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

**ACT INSPECTOR OF CORRECTIONAL SERVICES – A SERIOUS FIRE AT THE ALEXANDER
MACONOCHIE CENTRE ON 12 MAY 2021 – GOVERNMENT RESPONSE**

**Presented by
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INTRODUCTION

The ACT Government welcomes the report from the Inspector of Correctional Services ('the Inspector') titled *Report of a Review of a critical incident: A serious fire at the Alexander Maconochie Centre on 12 May 2021* ('the Report'), tabled in the ACT Legislative Assembly on 7 April 2022.

The Report makes four recommendations. The ACT Government has carefully considered all recommendations and:

- Agreed to two recommendations (namely: 3, and 4); and
- Agreed in principle to one recommendation (namely: 2); and
- Agreed in part to one recommendation (namely 1).

A table summarising the ACT Government response to recommendations made by the Inspector and proposed actions and timeframes for completion to each of the recommendations can be found at [Annexure 1](#).

GOVERNMENT RESPONSE

The Report describes an incident involving several detainees allegedly drunk on 'home brew' acting aggressively towards staff and lighting fires in a double storey cell block at the Alexander Maconochie Centre (AMC) on 12 May 2021. The report concludes that the emergency management response to this incident was managed better overall than compared to the incident in November 2020 and that while ACT Corrective Services (ACTCS) are already working to address the issues raised in this report through a review of the Emergency Management Framework (EMF), this work should be prioritised.

As a result of this incident, ACTCS completed a Post Incident Assessment (PIA) which made detailed recommendations regarding ACTCS' incident response, some of which have already been implemented or are currently being implemented. The existence of the PIA was welcomed by the Inspector of Corrective Services (ICS) and it allowed him better to focus his recommendations to issues not dealt with in the PIA.

The ICS made a total of four recommendations and ACTCS has progressed all recommendations in the report. The following summarises progress to date.

ACTCS agrees in part to recommendation 1, that is related to reviewing the EMF and completing a training plan. The review and update of the EMF is well developed and soon to be finalised. An implementation plan will be developed to support rollout of the revised framework and associated plans, and this will include testing with both internal and external stakeholders and providing more emergency management training. The ACTCS Emergency Management Plan is triggered by the need to open a Command Suite to manage the emergency. ACTCS adopted the Incident Command and Control System Plus (ICCS+) model in 2021 to coordinate emergency responses and delivered training to key staff, including ACTCS Executives. ACTCS has engaged a consultant to deliver this training to a broader cohort of AMC staff in the latter half of 2022. The revised framework includes a three (3) year schedule for emergency response exercises to ensure staff familiarity with the Emergency Management Plan.

For incidents not requiring the command suite, ACTCS has a range of responses outlined in various code procedures that are also being updated alongside the Emergency Management Framework and Plan.

Recommendation 1 implies the need for a bespoke training plan, but the report is not clear on whether the intent is for a bespoke training plan or a schedule of exercises. With ICCS+ training planned to address emergency management responses, a testing program and a three year exercise schedule for the EMF, no further action post finalisation of the EMF is required.

Recommendation 2 is related to finding 7 of the report which is: *"That when it became apparent that detainees locked in their cells were being exposed to significant smoke and were in distress and fear for their lives, consideration should have been given to releasing the doors remotely"*. ACTCS agrees in principle to this recommendation, noting that the testing of evacuation procedures and fire drills (including fire drill testing involving

detainees) is included in the current and revised EMF. To address the substance of the finding and recommendation, ACTCS agrees to ensure that considerations regarding the need to evacuate/extract detainees in different scenarios (such as detainee distress and smoke exposure) are reflected in relevant procedures and tested in relevant emergency response exercises.

ACTCS agrees to recommendation 3 to ensure the Facilities Management Team submit post-incident reports and are involved in relevant debriefings. The current Incident Reporting, Notifications and Debriefs Policy expects all staff involved in an incident to complete these activities but does not specifically identify the inclusion of non-custodial staff. The policy is currently being reviewed and updated and will clearly articulate reporting and debriefing requirements for all areas.

ACTCS agrees to recommendation 4 and has already completed the policy aspect of this work. The *Detainee Property Policy* and associated procedures were reviewed, updated, and notified on 28 April 2022 with an implementation date of 1 September 2022. The new policy provides a process for detainees to request replacement for their property damaged in an incident through no fault of their own. There will be an option for detainees to have the item replaced or to have the value of the item reimbursed through buy-up credit. Replacement of property will be facilitated where there is ACTCS liability, and it is authorised by the General Manager. These provisions in the *Detainee Property Policy* and procedures will be clearly communicated to detainees at each stage of the implementation plan leading up to September 2022.

Conclusion

ACTCS welcomes this opportunity to respond to the Report and identify how the work we are currently prioritising is fulfilling our commitment to continuous improvement. ACTCS is confident that the issues identified in this Report have either already been addressed or are currently being completed. ACTCS also appreciates that the Report noted the emergency management response to this incident was managed better overall compared to an incident in November 2020.

Annexure 1

ACT Government Response to Recommendations

Recommendation	Government Response	Implementation timeframe
<p>Recommendation 1</p> <p>That the review and update of the Emergency Management Framework, and a plan for related training be completed within six months from the tabling of this report, even if additional resources are required to meet this deadline.</p>	<p>Agreed in part</p> <p>The review of the Emergency Management Framework and associated plans are well advanced. A three-year schedule of emergency response exercises is an element of the revised suite of documents. An implementation plan is being developed to ensure key changes are communicated to relevant staff and testing with internal and external stakeholders is completed. ACTCS has engaged a consultant to deliver training in Incident Command and Control System Plus (ICCS+). ICCS+ is the model ACTCS applies to emergency incident management. ACTCS' training calendar is reviewed regularly and contains courses relevant to emergency response. No changes are proposed to this core training.</p>	<p>Delivery of completed EMF and exercise schedule by 30 September 2022.</p>
<p>Recommendation 2</p> <p>That evacuation of detainees in case of a disturbance involving fire is included in Emergency Response scenario training for different units.</p>	<p>Agreed in principle</p> <p>There is provision in the current (2018) EMF to involve detainees in fire drill exercises and this will also be included in the revised 2022 EMF. Evacuation procedures are tested in accordance with the emergency response exercise schedule. This schedule is dynamic and covers a range of scenarios that may arise, including complex scenarios involving multiple incident types. To meet the intent of the finding associated with this recommendation, ACTCS will ensure relevant procedures reflect the need to consider factors that may warrant detainee extraction from units including, but not limited to, detainee distress and exposure to smoke.</p>	<p>Delivery of completed EMF and associated procedures with detainee extraction advice by 30 September 2022.</p>

Recommendation	Government Response	Implementation timeframe
<p>Recommendation 3</p> <p>That whenever the Facilities Management Team are involved in any incident response that they be required to submit post incident reports and be included in debriefs.</p>	<p>Agreed</p> <p>The Incident Reporting, Notifications and Debriefs policy is currently being reviewed. The current policy requires all personnel involved in or witnessing an incident to prepare a report. The revised policy and associated procedures will more clearly articulate reporting and debrief requirements for all areas and personnel involved in managing the incident and/or taking immediate recovery action.</p>	<p>Delivery of the revised Incident Reporting Policy and associated procedures by 30 November 2022.</p>
<p>Recommendation 4</p> <p>That ACTCS ensure that there are clear and accountable processes for documenting detainee property and personal effects that are destroyed or must be destroyed due to fires, disturbances etc. This should include a system for providing replacement basic property, as well as in-kind replacement (e.g., buy up credit) where a detainee is not involved in the destruction of the property. These processes must be clearly communicated to detainees.</p>	<p>Agreed</p> <p>The <i>Detainee Property Policy</i> has been reviewed and was notified on 28 April 2022 with a forward implementation date of 1 September 2022 to align with the new <i>Incentives and Earned Privileges Policy</i>. The revised policy provides advice on property replacement. Implementation of the policy is complex and involves significant communications to detainees. A transition period over the 6 months leading up to 1 September is planned and in progress.</p>	<p>Completion of the transition period and full implementation of the <i>Detainee Property Policy</i> by 30 September 2022.</p>