97</sup> *Proof Committee Hansard*, 1 November 2022, p 12.

<sup>98</sup> *Proof Committee Hansard*, 1 November 2022, pp 13–15.

<sup>99</sup> *Proof Committee Hansard*, 1 November 2022, p 15.

<sup>100</sup> *Proof Committee Hansard*, 1 November 2022, pp 15–16.

<sup>101</sup> *Proof Committee Hansard*, 1 November 2022, pp 16–17.



- Impact of police officer numbers;<sup>102</sup> and
- Progress of Police, Ambulance and Clinician Early Response (PACER).<sup>103</sup>

## Key issues

### Operation TORIC

- 8.5. The Committee examined the issue of Operation TORIC, an operation established to target recidivist offenders who are involved in dangerous driving.<sup>104</sup> Between 1 August 2022 and 27 October 2022, 122 offenders were arrested under Operation TORIC, and 310 charges were laid including for driving, property, drugs and firearms offences.<sup>105</sup> Additional data regarding offenders and charges were provided on notice.<sup>106</sup>
- 8.6. The ACT Chief Police Officer noted that the ACT's levels of recidivism are 'fairly high,'<sup>107</sup> but stressed that only a 'very small number of the Canberra population are involved' in recidivist offending.<sup>108</sup> Mr Richard Glenn, Director-General of the Justice and Community Safety Directorate, added that the level of recidivism 'poses a policy challenge' and that measures to break cycles of offending are 'the things on which we work regularly'.<sup>109</sup>

### Committee comment

- 8.7. The Committee considers that Operation TORIC appears to be successful in targeting recidivist offenders involved in dangerous driving, who are also often involved in other offending.
- 8.8. The Committee is concerned at the high levels of recidivism in the ACT and considers that targeted measures to address this issue are required.

#### Recommendation 2

The Committee recommends that the ACT Government ensure ACT Police are adequately funded to support Operation TORIC on an ongoing basis.

#### Recommendation 3

The Committee recommends that the ACT Government look at evidence-based targeted programs to address the recidivism identified through Operation TORIC.

<sup>102</sup> *Proof Committee Hansard*, 1 November 2022, pp 17–18.

<sup>103</sup> *Proof Committee Hansard*, 1 November 2022, pp 18–19.

<sup>104</sup> *Proof Committee Hansard*, 1 November 2022, pp 2–3.

<sup>105</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 2.

<sup>106</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *answer to QTON 002: Operation TORIC – 122 offenders*, 1 November 2022 (received 14 November 2022), pp 1–5.

<sup>107</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 3.

<sup>108</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 4.

<sup>109</sup> Mr Richard Glenn, Director-General, the Justice and Community Safety Directorate, *Proof Committee Hansard*, 1 November 2022, pp 3–4.

## Technology to support police pursuits

- 8.9. The Committee examined the issue of police pursuit policy.<sup>110</sup> A limited pursuit protocol was introduced in 2016 following several fatalities.<sup>111</sup> When asked whether he saw a correlation between an anecdotal increase in dangerous driving involving stolen cars and the limited pursuit policy, the Minister for Police and Emergency Services expressed that he had concerns with the limited pursuit policy.<sup>112</sup> The Chief Police Officer commented that pursuits are ‘inherently dangerous’ for both officers and the community, and should be avoided when it is possible to do so. He also highlighted that most arrests under Operation TORIC have been through intelligence-led targeting rather than pursuits.<sup>113</sup>
- 8.10. The limited pursuit policy is being reviewed by an independent lawyer, and this will form part of a case review in relation to Operation TORIC and consideration of whether the policy should be changed.<sup>114</sup>

### Committee comment

- 8.11. The Committee recognises that police pursuits are inherently dangerous for police and the wider community. The Committee is of the view that technological support such as increased road surveillance could help reduce the need for such pursuits, and in cases where pursuit is necessary, allow for them to proceed in greater safety.

#### Recommendation 4

The Committee recommends that the ACT Government look at evidence-based technological advances (particularly cameras on roads) to support police pursuits.

## Evidence-based drug testing advancement in the ACT

- 8.12. The Committee examined the issue of roadside drug testing in the ACT.<sup>115</sup> The Chief Police Officer noted that current testing is primarily for methamphetamine and cannabis, and that ACT Policing is looking at the ability to test for additional drugs. The other drug of primary concern for police is cocaine, which has ‘fairly high’ usage in the ACT.<sup>116</sup>
- 8.13. The Deputy Chief Police Officers observed that there had a ‘significant reduction’ in the numbers of tests carried out, due to COVID-19 and the redirection of resources. ACT Policing carried out 1,760 roadside drug tests during the financial year, resulting in 383 charges for drug driving.<sup>117</sup>

<sup>110</sup> *Proof Committee Hansard*, 1 November 2022, pp 5–6.

<sup>111</sup> ABC News, [Canberra changing the rules for police pursuits - ABC News](#), 18 February 2016 (accessed 3 January 2023).

<sup>112</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *Proof Committee Hansard*, 1 November 2022, p 5.

<sup>113</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 6.

<sup>114</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 6.

<sup>115</sup> *Proof Committee Hansard*, 1 November 2022, pp 9–10.

<sup>116</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 9.

<sup>117</sup> Assistant Commissioner Peter Crozier, Deputy Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 10.

- 8.14. The Chief Police Officer noted that a targeted approach to testing for drugs and alcohol is more effective than true random testing, but that ACT Policing does have a philosophy of 'random breath testing any time anywhere'.<sup>118</sup>

#### Committee comment

- 8.15. The Committee considers it important for public safety that ACT Policing be able to conduct roadside testing for a wider range of drugs of concern. The Committee is also of the view that ACT Policing should be able to expand testing as required to adapt to changes in drug usage as they occur.

#### Recommendation 5

The Committee recommends that the ACT Government introduce evidence-based advances in drug testing in the ACT as soon as the technology for the testing is available.

#### Sexual assault investigations

- 8.16. The Committee noted that the number of reported offences of sexual intercourse with no consent that proceeded to charges against perpetrators had increased significantly in the reporting year.<sup>119</sup>
- 8.17. When asked about factors contributing to this increase, the Chief Police Officer responded that a change in structure leading to more senior oversight of such investigations had been helpful, and that successful recruitment within the Australian Federal Police meant more experienced officers were now available to take key roles in these cases.<sup>120</sup>
- 8.18. The Deputy Chief Police Officer added that, while ensuring appropriate resources and expertise were allocated to collecting evidence, ACT Policing considered the most important part of such investigations was that they were victim-led and provided the right level of support and assistance to the victim of the crime. ACT Policing works with other agencies to provide support and assistance, and ensure that they maintain the confidence of the victim.<sup>121</sup>

---

<sup>118</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 10.

<sup>119</sup> *Proof Committee Hansard*, 1 November 2022, pp 10–11.

<sup>120</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 11.

<sup>121</sup> Assistant Commissioner Peter Crozier, Deputy Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 11.

## Committee comment

- 8.19. The Committee considers that the involvement of senior staff in overseeing sexual assault investigations is beneficial in providing support to the victim, and securing prosecutions of perpetrators. This recommendation is intended to ensure that such oversight is not a temporary measure.

### Recommendation 6

The Committee recommends that the ACT Government ensure oversight by senior investigators and personnel in sexual assault investigations, to continue to provide better outcomes for victims and survivors.

## Breaches of bail

- 8.20. The Committee noted the high number of bail breaches in the reporting year.<sup>122</sup> ACT Policing confirmed there were 940 bail breaches between 1 July 2021 and 30 June 2022.<sup>123</sup> Of the 122 offenders arrested under Operation TORIC over a three-month period, 39 were on bail and eight were on parole.<sup>124</sup>
- 8.21. The Chief Police Officer observed that most individuals charged with bail breach were also charged for other serious crimes. He attributed the high number of bail breach arrests to ACT Policing targeting recidivist behaviour in dangerous driving and property offences.<sup>125</sup>
- 8.22. Where someone breaches bail while on family violence charges, for example by contacting a victim, there is no discretion for law enforcement to do anything but arrest them. These breaches make up the majority of occasions when a person may be charged with breaching bail but with no other offence.<sup>126</sup>

## Committee comment

- 8.23. The Committee notes that it has previously recommended the introduction of electronic monitoring by the ACT Government where appropriate as part of community corrections orders including bail,<sup>127</sup> and that the ACT is the only jurisdiction in Australia that does not use electronic monitoring to supervise serious offenders and defendants in the community.<sup>128</sup>
- 8.24. The Committee further notes that in its response to Recommendation 3 of the Committee's *Report 9: Inquiry into Community Corrections*, the ACT Government stated

---

<sup>122</sup> *Proof Committee Hansard*, 1 November 2022, p 12.

<sup>123</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *answer to QTON 005: Bail Breach Statistics*, 1 November 2022 (received 14 November 2022), p 2.

<sup>124</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 2.

<sup>125</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 12.

<sup>126</sup> Deputy Commissioner Neil Gaughan, Chief Police Officer, *Proof Committee Hansard*, 1 November 2022, p 12.

<sup>127</sup> Standing Committee on Justice and Community Safety, *Report 9: Inquiry into Community Corrections, Recommendation 3*, July 2022, p 8.

<sup>128</sup> Standing Committee on Justice and Community Safety, *Report 9: Inquiry into Community Corrections*, July 2022, p 6.

that it was actively considering options for electronic monitoring in the ACT, and that scoping and feasibility work was to be conducted during 2023.<sup>129</sup>

- 8.25. The Committee is of the view that electronic monitoring as part of bail orders would be of benefit in the ACT, noting the improvements in electronic monitoring technology and evidence pointing to effectiveness of electronic monitoring in reducing recidivism from trials in other jurisdictions.

### **Recommendation 7**

The Committee recommends that while the ACT Government considers options for electronic monitoring, it includes such monitoring for family violence and dangerous driving offenders who are on bail or parole in this consideration.

## **9. Justice and Community Safety Directorate**

- 9.1. The Justice and Community Safety Directorate (JACS or the Directorate) has two primary programs of responsibility. The Justice program comprises the following business units:

- ACT Courts and Tribunal;
- ACT Director of Public Prosecutions;
- ACT Government Solicitor;
- ACT Human Rights Commission;
- ACT Parliamentary Counsel's Office;
- ACT Public Trustee and Guardian; and
- Legislation Policy and Programs.<sup>130</sup>

- 9.2. The Community Safety program comprises the following business units:

- ACT Corrective Services;
- ACT Emergency Services;
- Security and Emergency Management Division; and
- Strategic Policy and Programs.<sup>131</sup>

---

<sup>129</sup> ACT Government, *Report No 9 of the Standing Committee on Justice and Community Safety – Inquiry into Community Corrections – Government Response*, November 2022, p 4 (tabled 24 November 2022).

<sup>130</sup> Justice and Community Safety Directorate, [Annual Report 2021–2022](#), p 17.

<sup>131</sup> Justice and Community Safety Directorate, [Annual Report 2021–2022](#), p 17.

## Minister for Police and Emergency Services – Administrative arrangements

- 9.3. The Committee examined the following matters allocated to the Minister for Police and Emergency Services and Justice and Community Safety Directorate:
- Bushfire and other natural disaster resilience and response;
  - Emergency management (including overall coordination of hazard and risk assessment, and overall coordination of the prevention of, preparedness for, response to and recovery from emergencies); and
  - Emergency Services Agency (ACT Fire and Rescue, ACT Ambulance Service, State Emergency Service, Rural Fire Service).

### Matters considered

- 9.4. During the Minister for Police and Emergency Services' appearance before the Committee on 3 November 2022, the following matters were considered:
- A drop in the number of State Emergency Service (SES) volunteers;<sup>132</sup>
  - Well-being services for volunteers;<sup>133</sup>
  - The new fire danger rating system;<sup>134</sup>
  - Organisational structure and staffing of the ACT Emergency Services Agency (ESA) Emergency Communications Centre (ComCen);<sup>135</sup>
  - Incidence of bullying within emergency services;<sup>136</sup>
  - Vehicle replacement program;<sup>137</sup>
  - Major incident response capability of ACT ambulance services, with regard to crowding incidents;<sup>138</sup>
  - ESA's role in handling and preventing drownings in inland waterways;<sup>139</sup>
  - Recruitment and retention of female firefighters;<sup>140</sup>
  - Paramedic recruitment;<sup>141</sup> and
  - Capacity of Police, Ambulance and Clinician Early Response (PACER).<sup>142</sup>

---

<sup>132</sup> *Proof Committee Hansard*, 3 November 2022, pp 62–63.

<sup>133</sup> *Proof Committee Hansard*, 3 November 2022, pp 63–64.

<sup>134</sup> *Proof Committee Hansard*, 3 November 2022, pp 64–66.

<sup>135</sup> *Proof Committee Hansard*, 3 November 2022, p 66.

<sup>136</sup> *Proof Committee Hansard*, 3 November 2022, pp 66–68.

<sup>137</sup> *Proof Committee Hansard*, 3 November 2022, pp 68–69.

<sup>138</sup> *Proof Committee Hansard*, 3 November 2022, pp 69–70.

<sup>139</sup> *Proof Committee Hansard*, 3 November 2022, pp 70–71.

<sup>140</sup> *Proof Committee Hansard*, 3 November 2022, pp 71–72.

<sup>141</sup> *Proof Committee Hansard*, 3 November 2022, p 72.

<sup>142</sup> *Proof Committee Hansard*, 3 November 2022, pp 72–73.

## Key Issues

### ComCen clinician staffing

- 9.5. The Committee examined the issue of staffing within the ESA ComCen. There are currently two paramedic clinicians in the ComCen between 10.00 am and 10.00 pm, to allow for breaks during the peak period. However, there is only one clinician in the centre between 10.00 pm and 10.00 am, with no contingency to allow that clinician to have a break.<sup>143</sup>
- 9.6. ACT Ambulance Service Chief Officer, Mr Howard Wren, noted that the function and role of the clinician is under review, and there will be two clinicians rostered in the ComCen 24 hours a day, 'in the foreseeable future', but was unable to give an indication of when that might be realised.<sup>144</sup>

### Committee comment

- 9.7. The Committee is concerned that requiring paramedics to staff the ComCen for a 12-hour shift without a break poses a significant hazard to both ComCen staff and the public. Fatigue can impair judgement and performance, as well as physical and mental health.
- 9.8. The Committee is of the view that contingency plans must be in place to support ambulance officers to safely take breaks and manage fatigue. The Committee notes that shift workers are entitled to breaks under the ACT Ambulance Service Enterprise Agreement 2021-2022.<sup>145</sup>

### Recommendation 8

The Committee recommends that the ACT Government expedite implementation of a plan to allow ACT Emergency Services Agency Emergency Communications Centre ambulance officers to be able to take breaks during the period 10.00 pm to 10.00 am.

### ACT Fire Service recruitment

- 9.9. The Committee reviewed recruitment processes and fitness testing in the ACT Fire Service. In particular, the Committee asked what the ACT Government is doing to recruit female firefighters, noting that while the number of male firefighters had increased from 348 in 2020–21 to 372 in 2021–22, the number of female firefighters had remained at 22.<sup>146</sup>
- 9.10. In response, the Minister noted that women have more difficulty with the physical challenges in the recruitment process, especially the beep test, and said 'We have been working with new applicants to ensure that they can get their physical fitness up'.<sup>147</sup> The

<sup>143</sup> *Proof Committee Hansard*, 3 November 2022, p 66.

<sup>144</sup> Mr Howard Wren, Chief Officer, ACT Ambulance Service, *Proof Committee Hansard*, 3 November 2022, p 66.

<sup>145</sup> [ACT-Public-Sector-ACT-Ambulance-Service-Enterprise-Agreement-2021-2022-FINAL.pdf](#), p 26.

<sup>146</sup> *Proof Committee Hansard*, 3 November 2022, p 71.

<sup>147</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *Proof Committee Hansard*, 3 November 2022, p 71.

Minister further noted that unsuccessful applicants are encouraged to improve their fitness and apply again.<sup>148</sup>

- 9.11. Acting Commissioner Mr Wayne Phillips noting that recruitment of women is a challenge for every urban fire service in Australia,<sup>149</sup> and the Minister provided on notice<sup>150</sup> details of the National Council for Fire and Emergency Services (AFAC) 'Champions of Change Coalition' initiative to improve diversity and inclusion in fire services. Key action areas of this initiative include flexible workplaces, inclusive leadership, talent development and communication.<sup>151</sup>

#### Committee comment

- 9.12. The Committee considers it unsatisfactory that the ACT Government is not able to recruit women to the ACT Fire Service and that solutions to address this should be a priority.
- 9.13. The Committee is of the view that the ACT Government should review its recruitment and fitness testing requirements, to ensure that barriers to women joining the ACT Fire Service are minimised while retaining requirements and standards in line with best practice.

#### Recommendation 9

The Committee recommends that the ACT Government review its recruitment processes and fitness testing for the ACT Fire Service to ensure the ACT has the most up-to-date procedures and testing.

#### Recommendation 10

The Committee recommends that the ACT Government view the recruitment of women into the ACT Fire and Rescue Service as a priority for the next annual reporting period.

#### ACT Fire Service wellbeing

- 9.14. The Committee considered wellbeing services for emergency services workers and volunteers.<sup>152</sup>
- 9.15. The Minister noted that peer support mechanisms, such as shed talks and social barbecues, are in place for volunteers and their families, and that ESA now has a wellbeing support dog.<sup>153</sup> In addition, Mr Phillips noted that chaplaincy services frequently visit SES units and Rural Fire Service shed, and that 'training and engagement via the chief officer and other

<sup>148</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *Proof Committee Hansard*, 3 November 2022, p 71.

<sup>149</sup> Mr Wayne Phillips, ACT Emergency Services Agency Acting Commissioner, *Proof Committee Hansard*, 3 November 2022, p 71.

<sup>150</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *answer to QTON 038: ESA – Female Firefighters*, 3 November 2022 (received 15 November 2022), p 2.

<sup>151</sup> [AFAC | Fire and Emergency Champions of Change](#), accessed 20 February 2023.

<sup>152</sup> *Proof Committee Hansard*, 3 November 2022, pp 63–64.

<sup>153</sup> Mr Mick Gentleman MLA, Minister for Police and Emergency Services, *Proof Committee Hansard*, 3 November 2022, p 63.



senior officers is an important part of preparing people for events and preventing burn out'.<sup>154</sup>

- 9.16. An employee assistance program (EAP) is also provided for workers to have confidential conversations with trained practitioners about their work or pressures they are feeling.<sup>155</sup>

#### Committee comment

- 9.17. The Committee considers that wellbeing services are important to ensure the health and safety of emergency services staff and that having such services in place will aid in staff recruitment and retention. The Committee is of the view that, given that specific wellbeing commitments are in place in the ACT Fire and Rescue Enterprise Agreement 2020–24,<sup>156</sup> these commitments should be met.

#### Recommendation 11

The Committee recommends that the ACT Fire Service meet its wellbeing commitments in the ACT Fire and Rescue Enterprise Agreement including:

- Firefighter-trained fitness leaders;
- ACT Fire and Rescue peer support firefighters; and
- Human Resources Commander

## Minister for Corrections – Administrative arrangements

- 9.18. The Committee examined the following matter allocated to the Minister for Corrections and Justice and Community Safety Directorate:

- Corrective Services.<sup>157</sup>

#### Matters considered

- 9.19. During the Minister for Corrections' appearance before the Committee on 1 November 2022, the following matters were considered:

- Funding for the reintegration centre;<sup>158</sup>
- Funding for repair and improvements at the Alexander Maconochie Centre (AMC);<sup>159</sup>

<sup>154</sup> Mr Wayne Phillips, ACT Emergency Services Agency Acting Commissioner, *Proof Committee Hansard*, 3 November 2022, pp 63–64.

<sup>155</sup> Mr Wayne Phillips, ACT Emergency Services Agency Acting Commissioner, *Proof Committee Hansard*, 3 November 2022, p 64.

<sup>156</sup> ACT Fire and Rescue Enterprise Agreement 2020–24, [ACT Fire and Rescue Enterprise Agreement 2020-2024](#), pp 113–116.

<sup>157</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

<sup>158</sup> *Proof Committee Hansard*, 1 November 2022, pp 20–21.

<sup>159</sup> *Proof Committee Hansard*, 1 November 2022, pp 21–22.

- Funding for improvements at the transitional unit;<sup>160</sup>
- Education at the AMC and lack of a Registered Training Organisation (RTO) operator;<sup>161</sup>
- Risk management at the AMC;<sup>162</sup>
- Funding for the Inspector of Correctional Services;<sup>163</sup>
- Drugs and contraband at the AMC;<sup>164</sup>
- The introduction of body scanners;<sup>165</sup>
- Visit of the United Nations Subcommittee on the Prevention of Torture (UNSPT) to the AMC;<sup>166</sup>
- Female detainees moved from a special care centre back to the women's community centre;<sup>167</sup>
- New vehicles for the Court Transport Unit (CTU) and replacement of Romeo;<sup>168</sup>
- Length of stay in the Justice Housing Program;<sup>169</sup>
- Gender balance in recruitment to Corrective Services;<sup>170</sup>
- Custodial officer training and engagement with lived experience;<sup>171</sup>
- Recruitment of Aboriginal and Torres Strait Islander correctional officers and cultural safety in prisons;<sup>172</sup>
- Access to computers and the internet for study purposes for detainees;<sup>173</sup>
- Access to handheld devices and tablets for telehealth appointments for detainees;<sup>174</sup>
- Psychologist support to case managers;<sup>175</sup>
- The community corrections improvement project;<sup>176</sup> and
- The number of sentenced detainees released from the AMC in the financial year.<sup>177</sup>

---

<sup>160</sup> *Proof Committee Hansard*, 1 November 2022, p 22.

<sup>161</sup> *Proof Committee Hansard*, 1 November 2022, pp 22–23, 27–29.

<sup>162</sup> *Proof Committee Hansard*, 1 November 2022, pp 23–24.

<sup>163</sup> *Proof Committee Hansard*, 1 November 2022, pp 24–25.

<sup>164</sup> *Proof Committee Hansard*, 1 November 2022, pp 25–26.

<sup>165</sup> *Proof Committee Hansard*, 1 November 2022, pp 26–27, 38.

<sup>166</sup> *Proof Committee Hansard*, 1 November 2022, pp 29–30.

<sup>167</sup> *Proof Committee Hansard*, 1 November 2022, pp 30–31.

<sup>168</sup> *Proof Committee Hansard*, 1 November 2022, pp 31–32.

<sup>169</sup> *Proof Committee Hansard*, 1 November 2022, p 32.

<sup>170</sup> *Proof Committee Hansard*, 1 November 2022, pp 32–33.

<sup>171</sup> *Proof Committee Hansard*, 1 November 2022, p 34.

<sup>172</sup> *Proof Committee Hansard*, 1 November 2022, pp 34–35.

<sup>173</sup> *Proof Committee Hansard*, 1 November 2022, p 35.

<sup>174</sup> *Proof Committee Hansard*, 1 November 2022, pp 35–36.

<sup>175</sup> *Proof Committee Hansard*, 1 November 2022, pp 36–37.

<sup>176</sup> *Proof Committee Hansard*, 1 November 2022, p 37.

<sup>177</sup> *Proof Committee Hansard*, 1 November 2022, pp 37–38.

## Key issues

### Education at the AMC

9.20. During hearings, the Committee examined the issue of education at the Alexander Maconochie Centre (AMC).<sup>178</sup> The Committee notes that this issue was also examined extensively by the Select Committee on Estimates 2022–2023, who recommended that the ACT Government:

- prioritise resources to finding a quality tenderer for the provision of education at the AMC; and
- work with the new provider to ensure the new offering is aligned with skills shortages or industries in demand.<sup>179</sup>

9.21. The ACT Government responded to these recommendations by stating these were existing government policies.<sup>180</sup>

### Education contract

9.22. The issue of the education contract and tendering process was reviewed by the Committee. In October 2021, the education contractor for the AMC withdrew, and a tender for new contract was sent out on 21 November 2021.<sup>181</sup> The contractor withdrawal was somewhat unexpected and an earlier tender for a new contract would have been preferable.<sup>182</sup>

9.23. Since Estimates hearings in August 2022, the tender process had been terminated because the ACT Government could not obtain value for money. A new approach of giving statements of requirements to providers already on Government panels had been adopted. Programs were expected to be delivered soon after Christmas, using this approach. This would also allow the ACT Government to consider whether a single provider was the best strategy for education services, or whether a wider range of courses could more flexibly be delivered through internal management.<sup>183</sup>

9.24. When asked whether CIT would be suitable to provide education services at AMC, the Minister responded that governmental educational services, such as CIT, may not have expertise in the provision of education within a custodial setting.<sup>184</sup>

9.25. The Committee notes the following detainee statement:

---

<sup>178</sup> *Proof Committee Hansard*, 1 November 2022, pp 22–23, 27–29.

<sup>179</sup> Select Committee on Estimates 2022–2023, *Inquiry into the Appropriation Bill 2022–2023 and Appropriation (Office of the Legislative Assembly) Bill 2022–2023*, p 96.

<sup>180</sup> ACT Government, *Government response to the Select Committee on Estimates 2022–2023, Inquiry into the Appropriation Bill 2022–2023 and Appropriation (Office of the Legislative Assembly) Bill 2022–2023*, p 32.

<sup>181</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 27.

<sup>182</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 28.

<sup>183</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 22.

<sup>184</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Proof Committee Hansard*, 1 November 2022, p 28.

It would be good to have CIT or TAFE in here for education. We have been told CIT are not comfortable to come into AMC. I applied for a scholarship and won it but AMC couldn't support it."<sup>185</sup>

- 9.26. The Committee notes that the ACT Inspector of Correctional Services' *Healthy Prison Review of Alexander Maconochie Centre 2022* reviewed the provision of education at AMC. The report noted that limited vocational training and no education had been provided at AMC since August 2021, and found that the lack of education services at the AMC for over a year represented a failure by the ACT Government.<sup>186</sup>

#### Computer facilities for access to education

- 9.27. The availability of computer facilities to enable detainee education was examined by the Committee. The ACT Government noted that, while the information technology available to detainees had been 'cutting edge some years ago', this was no longer the case. External access to the internet was cited as a particularly challenging issue.<sup>187</sup>
- 9.28. In response to a Question Taken on Notice, the Minister advised that ACT Corrective Services were collaborating with universities to provide access to websites and software in line with security and compatibility requirements.<sup>188</sup>
- 9.29. The Minister further advised that detainees could access the Curtin University portal from the PrisonPC computers, and that work to expand this to other universities is ongoing. While attempts are being made to secure the required software for various course units, detainees are provided with supervised access to the internet, including their university portals, once a week. The Senior Education Officer facilitates this access and ensures detainees have access to required learning and course materials. Materials can also be printed by the library which is accessible to all detainees and stocked with educational and legal resources.<sup>189</sup>

#### Committee comment

- 9.30. The Committee is of the view that education programs in detention centres programs both reduce incidents and reduce reoffending, and that the ACT Government can actively commit to reducing recidivism by urgently prioritising the provision of education programs in the AMC.
- 9.31. The Committee considers it important that the ACT Government ensure a wide variety in the levels of education offered, and work to ensure that courses offered are delivered and completed, whilst offering appropriate support to detainees with low literacy and numeracy skills.

---

<sup>185</sup> ACT Inspector of Correctional Services, *Healthy Prison Review of the Alexander Maconochie Centre 2022*, p 182.

<sup>186</sup> ACT Inspector of Correctional Services, *Healthy Prison Review of the Alexander Maconochie Centre 2022*, pp 179–184.

<sup>187</sup> *Proof Committee Hansard*, 1 November 2022, p 35.

<sup>188</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Answer to QTON 010: Access to External Education at the AMC*, 17 November 2022.

<sup>189</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Answer to QTON 010: Access to External Education at the AMC*, 17 November 2022.

- 9.32. The Committee notes that the *Human Rights Act 2004* includes the right to access further education and vocational continuing training without discrimination, and is of the view that it is not appropriate for the Government to comment that provision of education at the AMC is an existing policy, as education services have not been provided at AMC since August 2021.

### Recommendation 12

The Committee recommends that the ACT Government prioritise the provision of education programs in the Alexander Maconochie Centre.

### Recommendation 13

The Committee recommends that the ACT Government explore ways to provide computer facilities to detainees at the Alexander Maconochie Centre to facilitate education.

## Drugs and contraband at the AMC

- 9.33. The Committee examined the issue of drugs and contraband coming over the fence line at AMC.<sup>190</sup>
- 9.34. The ACT Government stated that there is proactive policing on the fence line, and that the success rate of the security team in securing the fence line, while not 100 percent, has improved. Cooperation between ACT Police and ACT Corrective Services, as well as CCTV and intelligence, are effective in identifying and preventing over-the-fence introductions of prohibited material.<sup>191</sup>
- 9.35. Nonetheless, while officers are often successful in identifying and collecting over-the-fence incursions, ‘Somebody with a good hand and a tennis ball can do quite a bit’<sup>192</sup>, and it was noted that officers may have to close down a unit to collect introduced material before detainees were able to gain access to it.<sup>193</sup>
- 9.36. The Committee notes that the ACT Inspector of Correctional Services’ *Healthy Prison Review of Alexander Maconochie Centre 2022* recommended that effective systems be put in place to ‘detect contraband introduced, manufactured, carried, or secreted by detainees, visitors, staff, or others’.<sup>194</sup> The report also noted ‘improvements in the finds of weapons and mobile phone related contraband but a significant increase in drug related items’.<sup>195</sup>

<sup>190</sup> *Proof Committee Hansard*, 1 November 2022, pp 25–26.

<sup>191</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 25.

<sup>192</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 25.

<sup>193</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 25.

<sup>194</sup> ACT Inspector of Correctional Services, *Healthy Prison Review of the Alexander Maconochie Centre 2022*, p 76.

<sup>195</sup> ACT Inspector of Correctional Services, *Healthy Prison Review of the Alexander Maconochie Centre 2022*, p 80.

### Committee comment

- 9.37. The Committee is of the view that the AMC fence line may be too easily breached, and that there is a risk that contraband and drugs introduced over the fence close to detainees' quarters may be obtained by detainees before such material is detected.

#### Recommendation 14

The Committee recommends that the ACT Government review sections of the Alexander Maconochie Centre fence line, particularly parts of the fence that are close to detainee's exercise quarters, to ensure that contraband and drugs cannot be delivered over the fence.

### Recruitment of women

- 9.38. The Committee examined the recruitment of women in correctional services.<sup>196</sup>
- 9.39. The Minister for Corrections commented that two out of ten recent recruits were women and that he would like to see a better gender balance.<sup>197</sup> The Commissioner of ACT Corrective Services commented that in general women make up 20 to 25 percent of applicants for recruitment. Looking for new ways to increase the number of women recruits may involve considering female and male applicant cohorts separately, and prequalifying both cohorts for course selection.<sup>198</sup>

### Committee comment

- 9.40. The Committee considers that improved diversity of correctional services employees will lead to better outcomes for services provided, particularly in the women's correction facilities.

#### Recommendation 15

The Committee recommends that the ACT Government continue to look at innovative ways to recruit women into the Corrections workforce.

## Attorney-General – Administrative arrangements

- 9.41. The Committee examined the following matters allocated to the Attorney-General and Justice and Community Safety Directorate:
- Administration of justice;
  - Civil and criminal law;
  - Justice reinvestment;

<sup>196</sup> *Proof Committee Hansard*, 1 November 2022, pp 32–33.

<sup>197</sup> Mr Mick Gentleman MLA, Minister for Corrections, *Proof Committee Hansard*, 1 November 2022, p 33.

<sup>198</sup> Mr Ray Johnson, Commissioner, ACT Corrective Services, *Proof Committee Hansard*, 1 November 2022, p 33.

- Policy relating to incorporation of associations;
- Policy relating to liquor;
- Policy relating to sex work;
- Policy relating to security;
- Policy relating to the registration of deeds and charitable collections;
- Policy relating to the registration of land titles and tenancies;
- Reducing recidivism;
- Restorative justice; and
- Sentence Administration Board.<sup>199</sup>

## Matters considered

9.42. During the Minister for Attorney-General's appearance before the Committee on 8 November 2022, the following matters were considered:

- Extent and impact of a cyberattack on Legal Aid ACT;<sup>200</sup>
- Work in response to petitions on dangerous driving and ACT judiciary and appointment processes;<sup>201</sup>
- Bail breaches;<sup>202</sup>
- Actions taken to implement Auditor-General's 2020 recommendations on data security at Legal Aid ACT and other agencies;<sup>203</sup>
- Restorative justice referrals and conferences;<sup>204</sup>
- Relocation of the Sentence Administration Board to the courts precinct;<sup>205</sup>
- Registration of land title transfers with zero consideration;<sup>206</sup>
- Factors contributing to a reduction in breaches of parole or intensive correction orders;<sup>207</sup>
- Rates of sentencing and incarceration for Aboriginal and Torres Strait Islanders people;<sup>208</sup>

<sup>199</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

<sup>200</sup> *Proof Committee Hansard*, 8 November 2022, pp 97–98.

<sup>201</sup> *Proof Committee Hansard*, 8 November 2022, pp 98–100.

<sup>202</sup> *Proof Committee Hansard*, 8 November 2022, pp 100–101.

<sup>203</sup> *Proof Committee Hansard*, 8 November 2022, pp 101–102.

<sup>204</sup> *Proof Committee Hansard*, 8 November 2022, pp 103–104.

<sup>205</sup> *Proof Committee Hansard*, 8 November 2022, pp 104–105.

<sup>206</sup> *Proof Committee Hansard*, 8 November 2022, pp 105–106.

<sup>207</sup> *Proof Committee Hansard*, 8 November 2022, pp 106–107.

<sup>208</sup> *Proof Committee Hansard*, 8 November 2022, pp 107–108.

- Coronial reform;<sup>209</sup>
- Presence of the Victims of Crime Commissioner at trials;<sup>210</sup>
- Support for people doing supervised community work;<sup>211</sup>
- Recidivism rate;<sup>212</sup>
- Residential tenancy reform;<sup>213</sup>
- Impact on the ACT justice system of the *Drugs of Dependence (Personal Use) Amendment Act 2022*;<sup>214</sup>
- Children’s Court care and protection list matters;<sup>215</sup> and
- Parliamentary Counsel’s Office work backlog.<sup>216</sup>

## Minister for Consumer Affairs – Administrative arrangements

9.43. The Committee examined the following matters allocated to the Minister for Consumer Affairs and Justice and Community Safety Directorate:

- Fair trading policy relating to Australian consumer law, fuel prices and licensing motor vehicle repairers;
- Policy relating to retirement villages, egg labelling, sale of goods and uncollected goods; and
- Policy relating to the licensing of agents, hawkers, pawnbrokers, motor vehicle dealers, second-hand dealers and x-films.<sup>217</sup>

## Matters considered

9.44. During the Minister for Consumer Affairs’ appearance before the Committee on 8 November 2022, the following matters were considered:

- Potential conflict of interest of the Fair Trading Commissioner;<sup>218</sup>
- Management of conflicts of interest within the ACT Public Service;<sup>219</sup>
- Tenancy applicants being charged for background checks;<sup>220</sup>

<sup>209</sup> *Proof Committee Hansard*, 8 November 2022, pp 108–109.

<sup>210</sup> *Proof Committee Hansard*, 8 November 2022, pp 109–110.

<sup>211</sup> *Proof Committee Hansard*, 8 November 2022, pp 110–111.

<sup>212</sup> *Proof Committee Hansard*, 8 November 2022, pp 111–112.

<sup>213</sup> *Proof Committee Hansard*, 8 November 2022, pp 112–113.

<sup>214</sup> *Proof Committee Hansard*, 8 November 2022, p 113.

<sup>215</sup> *Proof Committee Hansard*, 8 November 2022, p 113.

<sup>216</sup> *Proof Committee Hansard*, 8 November 2022, p 114.

<sup>217</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

<sup>218</sup> *Proof Committee Hansard*, 8 November 2022, pp 74–76.

<sup>219</sup> *Proof Committee Hansard*, 8 November 2022, p 76.

<sup>220</sup> *Proof Committee Hansard*, 8 November 2022, pp 79–80.



- Impact on the real estate industry of amendments to the licensing of real estate agents;<sup>221</sup>
- Dispute resolution processes under the *Retirement Villages Act 2012*;<sup>222</sup>
- Fuel price check application;<sup>223</sup>
- Contract arrangements for electric vehicle (EV) charging stations;<sup>224</sup> and
- Hawker licensing.<sup>225</sup>

## Minister for Gaming – Administrative arrangements

9.45. The Committee examined the following matters allocated to the Minister for Gaming and the Justice and Community Safety Directorate:

- Gaming policy.<sup>226</sup>

### Matters considered

9.46. During the Minister for Gaming's appearance before the Committee on 8 November 2022, the following matters were considered:

- Compliance inspections of gaming machine venues;<sup>227</sup>
- Introduction of bet limits and a central monitoring system;<sup>228</sup>
- Money laundering through poker machines;<sup>229</sup>
- Self-exclusion from gaming venues;<sup>230</sup>
- Research conducted by the ACT Gambling and Racing Commission;<sup>231</sup>
- Training for Gambling Contact Officers and harm minimisation for workers in the gambling industry;<sup>232</sup> and
- Availability of gambling harm materials and information in languages other than English.<sup>233</sup>

<sup>221</sup> *Proof Committee Hansard*, 8 November 2022, pp 81–82.

<sup>222</sup> *Proof Committee Hansard*, 8 November 2022, pp 84–86.

<sup>223</sup> *Proof Committee Hansard*, 8 November 2022, pp 88–89.

<sup>224</sup> *Proof Committee Hansard*, 8 November 2022, pp 90–91.

<sup>225</sup> *Proof Committee Hansard*, 8 November 2022, pp 93–96.

<sup>226</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 10 February 2023).

<sup>227</sup> *Proof Committee Hansard*, 8 November 2022, pp 78–79.

<sup>228</sup> *Proof Committee Hansard*, 8 November 2022, pp 80–81.

<sup>229</sup> *Proof Committee Hansard*, 8 November 2022, pp 82–84.

<sup>230</sup> *Proof Committee Hansard*, 8 November 2022, pp 86–88.

<sup>231</sup> *Proof Committee Hansard*, 8 November 2022, pp 89–90.

<sup>232</sup> *Proof Committee Hansard*, 8 November 2022, pp 91–92.

<sup>233</sup> *Proof Committee Hansard*, 8 November 2022, pp 92–93.

## Key issues

### Bet and load limits, central monitoring, and cashless gaming

- 9.47. The Committee examined the issue of bet and load-up limits in the ACT.<sup>234</sup> For electronic gaming machines (EGMs), a bet limit is the maximum amount that can be gambled on one spin, while a load limit (also known as a credit limit) restricts the monetary value that can be loaded into the EGM at one time.<sup>235</sup> The introduction of \$5 bet limits and \$100 load-up limits is part of the ACT's *Parliamentary and Governing Agreement*.<sup>236</sup>
- 9.48. When asked about the role of a central monitoring system (CMS) in introducing \$5 bet limits and \$100 load-up limits, Mr Shane Rattenbury MLA, Minister for Gaming, commented that a CMS was not part of the parliamentary and governing agreement but had been identified as an effective tool by the government's research and independent consultation. He also noted that the gaming industry had expressed concern about costs associated with implementing a CMS.<sup>237</sup>
- 9.49. This issue was also examined during Estimates hearings in August 2022, and the Select Committee on Estimates 2022–2023 noted that a CMS would require that games be programmed and re-loaded onto the machines and that hardware in clubs such as cabling be upgraded.<sup>238</sup>
- 9.50. Minister Rattenbury noted that while policy initiatives regarding a CMS had been made from a harm minimisation perspective, the limits and monitoring provided by a CMS were believed to 'offer the additional benefit' of discouraging money laundering.<sup>239</sup>
- 9.51. New South Wales' (NSW) CMS is a regulatory tool that connects all gaming machines in NSW registered clubs and hotels, in order to monitor and ensure the integrity of gaming machine operations and calculate tax.<sup>240</sup> However, the NSW Crime Commission report *Project Islington Inquiry into Money Laundering via Electronic Gaming Machines in Hotels and Clubs* (the Islington Report) identified that the CMS was not designed to collect information relating to money laundering:

In 2021, Liquor & Gaming NSW (L&GNSW) developed an algorithm which used CMS data to attempt to flag suspicious transactions. While this identified a number of suspicious gaming activities, it also flagged a significant number of false positives. There is no data source in NSW that identifies criminal activity associated with [Electronic Gaming Machines].<sup>241</sup>

---

<sup>234</sup> *Proof Committee Hansard*, 8 November 2022, pp 80–81, 83–84, 94.

<sup>235</sup> ACT Government, *Discussion Paper – Lowering bet and credit limits for electronic gaming machines*, [Discussion Paper - Bet and Credit Limits.pdf \(amazonaws.com\)](#), p 3.

<sup>236</sup> 10<sup>th</sup> Legislative Assembly for the Australian Capital Territory, *Parliamentary and Governing Agreement*, p 11.

<sup>237</sup> Mr Shane Rattenbury MLA, Minister for Gaming, *Proof Committee Hansard*, 8 November 2022, p 81.

<sup>238</sup> Select Committee on Estimates 2022–2023, *Inquiry into the Appropriation Bill 2022–2023 and Appropriation (Office of the Legislative Assembly) Bill 2022–2023*, p 85.

<sup>239</sup> Mr Shane Rattenbury MLA, Minister for Gaming, *Proof Committee Hansard*, 8 November 2022, p 83.

<sup>240</sup> [Centralised Monitoring System \(CMS\) - Liquor & Gaming NSW](#), accessed 10 February 2023.

<sup>241</sup> NSW Crime Commission, *Project Islington Inquiry into Money Laundering via Electronic Gaming Machines in Hotels and Clubs*, [Islington Report](#), p vi.

- 9.52. The Islington Report asserted that mandatory cashless gaming, rather than the CMS, would provide data identifying criminal activity, increase the capability of gaming venues to identify and report suspicious activity, and improve law enforcement's ability to prosecute alleged offending.<sup>242</sup>
- 9.53. Minister Rattenbury noted that a NSW trial of cashless gaming had been deferred because of the COVID-19 pandemic, and that the ACT Government was now looking at changes made in Tasmania and the results of the cashless gaming rollout in that state.<sup>243</sup> In February 2023, the NSW Government announced reforms including cashless gaming for all EGMs by 2028.<sup>244</sup>
- 9.54. In response to a question on current bet and load-up limits, Minister Rattenbury stated that the ACT currently has no load-up limit on EGMs. He noted that the ACT relies on interstate technical evaluations and has common technology with NSW, and that a load-up limit in line with the NSW limit will be introduced in the future.<sup>245</sup> After July 2023, new EGMs in NSW will have a load-up limit of \$500.<sup>246</sup> The Minister also commented that the ACT has note limiters, so individuals can only load \$20 and \$50 notes.<sup>247</sup> The Islington Report noted that organised criminal groups prefer \$50 notes for transactions involving large volumes of cash.<sup>248</sup>
- 9.55. The Minister stressed the ACT Government's commitment to harm minimisation, noting that it was currently working through feedback to its April 2022 *Discussion Paper – Lowering bet and credit limits for electronic gaming machines*.<sup>249</sup>

### Committee comment

- 9.56. The Committee is of the view that the ACT Government should reconsider the introduction of a CMS in ACT gaming venues in light of evidence that they are not efficient at detecting money laundering and industry concerns at the costs involved.
- 9.57. The Committee is also of the view that the ACT Government should implement bet and load limits on EGMs in the ACT, in line with the commitments in the Parliamentary and Governing Agreement. The Committee considers that the ACT Government should follow NSW's and Tasmania's lead in introducing cashless gaming, which evidence shows deters money laundering and other criminal activity.

## Recommendation 16

<sup>242</sup> NSW Crime Commission, *Project Islington Inquiry into Money Laundering via Electronic Gaming Machines in Hotels and Clubs*, [Islington Report](#), p vi.

<sup>243</sup> Mr Shane Rattenbury MLA, Minister for Gaming, *Proof Committee Hansard*, 8 November 2022, pp 83–84.

<sup>244</sup> NSW Government, *Pokies to be cashless in 2028 under historic changes*, [Pokies to be cashless in 2028 under historic changes | NSW Government](#), 6 February 2023.

<sup>245</sup> Mr Shane Rattenbury MLA, Minister for Gaming, *Proof Committee Hansard*, 8 November 2022, p 94.

<sup>246</sup> NSW Government, *Pokies to be cashless in 2028 under historic changes*, [Pokies to be cashless in 2028 under historic changes | NSW Government](#), 6 February 2023.

<sup>247</sup> Mr Shane Rattenbury MLA, Minister for Gaming, *Proof Committee Hansard*, 8 November 2022, p 84.

<sup>248</sup> NSW Crime Commission, *Project Islington Inquiry into Money Laundering via Electronic Gaming Machines in Hotels and Clubs*, [Islington Report](#), p 5.

<sup>249</sup> Mr Shane Rattenbury MLA, Minister for Gaming, *Proof Committee Hansard*, 8 November 2022, p 81.

The Committee recommends that the ACT Government reconsider the introduction of a central monitoring system (CMS) in ACT clubs.

### Recommendation 17

The Committee recommends that the ACT Government implement bet and load limits on electronic gaming machine in the ACT and consider the introduction of cashless gaming.

## Special Minister of State – Administrative arrangements

9.58. The Committee examined the following matters allocated to the Special Minister for State and Justice and Community Safety Directorate:

- Electoral policy; and
- Racing policy.<sup>250</sup>

### Matters considered

9.59. During the Special Minister for State's appearance before the Committee on 10 November 2022, the following matters were considered:

- The resignation of a member of the Canberra Racing Club board;<sup>251</sup>
- Electoral reforms;<sup>252</sup>
- The potential for development at Thoroughbred Park under the draft North Canberra and Inner City District Plan, and whether an alternative site is offered for the Racing Club;<sup>253</sup>
- Potential conflicts of interest at Canberra Racing Club;<sup>254</sup>
- Potential co-location of the Harness Racing Club with the Canberra Racing Club at Thoroughbred Park<sup>255</sup>; and
- Cybersecurity for electoral results.<sup>256</sup>

## Minister for Human Rights – Administrative arrangements

9.60. The Committee examined the following matters allocated to the Minister for Human Rights and Justice and Community Safety Directorate:

---

<sup>250</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

<sup>251</sup> *Proof Committee Hansard*, 10 November 2022, p 160.

<sup>252</sup> *Proof Committee Hansard*, 10 November 2022, pp 161–162.

<sup>253</sup> *Proof Committee Hansard*, 10 November 2022, pp 160–161, 162–163.

<sup>254</sup> *Proof Committee Hansard*, 10 November 2022, p 162.

<sup>255</sup> *Proof Committee Hansard*, 10 November 2022, pp 163–164.

<sup>256</sup> *Proof Committee Hansard*, 10 November 2022, p 167.

- ACT Human Rights Commission;
- Human Rights and anti-discrimination policy;
- Policy relating to births, deaths, parentage, marriages, civil unions, domestic relationships, voluntary assisted dying/end of life; and
- Victims of Crime Commissioner.<sup>257</sup>

## Matters considered

- 9.61. During the Minister for Human Rights' appearance before the Committee on 11 November 2022, the following matters were considered:
- Discrimination law reform timeline;<sup>258</sup>
  - Establishment of an Aboriginal and Torres Strait Islander Children's Commissioner;<sup>259</sup>
  - Monitoring and management of ACT Policing as a human rights jurisdiction;<sup>260</sup>
  - The role of the Minister for Human Rights when there are a large number of discrimination complaints involving another government department;<sup>261</sup>
  - Pregnancy loss certificates;<sup>262</sup> and
  - The right to a healthy environment.<sup>263</sup>

## 10. Legal Aid Commission

- 10.1. The Legal Aid Commission (ACT) is an independent statutory authority whose primary purpose is to provide vulnerable and disadvantaged Australians with access to justice through a range of legal aid services.<sup>264</sup>
- 10.2. Services provided by the Legal Aid Commission include:
- Information and referral services;
  - Legal advice and assistance;
  - Minor legal assistance;
  - Duty lawyer services;
  - Grants of legal assistance and representation in Courts and Tribunals;
  - Dispute resolution services;

<sup>257</sup> ACT Government, *Administrative Arrangements 2022 (No 2)* <https://legislation.act.gov.au/View/ni/2022-697/current/html/2022-697.html> (accessed 23 January 2023).

<sup>258</sup> *Proof Committee Hansard*, 11 November 2022, pp 191–192, 196.

<sup>259</sup> *Proof Committee Hansard*, 11 November 2022, pp 192–193.

<sup>260</sup> *Proof Committee Hansard*, 11 November 2022, pp 193–194.

<sup>261</sup> *Proof Committee Hansard*, 11 November 2022, p 194.

<sup>262</sup> *Proof Committee Hansard*, 11 November 2022, p 195.

<sup>263</sup> *Proof Committee Hansard*, 11 November 2022, pp 195–196.

<sup>264</sup> Legal Aid Commission, *Annual Report 2021-2022*, p 11.

- Community Legal Education programs; and
- Submissions on issues of law reform.<sup>265</sup>

## Matters considered

10.3. During the Legal Aid Commission's appearance before the Committee on 9 November 2022, the following matter was considered:

- Extent and impact of a cyberattack on the Legal Aid Commission.<sup>266</sup>

10.4. During the Legal Aid Commission's appearance before the Committee on 11 November 2022, the following matters were considered:

- Accommodation for the Legal Aid Commission;<sup>267</sup>
- Extent and impact of a cyberattack on the Legal Aid Commission;<sup>268</sup>
- Recruitment of culturally and linguistically diverse liaison and support officers;<sup>269</sup>
- Recruitment for new initiatives;<sup>270</sup> and
- Funding for the Legal Aid Commission.<sup>271</sup>

## 11. Office of the Director of Public Prosecutions

11.1. The Office of the Director of Public Prosecutions is an independent prosecution authority of and for the ACT, with the purpose of instituting, conducting and supervising prosecutions and related proceedings.<sup>272</sup>

11.2. The principal duties of the Director include:

- to institute and conduct prosecutions, both summary and indictable;
- to institute and respond to appeals;
- to restrain and confiscate assets used in, or derived from, the commission of criminal offences;
- to assist the coroner in inquests and inquiries; and
- to provide advice to the police and other investigative agencies.<sup>273</sup>

11.3. Statutory functions of the Director include:

<sup>265</sup> Legal Aid Commission, [Annual Report 2021-2022](#), p 12.

<sup>266</sup> *Proof Committee Hansard*, 9 November 2022, pp 116–120.

<sup>267</sup> *Proof Committee Hansard*, 11 November 2022, pp 169–171.

<sup>268</sup> *Proof Committee Hansard*, 11 November 2022, pp 171–174. P 175.

<sup>269</sup> *Proof Committee Hansard*, 11 November 2022, p 174.

<sup>270</sup> *Proof Committee Hansard*, 11 November 2022, pp 174–175.

<sup>271</sup> *Proof Committee Hansard*, 11 November 2022, p 176.

<sup>272</sup> Office of the Director of Public Prosecutions, [Annual Report 2021-2022](#), p 34.

<sup>273</sup> Office of the Director of Public Prosecutions, [Annual Report 2021-2022](#), p 34.

- institution of a prosecution on indictment where there has been no committal for trial (known as an ex officio indictment);
- to decline to proceed further in a prosecution and bring it to an end;
- to take over and conduct, or discontinue, prosecutions instituted by another person (other than the Attorney-General);
- to give to a person an undertaking that specified evidence will not be used against them, or that they will not be prosecuted for a specified offence or conduct; and
- to give directions or furnish guidelines to the chief police officer and other persons specified in the Act, including investigators and prosecutors.<sup>274</sup>

## Matters considered

11.4. During the Director of Public Prosecutions' appearance before the Committee on 9 November 2022, the following matters were considered:

- The role of meeting community expectations in sentencing arguments;<sup>275</sup>
- Sexual offence matters;<sup>276</sup>
- Recommendation for an in-house prosecution team for WorkSafe ACT and performance of the Office of the Director of Public Prosecution on workplace health and safety law;<sup>277</sup>
- Estimates of average cost per matter and budget implications;<sup>278</sup>
- Concern with legislative interpretation of the *R v Yeaman* case;<sup>279</sup>
- Overlapping responsibilities of police victim liaison officers, the Victims of Crime Commissioner and the Human Rights Commission;<sup>280</sup>
- Summoning of witnesses, and the impact on witnesses who are victims of crime;<sup>281</sup>
- Time lines for meeting court orders;<sup>282</sup> and
- Judge-alone trials for sexual offenses.<sup>283</sup>

## 12. Office of the Public Trustee and Guardian

12.1. The Public Trustee and Guardian is an independent statutory office in the Justice and Community Safety Directorate. The role of Public Trustee and Guardian incorporates the

<sup>274</sup> Office of the Director of Public Prosecutions, [Annual Report 2021-2022](#), p 35.

<sup>275</sup> *Proof Committee Hansard*, 9 November 2022, pp 135–136.

<sup>276</sup> *Proof Committee Hansard*, 9 November 2022, pp 136–137.

<sup>277</sup> *Proof Committee Hansard*, 9 November 2022, pp 137–138.

<sup>278</sup> *Proof Committee Hansard*, 9 November 2022, p 138.

<sup>279</sup> *Proof Committee Hansard*, 9 November 2022, pp 138–139.

<sup>280</sup> *Proof Committee Hansard*, 9 November 2022, pp 139–140.

<sup>281</sup> *Proof Committee Hansard*, 9 November 2022, p 140.

<sup>282</sup> *Proof Committee Hansard*, 9 November 2022, pp 140–141.

<sup>283</sup> *Proof Committee Hansard*, 9 November 2022, p 141.

functions of Guardian and Manager as substitute decision-maker for persons with a decision-making disability.<sup>284</sup>

12.2. The functions and services of the Office of the Public Trustee and Guardian include:

- will drafting and acting as Executor;
- drafting Enduring Powers of Attorney and acting as Attorney;
- trustee services;
- Guardianship and Management under the *Guardianship and Management of Property Act 1991*;
- acting as trustee for confiscated criminal assets;
- Unclaimed Money administration; and
- Unclaimed Body Scheme services.<sup>285</sup>

## Matters considered

12.3. During the Public Trustee and Guardian's appearance before the Committee on 9 November 2022, the following matters were considered:

- Appointment process for the Acting Public Trustee and Guardian;<sup>286</sup>
- Immediate priorities of the Acting Public Trustee and Guardian;<sup>287</sup>
- Cyber security;<sup>288</sup>
- Examination of accounts and automatic letters;<sup>289</sup>
- Workload of staff;<sup>290</sup>
- Protection for vulnerable people under financial management;<sup>291</sup>
- Complaints to the Ombudsman about the Office of the Public Trustee and Guardian;<sup>292</sup>
- Audit of GreaterGood;<sup>293</sup>
- Fraud prevention controls and processes;<sup>294</sup> and
- Review process for journal keeping.<sup>295</sup>

---

<sup>284</sup> Office of the Public Trustee and Guardian, [Annual Report 2021–2022](#), p 9.

<sup>285</sup> Office of the Public Trustee and Guardian, [Annual Report 2021–2022](#), p 8.

<sup>286</sup> *Proof Committee Hansard*, 9 November 2022, p 121.

<sup>287</sup> *Proof Committee Hansard*, 9 November 2022, pp 121–122.

<sup>288</sup> *Proof Committee Hansard*, 9 November 2022, pp 122–123.

<sup>289</sup> *Proof Committee Hansard*, 9 November 2022, p 123.

<sup>290</sup> *Proof Committee Hansard*, 9 November 2022, p 123.

<sup>291</sup> *Proof Committee Hansard*, 9 November 2022, pp 123–124.

<sup>292</sup> *Proof Committee Hansard*, 9 November 2022, p 124.

<sup>293</sup> *Proof Committee Hansard*, 9 November 2022, p 124.

<sup>294</sup> *Proof Committee Hansard*, 9 November 2022, pp 124–125.

<sup>295</sup> *Proof Committee Hansard*, 9 November 2022, p 125.



## 13. Official Visitor Scheme

- 13.1. Official Visitors are independent statutory officeholders. They meet with and talk to entitled persons in visitable places to hear their concerns and resolve any complaints, prepare and send reports to the operational Ministers responsible, and prepare summary reports to the Minister responsible for the Scheme.<sup>296</sup>
- 13.2. The role of Official Visitors is to identify, monitor and resolve service issues, with a view to improving service quality. To meet this goal they observe the environment and interactions between staff and entitled persons, make enquiries, inspect documents, communicate with entitled persons to ensure they are being supported with dignity and respect, and identify any issues of concern.<sup>297</sup>
- 13.3. The Scheme covers five jurisdictions under each of the following Operational Acts:
- Children and Young People under the *Children and Young People Act 2008*;
  - Corrections under the *Corrections Management Act 2007*;
  - Disability under the *Disability Services Act 1991*;
  - Housing and Homelessness under the *Housing Assistance Act 2007*; and
  - Mental Health under the *Mental Health Act 2015*.<sup>298</sup>

### Matters considered

- 13.4. The Official Visitors Board and Corrections Official Visitors appeared before the Committee on 9 November 2022. During the hearing, the following matters were considered:
- Major challenges arising since moving women back to the women's community centre;<sup>299</sup>
  - Alcohol and drug rehabilitation support for Alexander Maconochie Centre (AMC) detainees;<sup>300</sup>
  - Issues arising in Justice Health;<sup>301</sup>
  - Currency of the visitable places register;<sup>302</sup>
  - Recognition of Aboriginal and Torres Strait Islander status for detainees;<sup>303</sup>
  - Number of complaints received from Bimberi Youth Justice Centre;<sup>304</sup>

---

<sup>296</sup> ACT Official Visitor Scheme, [Annual Report 2021–2022](#), p 4.

<sup>297</sup> ACT Official Visitor Scheme, [Annual Report 2021–2022](#), p 4.

<sup>298</sup> ACT Official Visitor Scheme, [Annual Report 2021–2022](#), p 4.

<sup>299</sup> *Proof Committee Hansard*, 9 November 2022, pp 126–127.

<sup>300</sup> *Proof Committee Hansard*, 9 November 2022, p 127.

<sup>301</sup> *Proof Committee Hansard*, 9 November 2022, p 127.

<sup>302</sup> *Proof Committee Hansard*, 9 November 2022, pp 127–128.

<sup>303</sup> *Proof Committee Hansard*, 9 November 2022, p 128.

<sup>304</sup> *Proof Committee Hansard*, 9 November 2022, p 128.

- Systemic issues in transition planning and needs of clients across different parts of government;<sup>305</sup>
- Provision of the quarterly Official Visitor report to the shadow minister;<sup>306</sup> and
- Computer facilities in prisons.<sup>307</sup>

---

<sup>305</sup> *Proof Committee Hansard*, 9 November 2022, pp 128–129.

<sup>306</sup> *Proof Committee Hansard*, 9 November 2022, p 129.

<sup>307</sup> *Proof Committee Hansard*, 9 November 2022, pp 129–130.

## 14. Conclusions

- 14.1. The committee has made 17 recommendations in its inquiry into Annual and Financial Reports 2021-22.
- 14.2. The Committee thanks everyone who participated in, or otherwise assisted, this inquiry. This includes the ACT Government Ministers, Directorate officials, and statutory officers. The Committee wishes to extend its appreciation to the Hansard and broadcasting staff of the ACT Legislative Assembly

Peter Cain MLA  
Chair  
March 2023

# Appendix B: Witnesses

## 1 November 2022

- **Mr Mick Gentleman**, Minister for Police and Emergency Services

### Justice and Community Safety

- **Mr Richard Glenn**, Director-General
- **Ms Jennifer McNeill**, Deputy Director-General, Justice
- **Ms Karen Doran**, Deputy Director-General, Community Safety
- **Ms Danielle Krajina**, Chief Operating Officer, Corporate Services Group
- **Ms Dragana Cvetkovski**, Chief Finance Officer, Corporate Services Group
- **Ms Kelly Williams**, Executive Group Manager, Legislation, Policy and Programs Division
- **Ms Robyn Hakelis**, Executive Branch Manager, Criminal Law, Legislation, Policy and Programs Division
- **Ms Kathryn Johnson**, Executive Branch Manager, Justice Reform, Legislation, Policy and Programs Division
- **Mr Jon Peach**, Executive Group Manager, Security and Emergency Management Division

### ACT Policing

- **Mr Neil Gaughan**, Chief Police Officer
- **Mr Peter Crozier**, Deputy Chief Police Officer
- **Mr Peter Whowell**, Executive General Manager, Corporate Services

### ACT Corrective Services

- **Mr Ray Johnson**, Commissioner
- **Ms Narelle Pamplin**, Assistant Commissioner, Offender Reintegration
- **Mr Bruno Aloisi**, Acting Assistant Commissioner, Community Corrections

## 2 November 2022

### ACT Ombudsman/ Inspector of the Integrity Commission/ Principle Officer of the Judicial Council

- **Mr Iain Anderson**, ACT Ombudsman, Inspector of the Integrity Commission, Principal Officer of the Judicial Council
- **Mr David Fintan**, Senior Assistant Ombudsman, Program Delivery Branch, ACT Ombudsman

### ACT Ombudsman

- **The Hon Michael Adams KC**, Integrity Commissioner
- **Ms Judy Lind**, Chief Executive Officer
- **Mr Scott Hickey**, Chief Financial Officer

## 3 November 2022

- **Mr Mick Gentleman**, Minister for Police and Emergency Services

### Justice and Community Safety Directorate

- **Mr Richard Glenn**, Director-General
- **Ms Karen Doran**, Deputy Director-General, Community Safety
- **Ms Danielle Krajina**, Chief Operating Officer, Corporate Services Group
- **Ms Dragana Cvetkovski**, Chief Finance Officer, Corporate Services Group
- **Mr Wayne Phillips**, A/g Commissioner, ACT Emergency Services Agency
- **Mr Jason Jones**, Assistant Commissioner, Operations, ACT Emergency Services Agency
- **Ms Maree O’Neale**, A/g Assistant Commissioner - Corporate, ACT Emergency Services Agency
- **Mr Howard Wren**, Chief Officer, ACT Ambulance Service, ACT Emergency Services Agency
- **Mr Matthew Mavity**, Chief Officer, ACT Fire & Rescue, ACT Emergency Services Agency
- **Mr Rohan Scott**, Chief Officer, ACT Rural Fire Service, ACT Emergency Services Agency
- **Mr Anthony Draheim**, Chief Officer, ACT State Emergency Service, ACT Emergency Services Agency
- **Mr Robyn White**, Executive Branch Manager, ESA Finance and Budgets, ACT Emergency Services Agency
- **Mr Jon Peach**, Executive Group Manager, Security and Emergency Management Division
- **Mr Cameron Beresford**, Executive Branch Manager, Emergency Management, Security and Emergency Management Division

## 8 November 2022

- **Minister Shane Rattenbury**, Minister for Consumer Affairs/ Minister for Gaming

### Justice and Community Safety Directorate

- **Mr Richard Glenn**, Director-General
- **Ms Jennifer McNeill**, Deputy Director-General, Justice
- **Ms Danielle Krajina**, Chief Operating Officer, Corporate Services Group
- **Ms Dragana Cvetkovski**, Chief Finance Officer, Corporate Services Group
- **Ms Kelly William**, Executive Group Manager, Legislation, Policy and Programs Division
- **Ms Robyn Hakelis**, Executive Branch Manager, Criminal Law, Legislation, Policy and Programs Division
- **Ms Kathryn Johnson**, Executive Branch Manager, Justice Reform, Legislation, Policy and Programs Division
- **Mr Daniel Ng**, Executive Branch Manager, Civil Law, Legislation, Policy and Programs Division
- **Ms Amanda Nuttall**, Principal Registrar & CEO, ACT Courts and Tribunal
- **Mr Peter Garrisson AM SC**, Solicitor-General for the ACT, ACT Government Solicitor

- **Mr Shane Drumgold**, Director of Public Prosecutions, Office of the Director of Public Prosecutions
- **Ms Laura Beacroft**, Chair, Sentence Administration Board
- **Ms Bianca Kimber**, Parliamentary Counsel, Parliamentary Counsel's Office
- **Mr Richard Dening**, Senior Director, Restorative Justice Unit, Legislation, Policy and Programs Division
- **Ms Gabrielle McKinnon**, Senior Manager, Civil Law, Legislation, Policy and Programs Division
- **Mr Jon Peach**, Executive Group Manager, Security and Emergency Management Division

### Chief Minister, Treasury and Economic Development Directorate

- **Ms Yu-Lan Chan**, Executive Branch Manager, Corporate Support and Capability Branch, Access Canberra, (Statutory Office Holder: Chief Executive Officer, ACT Gambling and Racing Commission)
- **Ms Derise Cubin**, Executive Branch Manager, Licensing and Registrations Branch, Access Canberra
- **Mr Giuseppe Mangeruca**, Acting Executive Branch Manager, Fair Trading and Compliance Branch, Access Canberra
- **Mr Josh Rynehart**, Acting Chief Operating Officer, Access Canberra
- **Mr Fred Arugay**, Acting Senior Director, Customer Coordination Branch, Access Canberra

### Environment, Planning and Sustainable Development Directorate

- **Mr Ros Malouf**, Senior Director – Climate Change and Energy Programs
- **Ms Carolyn Goonrey**, Director – Sustainability

## 9 November 2022

### Legal Aid Commission (ACT)

- **Dr John Boersig PSM**, CEO

### Public Trustee and Guardian

- **Ms Tracey Savage**, Public Trustee and Guardian
- **Mr Callum Hughes**, Senior Director/Deputy Public Trustee Guardian (Finance)

### Official Visitors Board and Corrections Official Visitors

### Justice and Community Safety Directorate

- **Mr Stefan Dzwonnik**, Executive Officer, Official Visitor Scheme
- **Ms Jennifer McNeill**, Deputy Director General Justice
- **Mr Shannon Pickles**, Official Visitor for Corrections

## Solicitor General for the ACT

- **Mr Peter Garrison**, AM SC

## Director of Public Prosecutions

- **Mr Shane Drumgold** SC

## Electoral Commissioner

- **Mr Damian Cantwell AM CSC**, Electoral Commissioner
- **Mr Rohan Spence**, Deputy Electoral Commissioner
- **Mr Scott Hickey**, Chief Finance Officer

## 10 November 2022

## Inspector of Correctional Services

- **Mr Neil McAllister**, Inspector of Correctional Services, Office of the Inspector of Correctional Services
- **Ms Rebecca Minty**, Deputy Inspector, Office of the Inspector of Correctional Services
- **Minister Chris Steel**, Special Minister for State

## Justice and Community Safety Directorate

- **Mr Richard Glenn**, Director-General
- **Ms Jennifer McNeill**, Deputy Director-General, Justice
- **Ms Danielle Krajina**, Chief Operating Officer, Corporate Services Group
- **Ms Dragana Cvetkovski**, Chief Finance Officer, Corporate Services Group
- **Ms Kelly William**, Executive Group Manager, Legislation, Policy and Programs Division
- **Mr Daniel Ng**, Executive Branch Manager, Civil Law, Legislation, Policy and Programs Division
- **Mr Jon Peach**, Executive Group Manager, Security and Emergency Management Division

## Chief Minister, Treasury and Economic Development Directorate

- **Ms Yu-Lan Chan**, Executive Branch Manager, Corporate Support and Capability Branch, Access Canberra, (Statutory Office Holder: Chief Executive Officer, ACT Gambling and Racing Commission)
- **Mr Josh Rynehart**, Acting Chief Operating Officer, Access Canberra
- **Mr Geoffrey Rutledge**, A/g Chief Digital Officer & Deputy Director-General/Digital, Data and Technology Solutions
- **Mr Julian Valtas**, Chief Information Security Officer/Digital, Data and Technology
- **Ms Claire Halim**, Executive Branch Manager, Security, Security and Emergency Management Division

**11 November 2022**

**Legal Aid Commission (ACT)**

- **Dr John Boersig PSM**, CEO

**Human Rights Commission**

- **Dr Helen Watchirs**, President and Human Rights Commissioner
- **Ms Jodie Griffiths-Cook**, Public Advocate and Children & Young People Commissioner
- **Ms Karen Toohey**, Discrimination, Health Services, Disability and Community Services Commissioner
- **Ms Heidi Yates**, Victims of Crime Commissioner
  
- **Minister Tara Cheyne**, Minister for Human Rights

**Justice and Community Safety Directorate**

- **Mr Richard Glenn**, Director-General
- **Ms Jennifer McNeill**, Deputy Director-General, Justice
- **Ms Danielle Krajina**, Chief Operating Officer, Corporate Services Group
- **Ms Dragana Cvetkovski**, Chief Finance Officer, Corporate Services Group
- **Ms Kelly Williams**, Executive Group Manager, Legislation, Policy and Programs Division
- **Mr Daniel Ng**, Executive Branch Manager, Civil Law, Legislation, Policy and Programs Division
- **Ms Kathryn Johnson**, Executive Branch Manager, Justice Reform, Legislation, Policy and Programs Division
- **Ms Gabrielle McKinnon**, Senior Manager, Civil Law, Legislation, Policy and Programs Division



## Appendix C: Questions Taken on Notice

### Questions Taken on Notice

No.	Date	Asked of	Subject	Response received
1	01/11/2022	Minister for Police and Emergency Services	Operation Oquendo 1 and 2 - how many offenders have then been arrested during Operation TORIC?	14/11/2022
2	01/11/2022	Minister for Police and Emergency Services	Operation TORIC - 122 Offenders - breakdown of charges.	14/11/2022
3	01/11/2022	Minister for Police and Emergency Services	Operation TORIC - 122 Offenders - how many of them are first time offenders?	14/11/2022
4	01/11/2022	Minister for Police and Emergency Services	Do all other states, par NT and QLD, use spit hoods?	14/11/2022
5	01/11/2022	Minister for Police and Emergency Services	940 bail breaches as detailed by the AFPA. Is this the correct data, if so, why is it so high?	14/11/2022
6	01/11/2022	Minister for Police and Emergency Services	If reduced the use of handcuffs, would it reduce the use of force?	16/11/2022
7	01/11/2022	Minister for Police and Emergency Services	Provide the numbers of staff in the communications centre.	14/11/2022
8	01/11/2022	Minister for Police and Emergency Services	Numbers of unsworn officers a decade ago.	14/11/2022
9	01/11/2022	Minister for Corrections	Education tender process - when was the first Expression of Interest received?	24/11/2022
10	01/11/2022	Minister for Corrections	Has there been any progress on detainee access to computer or internet for external study?	21/11/2022
11	01/11/2022	Minister for Corrections	How often is the psychological support referenced provided to case managers?	21/11/2022

12	01/11/2022	Minister for Corrections	How many sentenced detainees were released from the AMC over the last 12 months?	21/11/2022
19	02/11/2022	Integrity Commissioner	Final 2 of three recommendations to improve service.	10/11/2022
20	02/11/2022	ACT Ombudsman	Why is there no record of delivery of FOI requests within 90 days?	16/11/2022
21	02/11/2022	ACT Ombudsman	Trends in reportable conduct scheme issues in particular areas.	11/11/2022
22	02/11/2022	ACT Ombudsman	Once an extension has been obtained by an agency, are they given an additional 15 days for FOI requests?	11/11/2022
23	02/11/2022	ACT Ombudsman	Annual report metrics for changes in service delivery – see page 18 of annual report.	11/11/2022
24	02/11/2022	ACT Ombudsman	Table 5 of annual report. Is the data regarding allegations not sustained available?	16/11/2022
25	02/11/2022	ACT Ombudsman	Budget for additional 10 staff.	11/11/2022
26	02/11/2022	ACT Ombudsman	Search team contractors. How long were contractors engaged for/ can you provide the contracts?	17/11/2022
27	08/11/2022	Attorney-General	Data on recidivism rates.	21/11/2022
28	08/11/2022	Attorney-General	Adoption of report recommendation on cyber-attack in relation to Legal Aid.	21/11/2022
29	08/11/2022	Attorney-General	Update on changes to death certificates.	21/11/2022
30	08/11/2022	Attorney-General	Backlog in page 59 of annual report.	17/11/2022
31	09/11/2022	Department of Public Prosecutions	Number of Judge alone trials in last financial year.	11/11/2022
32	09/11/2022	Public Trustee and Guardian	Questions relating to page 32 in Annual Report	17/11/2022
33	09/11/2022	Public Trustee and Guardian	Complaints to Ombudsman about PTG	17/11/2022
034,035	03/11/2022	Emergency Services	Decrease in SES Volunteers	15/11/2022
036	03/11/2022	Minister for Police and Emergency Services	Australia Warning System (AWS)	15/11/2022
037	03/11/2022	Minister for Police and Emergency Services	Bullying	15/11/2022

038	03/11/2022	Minister for Police and Emergency Services	Female Firefighters	15/11/2022
039	09/11/2022	Official Visitor Board	Drug and Alcohol Services at the AMC	23/11/2022
040	09/11/2022	Official Visitor Board	Bimberi	23/11/2022
043	11/11/2022	Legal Aid ACT	Number of People Impacted	17/11/2022
044	11/11/2022	Human Rights Commission	Bimberi UOF Stats	18/11/2022
045	08/11/2022	CMTEDD	Details of Marital Status	23/11/2022
046	08/11/2022	CMTEDD	Conflict of Interest	23/11/2022
047	08/11/2022	Minister for Gambling	Inspections of EGM Venues	18/11/2022
048	08/11/2022	Access Canberra	Percentage of Existing Agents Transitioned to New Licensing Framework	16/11/2022
050	08/11/2022	CMTEDD-AC	Fuel Price App Pilot Cost	16/11/2022
051	08/11/2022	Minister for Consumer Affairs	EV Charging	18/11/2022
052	08/11/2022	Minister for Consumer Affairs	Gambling Harm Interpreter Services	16/11/2022
053	08/11/2022	Access Canberra	Penalties for Hawkers	16/11/2022
054	08/11/2022	Access Canberra	Complaints about Hawkers	16/11/2022
055	08/11/2022	Attorney General	Land Titles	18/11/2022
056	09/11/2022	Electoral Commission	Minimum numbers of members in ACT compared to other Jurisdictions	18/11/2022

## Appendix D: Questions on Notice

### Questions on Notice

No.	Date	Asked of	Subject	Response received
013	07/11/2022	Minister for Corrections	CORIS training	15/11/2022
014	07/11/2022	Minister for Corrections	Custodial Recruitment Training Program Review	21/11/2022
015	07/11/2022	Minister for Corrections	Justice Housing Program	21/11/2022
016	07/11/2022	Minister for Corrections	New Suite of Programs	15/11/2022
017	07/11/2022	Minister for Corrections	Online Visits	15/11/2022
018	07/11/2022	Minister for Corrections	Staffing Levels and Minimums	24/11/2022
041	14/11/2022	ACT Inspector of Corrections	Reviews of Critical Incidents	15/11/2022
042	14/11/2022	ACT Inspector of Corrections	Implementation of Recommendations	15/11/2022
058	09/11/2022	Attorney General	Care and Protection Intensive List	11/12/2022