



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

SELECT COMMITTEE ON ESTIMATES 2023-2024

Mr Mark Parton MLA (Chair), Ms Jo Clay MLA (Deputy Chair),
Mr Michael Pettersson MLA

ANSWER TO QUESTION ON NOTICE

ELIZABETH KIKKERT: To ask the Minister for Corrections

[Ref: Corrections, 48]

Hearing Date: Tuesday, 18 July 2023

In relation to: Transitional Release Centre

(1) It was said in the hearing that technological constraints were part of the reason why the 2001 home detention program that incorporated electronic monitoring was discontinued. Given the technology for electronically monitoring someone in their home as part of their order has existed since the 1980's and been used in Australia as early as 1999, why was the technology such a problem for the ACT's home detention program at the time, that it caused its discontinuation?

(2) Will the feasibility study be assessing the use of electronic monitoring technology to also measure alcohol and other drugs in the system of the wearer, speed of the wearer, attempts by the wearer to tamper with the device and whereabouts of the wearer (even outside the home)?

(3) In the 2001 home detention program, what was the process for referring offenders to this program?

(a) Who was eligible to be referred to the program?

(b) Were all offenders who were sentenced to home detention required to be electronically monitored?

(c) What was the capacity of the program (in terms of how many offenders could have been on home detention at any one time)?

(d) What was the cost per day to run the home detention program?

(4) What was the cost of the 2017 attempt to re-introduce electronic monitoring?

(5) Can the Minister attach any relevant feasibility study, evaluation or review into both the 2001 attempt and the 2017 attempt?

MICK GENTLEMAN: The answer to the Member's question is as follows: –

(1) The key reason for phasing out Home Detention Orders (with electronic monitoring) was the low number of people found suitable for and completing the orders.

The technology used to support Home Detention Orders detected whether a person was at a monitored place (home). It was not capable of detecting where the person was if they left the monitored place and therefore could not support sentences where monitoring a person's movements outside of the home was required.

(2) No. While the scope of the feasibility study has not been finalised, the electronic monitoring technology in prospect is 'location focussed' and includes the following features:

- Inclusion zones that monitor where a device should be located during set times and days
- Exclusion zones that trigger an alert when the device enters a specified zone
- Location mapping
- Tamper proofing, including an alert in the unlikely event the device or strap is tampered with.

(3) (a) The *Rehabilitation of Offenders (Interim) Act 2001* restricted the availability of Home Detention Orders to offenders receiving a sentence of imprisonment not longer than 18 months for offences that were not excluded.

Offenders were excluded from being eligible if they had previously committed specified offences, including murder, sexual assault, and domestic violence.

Eligible offenders were referred for assessment which considered a range of factors, including the circumstances of a person's residence, the risk of harm to people living with the offender and the likelihood of reoffending.

(b) All offenders who were sentenced to a Home Detention Order were electronically monitored.

(c)(d) It has not been possible to verify the capacity or cost per day of the Home Detention program, however the following information was published in the Budget Papers during the period of the program's operation:

2002-03 Budget Paper No.4, Department of Justice and Community Safety¹

Output 5.1: Corrective Services

Measures	2001-02 Targets	2001-02 Estimated Outcome	2002-03 Targets
Average number of home detention clients	NA	NA	8
Cost per home detention day	NA	\$900	\$150

2003-04 Budget Paper No.4, Department of Justice and Community Safety²

Output 5.1: Corrective Services

Measures	2002-03 Targets	2002-03 Estimated Outcome	2003-04 Targets
Average number of home detention clients	8	8	8
Cost per home detention day	\$150	\$235	\$17[sic]

¹ https://www.treasury.act.gov.au/_data/assets/pdf_file/0011/1472168/17_JACS.pdf

² https://www.treasury.act.gov.au/_data/assets/pdf_file/0007/1471471/16_JACS.pdf

2004-05 Budget Paper No.4, Department of Justice and Community Safety³

Output 5.1: Corrective Services

Measures	2003-04 Targets	2003-04 Estimated Outcome	2004-05 Targets
Average number of home detention clients	8	8	8
Cost per home detention day	\$172.40	\$185	\$188

(4) The work undertaken by ACT Corrective Services to explore introducing electronic monitoring was done as part of business as usual within existing resources.

(5) JACS records indicate that the report on the review of Home Detention provisions of the *Rehabilitation of Offenders (Interim) Act 2001* required under section 100 of that Act was tabled in the ACT Legislative Assembly in March 2004. However, an electronic copy of the report could not be located, and time did not permit a request for a hard copy document retrieval.

Approved for circulation to the Select Committee on Estimates 2023-2024

Signature:



Date: 2/6/2023

By the Minister for Corrections, Mick Gentleman MLA

³ https://www.treasury.act.gov.au/_data/assets/pdf_file/0008/1471193/17_jacs.pdf