

2023

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY - REPORT 15 -
INQUIRY INTO ANNUAL AND FINANCIAL REPORTS 2021-22**

GOVERNMENT RESPONSE

**Presented by
Mr Andrew Barr MLA
Chief Minister
June 2023**

Introduction

On 11 February 2021, the Legislative Assembly passed an amendment to the 2 December 2020 Resolution of Establishment (clause 3) referring the Annual and Financial Reports to the relevant Standing Committee for inquiry and to report by 9 April of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*.

The 2021-22 Annual and Financial Reports were reviewed by the relevant Standing Committees, and each Committee held hearings and reported separately.

The below Government Response addresses the recommendations which relate to the 2021-22 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Public Accounts (the Committee):

- 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.

Response to Committee 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.

Government Response – Noted

The independence of the Inspector of Correctional Services is vital, and for that reason, the position was created as an independent statutory authority via the *Inspector of Correctional Services Act 2017* (the Act). The structure of the position, as set out in the Act, reflected stakeholder consultation on the most appropriate preventive oversight mechanism model for the new role at the time the Act was created. A review of the Act will be undertaken in 2023, in accordance with s 39 of the Act. The Government will consider this recommendation as part of the statutory review.

Recommendation 2

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

Government Response – Agree in principle

The relationship between the Australian Federal Police (AFP) and the ACT Government for the provision of policing services to the ACT is long standing and contributes to Canberra being one of the safest places to live in Australia.

The AFP, through ACT Policing, provides a professional, innovative and effective policing service to the people of the ACT, contributing to a safe and just community for all.

\$812,837,000.00 in funding is provided to the AFP through the 2022-26 Agreement between the ACT Government and the AFP for resources for the provision of policing services to the Australian Capital Territory. The day-to-day use of these resources is overseen by the Chief Police Officer for the ACT.

In line with the purpose and objectives of the Agreement, the ACT Government will continue to work closely with the AFP on appropriate policing levels for the ACT community and sustaining the high-quality provision of policing services.

ACT Government will consider ACT Policing resource needs through the Budget process.

Recommendation 3

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

Government Response – Noted

This recommendation is consistent with the ACT Government's current justice reinvestment approach which is to offer evidence-based programs with a view to breaking the cycle of offending.

This includes programs such as the Drug and Alcohol Sentencing List, justice housing, bail support and supports for recently released detainees transitioning to the community.

The ACT Government will continue to consider opportunities for ensuring that programs are effective and targeted to address the root causes of (re) offending.

Recommendation 4

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

Government Response – Noted

The ACT Road Safety Camera Program complements police enforcement as part of the Government's speed management approach. The program currently comprises 13 fixed red light/speed cameras, 13 fixed speed cameras at nine locations, one point-to-point camera and 10 mobile speed camera vans. Three transportable mobile device detection cameras were recently launched in the ACT, with two fixed MDDC being installed soon.

The ACT Road Safety Camera Strategy forms a key element of the ACT's Road Safety Strategy and provides a strategic management framework for the ACT road safety camera program that aims to reduce road trauma through enforcing speed and red-light compliance. The Camera Strategy sets clear objectives for each of the camera types used in the ACT and outlines how the Government will improve, measure and monitor the effectiveness of the cameras to inform future decisions about their use.

TCCS intend to commence a review and update of the Camera Strategy. The review will bring the Strategy in line with current best practice approaches including the expansion to include Mobile Device Detection Camera's and investigate other functionalities.

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.

Government Response – Noted

ACT Government will consider this recommendation when it considers the Committee’s Inquiry report on Dangerous Driving.

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.

Government Response – Noted

ACT Policing has strengthened ACT Criminal Investigations to include a Detective Inspector with specific oversight of the Sexual Assault and Child Abuse Teams (SACAT), elevating the leadership and enhancing the decision-making process due to the recognised risk, complexity, scale and duration of sexual assault and child abuse investigations.

An additional Sergeant role has been created to provide increased specialist support to the SACAT and Criminal Investigations teams with regard to training, review of briefs of evidence, internal and external stakeholder engagement and coordination.

ACT Government is committed to improving outcomes for victim survivors of sexual violence and will consider further ways to achieve this following the finalisation of the Sexual Assault Police Review.

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.

Government Response – Agreed

As noted by the Committee, the ACT Government stated in its response [Recommendation 3 of the Committee’s Report 9 - Inquiry into Community Corrections](#), that it was actively considering options for electronic monitoring with scoping and feasibility work to be undertaken, and appropriate consultation with stakeholders during 2023.

The government response also pointed to the wide range of contexts in which electronic monitoring is used in other Australian jurisdictions, including domestic and family violence, bail, and parole.

As part of the scoping and feasibility work, the ACT Government agrees it would be appropriate to include consideration of electronic monitoring in the contexts recommended by the Committee.

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.

Government Response – Agreed

The role of the ACT Ambulance Service clinician in the ACT Emergency Services Agency (ESA) Communications Centre (ComCen) is currently under review. It is anticipated that in the near future, there will be two clinicians rostered in the ComCen per shift, providing an opportunity for more breaks during shifts.

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.

Government Response – Existing Government Policy

ACT Fire & Rescue (ACTF&R) continually reviews recruitment processes, including fitness testing, to ensure that procedures and testing are consistent with jurisdictional counterparts.

This work is undertaken through Australasian Fire and Emergency Services Authorities Council Working Groups, and through regular communications with Commonwealth and State/Territory agencies.

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.

Government Response – Existing Government Policy

This is a priority every recruitment round. ACTF&R continually monitors the progression of female applicants during recruitment processes, with a view to enhancing information and support activities for female applicants across future recruitment rounds.

One example of this is the introduction of the Physical Preparedness Program (PPP) which assists potential recruits including women, to be physically and mentally prepared for the testing ahead of recruitment rounds. ACTF&R maintains engagement with all PPP participants.

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

Government Response – Agreed

Considerable work is being undertaken to meet wellbeing commitments across the ESA, including in ACTF&R. Commitments in regard to firefighter trained fitness leaders, Peer Support Officers, and the Human Resources Commander are being met, as is the commitment for a Health and Wellbeing Commander.

Recommendation 12

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

Government Response – Agreed

ACT Corrective Services (ACTCS) has prioritised education programs at the AMC. ACTCS facilitated several procurement processes to engage suitably qualified Registered Training Organisations already on ACT Government panels.

As of March 2023, a number of units of competency were being offered to all detainees to enrol and commence study. Initial enrolments included approximately 50 per cent of all detainees. In April, delivery increased with further units of competency in the Cert II in Cookery, White Card, and Asbestos Awareness courses

Courses in Aboriginal Art and Culture studies, Foundational Skills (to support low level language, literacy and numeracy), Cert II Hairdressing, Cert II Retail Sales, Stop Slow Batten and Silica Awareness were also being finalised at the time of this response.

ACTCS will continue to source additional educational options for detainees to enrol in.

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.

Government Response – Agreed

ACTCS has considered options noting the constraints inherent in the existing ICT infrastructure in the AMC. The solution currently being implemented is to introduce standalone laptop computers that have the capacity to hold specific educational or course related software required for detainees to complete required units. This will enhance the access already available through the Prison PC system.

ACTCS has established an Assistant Director Detainee Services position to further support the provision of computer facilities to enhance the delivery of education programs at the AMC.

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.

Government Response – Existing Government Policy

ACTCS manages a comprehensive suite of contraband identification, prevention and management mechanisms for all possible entry points, including the fence line. Preventing the admission of contraband is a continuous focus to maintain the security and good order of the AMC.

Recommendation 15

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

Government Response – Existing Government Policy

ACTCS makes ongoing efforts to attract women to its workforce, particularly in relation to correctional officers.

Recent strategies have highlighted opportunities for women to join ACTCS as part of the marketing campaigns for the correctional officer recruitment drives. This includes using women's voices in radio advertising, targeted advertising for women and running public information sessions that include the presence of female Correctional Officers.

The most recent information session for the current correctional officer recruitment round highlighted that more than half of ACTCS' total workforce are women.

Recommendation 16

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

Government Response – Noted

The ACT Government is considering the introduction of a central monitoring system for ACT electronic gaming machines as it continues to explore the most cost-effective approach to delivering Parliamentary and Governing Agreement commitments, including those referred to in Recommendation 17.

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.

Government Response – Agreed

The Parliamentary and Governing Agreement already commits the government to introducing a \$5 bet and \$100 load-up limit for electronic gaming machines. The ACT has an existing bet limit of \$10.

The ACT Government is already considering the introduction of cashless gaming in line with the Parliamentary and Governing Agreement.