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THE LEGISLATIVE ASSEMBLY FOR
THE AUSTRALIAN CAPITAL TERRITORY

TABLING STATEMENT

Standing Committee on Community Services and
Social Equity

Report No. 6

The forgotten victims of crime: families of offenders
and their silent sentence

Tabled by
Jon Stanhope MLA
Chief Minister

Government Response to Report No. 6 of the Standing Committee on Community Services and Social Equity – The forgotten victims of crime: families of offenders and their silent sentence

Mr Speaker, I am pleased to present the Government's Response to Report No. 6 of the Standing Committee on Community Services and Social Equity entitled *The forgotten victims of crime: Families and their silent sentence*. The report deals with the effectiveness of support services for families of people in custody.

Mr Speaker the report does not deal with the rights of prisoners and it is not about absolving prisoners who are parents, of their offending conduct. Rather it is about the rights of children and their families to be spared unnecessary hardship, trauma and discrimination because of a family member's imprisonment.

My Government supports the Committee's belief that the children and other relatives of a prisoner deserve our compassionate attention and access to appropriate government services. Mr Speaker the families of the perpetrators also become a kind of victim once a family member is incarcerated. At such times the family needs our support not only during the period of detention, but also when the period of detention is over and the family seeks to rebuild itself with all the complexities that re-establishing relationships entails.

My government has a strong commitment to supporting ACT families by a broad range of programs, including mental health, housing, education, family services, community safety and disability services. Mr Speaker many of these include specific services and support to families prior to, or after visits to family members in custody along with information, counselling and referral to a range of community and government agencies if required.

Against this background the Committee made 42 recommendations affecting the practices of four government agencies. I am pleased to say the Government supports many of the 42 recommendations.

The Government particularly acknowledges that services for families of people in custody need to be specialist and responsive to the changing needs of the families, who need full information about the support services that are available, including even on such matters of how best to talk to children about having a family member in custody.

The Government accepts that prisoners and their families, children in particular, benefit from regular access to each other and agree with the Committee that pre release planning, and maintaining community ties with support groups will assist in the successful reintegration of prisoners into the community.

Mr Speaker, the Committee's report makes several recommendations in relation to the planning and design of the new ACT prison. I want to assure members that the project brief for the new ACT prison specifically addresses the needs of families. For example the prison will allow for the processing of visitors in a non-threatening, low security setting. Its design will reflect the needs of visitors, especially children, not accustomed to a prison environment. Visits will be conducted on both weekdays and weekends to allow families greater ease of contact with prisoners. The facility will be more accessible by the provision of public transport to the prison with an appropriately sized bus shelter being built making it more accessible to families on low incomes.

Mr Speaker, I thank the Committee for its report and commend the Government Response to the Assembly.

ACT Government Response

To the

ACT Legislative Assembly
Standing Committee on Community Services and Social Equity
Report No 6

THE FORGOTTEN VICTIMS OF CRIME: FAMILIES OF
OFFENDERS AND THEIR SILENT SENTENCE

Tabled 5/5/05

INTRODUCTION

The Standing Committee on Community Services and Social Equity resolved in 2002 to conduct an inquiry into the support services for families of people in custody in the ACT. The Standing Committee's report was tabled in the ACT Legislative Assembly on 22 June 2004. A Government submission was provided to the inquiry in May 2003.

The Standing Committee adopted two terms of reference for the inquiry which were to inquire into and report on:

1. The effectiveness of support service for families of people in custody from the ACT with particular reference to:

- availability;
- services to families while the family member in custody;
- support for partners anticipating the return of the other partner from custody, specific support for children anticipating the return of a parent and general support for the family unit anticipating the return of a family member from custody;
- services to families following the release from custody of the family members;
- coordination of services.

2. The availability and effectiveness of services to assist young people in the transition from Quamby into the community.

The Committee produced two reports. Report No 6 *The forgotten victims of crime: families of offenders and their silent sentence* deals with the first term of reference and Report No 7 *One way roads out of Quamby: Transition options for young people exiting juvenile detention in the ACT* deals with the second. This Government Response deals with the first term of reference.

A table containing the recommendations and the Governments position is at Appendix 1.

OVERVIEW

The Committee adopted a broad definition of family for the inquiry with family encompassing grandparents and close friends as well as the immediate family.

The Standing Committee recognised the importance of families in their own right and in relation to inmates while they are incarcerated and after their release. The Committee believed that it is important for society and policy makers to look at the effect of incarceration on the families of those in custody.

The Committee also noted that there are some very pragmatic reasons why society should consider ways to reduce the impact of incarceration on families. The most obvious is the large amount of literature, which shows that maintaining family and community bonds, in particular being re-connected with their families after they are released is a key factor in reducing recidivism.

For the families, negative community attitudes and beliefs can mean that they are reluctant to share with their friends what is happening and can therefore lose access to their natural support networks. It can also mean families do not want to disclose the changes in their circumstances to service providers for fear of the consequences.

There are also the economic or financial impacts of incarcerations. This is often considered by families of people in custody as one of the major problems resulting from incarceration.

The Committee noted that the key findings of a literature review conducted by the Victorian Association for the Care and Rehabilitation of Offenders were that children whose parents are incarcerated experience a range of behavioural and emotional effects including fear, anxiety, anger, guilt and confusion. The impact on children is not simply short term. Children with incarcerated parents are more likely to experience a range of serious long-term impacts.

The Committee's report notes that the reality of families' histories of imprisonment and the impact of incarceration on families has received very little attention. Community attitudes and beliefs about the families of offenders are often negative but no evidence was provided to the Committee that suggest families are inherently criminal or that they should not be given support. Appropriate early intervention and support for families and children to lessen the impact of parental imprisonment is an investment in the future.

In addressing the fundamental issue of why families of people in custody matter, the Committee is particularly aware of the effects of incarceration on Aboriginal and Torres Strait Islander people and their families.

The Government has a strong commitment to supporting ACT families and provides direct and indirect support through a range of programs in health (including mental health), housing, education, family support, community, safety and disability services. Some services are specifically designed to support families of people in custody.

The Government recognises that in addition to the obvious victims of crime, the families of perpetrators are also victims when a family member is incarcerated. The Government understands that the family may need support not only during the period of detention but also when the period of detention is over and the family seeks to rebuild itself with all the complexities that re-establishing relationships entails.

The Government is mindful that prisoners and their families, children in particular, may benefit from regular access to each other. Participation in prisoner pre release planning, and maintaining community ties with local service providers and support groups is also an important factor in the successful reintegration of prisoners into the community.

The Government recognises that lack of connection for Indigenous families with a family member in custody is an issue and is working towards providing more assistance in this area.

The Government supports services that are specialised and responsive to the changing needs of families of people in custody and provides information through brochures,

the Internet, and a CD. Information will be made available in a range of accessible formats to accommodate the needs of people with disabilities.

Both ACT Corrective Services and the Department of Disability, Housing & Community Services (DDHCS) currently provide funding to Prisoners Aid ACT, a non-government organisation that targets services directly to people in custody and the families of people in custody in the ACT and district. The Community Services Program currently provides \$19,891 per annum to Prisoners' Aid Committee of the ACT. The service is funded to provide financial assistance for travel for families visiting relatives in prison and associated support. Financial assistance is the provision of vouchers and financial subsidies for costs associated with transport to prisons. A minimum of 85% of financial assistance is for the purpose of transport, with 15% (optional) for associated support costs.

Currently, the Court Referral and Assistance Program provides practical support, information, referral, advocacy, transport and financial assistance to people who are involved in the justice system and their families. The service is funded to provide 875 hours of support per annum. Support is provided in court from a court-based drop in room, through telephone and outreach to custodial settings including the Belconnen Remand Centre. Eligibility is based on the applicant having a family member in prison and being a holder of a pension or health care card or low-income earner.

The Government's commitment to build a new prison in the ACT will address many of the issues outlined in the Committee's recommendations. The new prison will provide for rehabilitation, reduced recidivism and the maintenance of family relationships. The Government has already committed \$20 million to rebuild Quamby on a new site and \$4 million of that money is being used immediately to ensure the short-term viability of the current facility and the safety of children and young people resident at Quamby.

RECOMMENDATIONS OF THE INQUIRY

The Government supports most of the 42 recommendations with 21 agreed, six agreed in principle, three agreed in part, 11 noted and one not agreed.

RECOMMENDATION 1

The Committee recommends that the Government develop a policy framework for services for families of people in custody as outlined in Chapter 5 of this report, which acknowledges the need for:

- **specialist not generalist services**
- **services responsive to the changing needs of families over time;**
- **separate services for major crimes;**
- **services that recognise the parental status of people in custody; and**
- **services that are culturally appropriate; and which includes a specific plan for enhancing support services for these families.**

Agreed

The Government supports the development of a policy framework for services that are specialised and responsive to the changing needs of families of people in custody.

The Government supports the provision of specific services for people with disabilities, with health and mental health issues and Aboriginal and Torres Strait Islander people. A specialist service could be developed for families of offenders based on a case management model to offer support and referral to a range of services that families require at the various stages of the offender being held in custody.

An alternative model of a generic family support unit is also suggested to undertake general debriefing, assessment, information provision and referral to services. For example, the ACT government would deliver mental health training for staff in identification and assessment in mental illness and provide a referral pathway to a specialist mental health service.

The Government is currently conducting a feasibility study into treatment and support for people with dual disabilities who are, or who may be at risk of entering the justice system. The study will determine individualised models of therapeutic holistic support for identified people and provide information for families.

The new ACT prison will accommodate the different needs of people with disabilities, particularly inmates who have an intellectual disability. These matters are addressed in the Functional Brief and the Health Plan for the Alexander Maconochie Centre.

The Government supports culturally appropriate services as an initiative to be considered and prioritised within the whole-of-government National Strategic Framework for Aboriginal and Torres Strait Islander Health (NSFATSIH) 2003-2013.

ACT Health has a Memorandum of Understanding with the Department of Justice and Community Safety to provide the Victims Services Scheme (VSS). The *Victims of Crime Regulations 2000 (S 24 (2) (b))* states that an individual who suffers harm, directly or indirectly, as a result of committing an offence is not considered to be an eligible victim. VSS has interpreted this as precluding it from providing rehabilitation/counselling services to family members of offenders unless the family members have themselves been victims of crime such as family violence or witnesses to the offence committed by their relative against a third party.

From a health perspective the utilisation of the VSS in the provision of support services to the families of offenders is considered inappropriate due to the potential conflict of interest for staff that may arise if required to deal with both victims and offenders. VSS services are focussed on the recovery of victims from the impact of crime committed against them and address significantly different concerns to those experienced by families of people in custody.

The Victims of Crime Coordinator provides information and referral to family members of offenders, usually in relation to family violence or sexual offences against children, upon request. Often this is in relation to criminal proceedings and possible outcomes and their consequences.

In regards to young people exiting Quamby Youth Detention Centre (QYDC) services to meet the needs of children and young people are provided on an individual needs basis.

The new correctional facility will accommodate a Prisoners Aid office, which will address some of the issues raised by the recommendation.

The provision of parenting programs for parents in custody and welcoming child friendly visiting centres will assist in supporting healthy relationships between incarcerated parents and their children.

An example of responsive and specialised services is *Turnaround*, coordinated by the Office of Children, Youth and Family Support (OCYFS) that provides an improved model of coordinated case management practices to address the needs of young people with complex needs. The new structure of the Office for Children, Youth and Family Support will enhance the provision of case management to children and young people that is consistent with the principles of the *Children and Young People Act 1999*. Current practice, is determined by:

- the best interest of the child or young person,
- the views and wishes of the child or young person,
- the provision of services by staff with direct and constant contact with the child or young person, or
- staff with an established relationship with the child or young person.

RECOMMENDATION 2

The Committee recommends that the Government ensure appropriate funding is allocated to implement the policy framework referred to in Recommendation 1.

Noted

The Government supports the development and implementation of a policy framework for services of families of people in custody. The Government is undertaking appropriate measures to develop and implement the policy framework.

RECOMMENDATION 3

The Committee recommends that the Government develop and/or make available brochures that provide information about:

- **what happens to people who are in custody from the ACT;**
- **how to make contact/visit people in custody in the ACT;**
- **the range of services available to assist people to visit their family members in custody in NSW;**
- **the likely emotional impact of incarceration and support services that are available to deal with the impacts of incarceration; and**
- **what/how to tell children about having a family member in custody.**

Agreed

The Government is reviewing the information it provides in such brochures. Prisoners' Aid also provides copies of relevant brochures and booklets about good practice services operating in other States, such as one targeted at parenting for grandparents/other family members who had suddenly been thrust into the parental role because the parent had gone to gaol. If more detailed brochures need to be

developed Prisoners Aid has very relevant expertise, knowledge and contacts, which could feed in to the development of such brochures.

Wherever appropriate, information will be made available in a range of accessible formats to accommodate the needs of people with disabilities.

The Quamby Youth Detention Centre already provides parents, children and young people in custody with the information outlined in the recommendation.

RECOMMENDATION 4

The Committee recommends that the information brochures referred to in Recommendation 3 be:

- **freely and widely available including at the courts, remand centres, Quamby, police stations, refuges, community organisations and on the internet; and**
- **produced in a range of community languages**

Agreed in Principle

The Government is developing a web site where information will be available to the community. In addition, information brochures and the parent's handbook are readily available at Quamby and will be available at the ACT Children's Court.

The ACT Government makes information brochures available through the remand centres, the Court Liaison unit and Prisoners Aid. ACT prisoners currently serve their sentence in NSW correctional facilities and are, under the terms of the agreement treated like NSW prisoners. They are thus supplied with the NSW Inmate Handbook through NSW Corrections, in addition to the information provided by ACT Corrective Services prior to their transfer to NSW.

All documentation has information concerning the Telephone Interpreter Service (TIS). A review of client needs and family needs will determine the production of additional brochures in other community languages.

RECOMMENDATION 5

The Committee recommends that the Government develop a strategy for proactively providing free copies of the Jailbreak Families CD to the families of people incarcerated in NSW.

Agreed

The Government agrees that providing copies of the *Jailbreak Families* CD to the families of people incarcerated in NSW is helpful and will provide free copies of the CD.

RECOMMENDATION 6

The Committee recommends that the Government fund an organisation to provide a family support worker to:

- **provide welfare assistance to families of people in custody; and**
- **develop targeted information in conjunction with relevant services providers (e.g., the Hepatitis C Council, Mental Health Foundation), relating to the health and well-being of family members of people in custody.**

Noted

The Government will investigate best practice models to support service delivery to promote the health and well being of the families of people in custody.

The ACT Government and the Hepatitis C Council is able to provide the targeted information of this recommendation within existing resources.

In regard to providing welfare assistance to families of people in custody, Prisoners' Aid already undertakes a range of related welfare assistance roles.

RECOMMENDATION 7

The Committee recommends that the Government provide specific funding to Winnunga for the family support work that it does with Indigenous families of people in custody.

Noted

Consultation with Indigenous prisoners from the ACT will assist in identifying key needs in service provision including the specific needs of families of people in custody in line with the commitment outlined in the 2004 election campaign.

Prisoners Aid provides services to families of people in custody.

An Aboriginal and Torres Strait Islander worker at Quamby Youth Detention Centre currently works with Aboriginal and Torres Strait Islander young people when they have been detained in custody at Quamby. The worker provides assistance and support to their families.

RECOMMENDATION 8

The Committee recommends that the Government fund the following services on a two-year pilot project basis, with a view to assessing the level of need and establishing a permanent service:

- **professional counselling specifically for families of people in custody; and**
- **the establishment of a peer support group.**

Noted

The development of a pilot project with a view to assessing the level of need and establishing a permanent service for professionally counselling specifically for families of persons in custody would be reviewed and be subject to the confidentiality provisions of the *Children and Young People Act 1999*.

RECOMMENDATION 9

The Committee recommends that the family support worker proposed in Recommendation 6 collaborate with Prisoners Aid and other relevant organisations to develop a larger network of volunteers.

Agreed in Principle

The ACT Government supports the investigation of best practice models to support service delivery to families. The ACT Government provides funding to Prisoners Aid and assists them developing information materials. The current level of funding appears adequate and the level of volunteer support meets current needs.

RECOMMENDATION 10

The Committee recommends that, in relation to pre-release planning and programs for the new ACT prison, the Government ensure:

- **a key aim is the restoration of families;**
- **the process for developing individual plans starts on the day the person is received into custody; and**
- **the portfolio containing corrective services is responsible for developing a collaborative approach with other agencies to the needs of families post release.**

Agreed in part

- *A key aim is the restoration of families.*

Agreed

The key aim is the restoration of the prisoner to the community. Where restoration to the family is beneficial to the rehabilitation and reintegration of the prisoner this will be a case management objective. The process will be encouraged by the active involvement of family members in case planning and intervention. Any policy and procedures should make provision for the wishes of the family and assessments as to the safety and security of family members as in home detention.

Parenting programs to train inmates in parenting skills have been evaluated and shown to be successful in other jurisdictions. Family restoration programs at Quamby will also be strengthened.

- *The process for developing individual plans starts on the day the person is received into custody.*

Agreed

The development of individual case plans will begin, in many cases, prior to incarceration. Where for example, a prisoner has had prior contact with Community Based Corrections work undertaken prior to incarceration will be further developed during a period of imprisonment and post release.

- *The portfolio containing corrective services is responsible for developing a collaborative approach with other agencies to the needs of families post release.*

Noted

Where the needs of families are consistent with an integrated case management approach across all relevant agencies, and beneficial to the reintegration of the prisoner, Corrective Services will play a role in the case management process to the benefit of all concerned.

RECOMMENDATION 11

The Committee recommends that the Government ensure in policy and practice, eligible inmates who are the primary carers of children, are considered for an out of turn allocation by Housing ACT on their release from custody.

Agreed in Principle

The Government currently prioritises homeless persons for out of turn allocations for public housing and this would include eligible inmates who are the primary carers of children. This has to be balanced with the needs of other disadvantaged people in similar circumstances and with the availability of housing stock. The Government considers that the early identification of inmates who fall into this category and early referral to Housing ACT would assist in identifying suitable housing options.

RECOMMENDATION 12

The Committee recommends that the Government provide for units in the new ACT prison that allow primary caregivers, whether on remand or sentenced, to maintain children up to pre-school age with them, where that is assessed as being in the children's best interests.

Noted

Existing research into the effects on children of staying with their primary caregivers in prisons will be reviewed. The Government will continue to examine policy and other implications in its considerations of this matter in relation to the new prison and the youth detention centre. Due consideration will be given to the child's rights under the *ACT Human Rights Act 2004*.

The design concept of the new ACT prison will include provision for children to stay with their primary caregiver in prison, either for overnight visits or on an ongoing basis up to a certain age.

RECOMMENDATION 13

The Committee recommends that the Government approach the Commonwealth Government requesting that they fund a long-term study into the effects on children of residing in prison.

Agreed

Specific research on the effects of such proposed arrangements on attachment, brain development and social impact on children must be undertaken before supporting such arrangements for the new ACT prison. The ACT Government will approach the Commonwealth Government to fund a long-term study into the effects on children of residing in prison.

RECOMMENDATION 14

The Committee recommends that the government include parent education in the core set of programs available to inmates in the new ACT prison.

Agreed

In the new correctional facility parenting skills and education will be available to prisoners and positive interaction with children will be encouraged. The family will be involved and integrated in the ongoing case management of the prisoner, including transitional release programs (where possible).

RECOMMENDATION 15

The Committee recommends that the Government commit to providing regular family leave for suitable prisoners once a prison is established in the ACT.

Agreed

This issue will be dealt with at the discretion of the General Manager of the prison. The prisoner who applies for family leave will be required to be classified as suitable for such a visit. It is anticipated that most prisoners classified as Minimum security and/or Transitional release only will be able to apply. A decision on this type of family leave will be made according to the safety and security within the facility as a whole. Any policy and procedures should make provision for the wishes of the family and assessments as to the safety and security of family members as in home detention.

RECOMMENDATION 16

The Committee recommends that the Government develop and implement a system for keeping data on the parental status of those in custody from the ACT and other relevant information about their children.

Agreed in principle

The development of such a system is dependent on privacy requirements and the voluntary cooperation of persons in custody.

The Government will add variables to the new database to allow for keeping data on the parental status of those in custody from the ACT and other relevant information about their children.

RECOMMENDATION 17

The Committee recommends that as a matter of priority the Government appoint a Children's Officer within ACT Corrective Services to:

- **promote the needs of children and people in custody in the development of corrections policy and practice;**
- **review and develop protocols regarding children of people in custody including protocols for:**
 - **visits by and searches of children; and**
 - **the care and treatment of children present during arrests;**
- **act as a liaison point for relevant government and non-government stakeholders (including police and independent statutory offices such as the Office of Community Advocate); and**
- **develop and coordinate a network of agencies that interact or are likely to have contact with these children in the ACT.**

Noted

The appointment of a Children's Officer within ACT Corrective Services would not seem to be required at this point in time, as the projected numbers of children concerned are minimal and sufficient services to look after their needs are already in place. If numbers involved were to change, the need for the appointment of a Children's Officer would be reviewed at a later date.

A review of and development of protocols regarding children of people in custody including protocols for visits by, and searches of children is proposed to ensure compliance with s 10 and 11 of the *ACT Human Rights Act 2004*.

RECOMMENDATION 18

The Committee recommends that the Government allow access to support services to families in the ACT with a person in custody, regardless of whether the person in their family has committed or is alleged to have committed an offence in the ACT or interstate.

Agreed

Family members and other interested parties of a person in custody are referred to available support services.

All families of juvenile detainees in the ACT, whether their family member is in custody in the ACT or interstate are entitled to support services in the ACT.

RECOMMENDATION 19

The Committee recommends that the Government ensure the new ACT prison has a visiting centre designed to accommodate the needs of child visitors including access to toilet facilities in the visiting room.

Agreed

The Government supports this recommendation and acknowledges that there would be a real benefit for the children if family dynamics can be made more positive and supportive where this is seen to be an issue. Consideration for children visitors has been accounted for within the design brief for the new correctional facility. The Design Brief for the prison included the following:

- Visiting arrangements and facilities should be suitable for all types of visitors, including children, family and friends, professional workers and volunteers. The facilities should be family (especially children) friendly, promote a relaxed atmosphere (through excellent natural light levels, soft colour furnishings and low profile furniture), and where necessary provide privacy. Visits should be encouraged and regular times for visits identified and promulgated in a form and through several media easily accessible to potential visitors.
- Facilities for families with children are essential, and child play areas (Building Code Australia Standards) should be available. A parents' room and tea and coffee preparation facilities should be provided. Outdoor facilities for informal social activities, such as barbecues, should also be made available. These should include sitting spaces, shade and windbreaks.
- The visits area would also include:
 - internal or covered children's play area; and
 - two family visits areas, each including a lounge, child's bed, toilets, basin and television. One area would be for male prisoners and the other for female prisoners.

Prisoners Aid has identified the need for an appropriate visiting centre in gaols, including toilets particularly, as in some gaols having to take a child to the toilet which is located out of the area will mean that the visit is ended.

The visiting centre for the new ACT prison should have adequate disability access, and support the needs of people with different types of disability.

RECOMMENDATION 20

The committee recommends that the Government review current regulations in ACT corrections facilities to ensure that:

- inmates can read books to their children during visits;
- inmates can receive pictures from their children during visits which have been cleared by security;
- there are a range of toys and activities for children (e.g., colouring, puzzles, chalk board); and
- inmates can wear 'normal' prison clothes and not overalls.

Agreed

Facilities are available to parents resident at Quamby Youth Detention Centre (QYDC) when visited by their children, subject to the developmental ages of the children concerned. This will be maintained in the new facility.

Support for children and young people visiting their parents in an adult centre is supported dependent on the status of the inmate and what is in the best interests of a particular child or young person at that time.

With regards to the issue of inmates wearing normal prison clothes Corrective Services indicate that clothing for prisoners is a security issue. There may be some instances where prisoners, at the discretion of the General Manager, are allowed to wear their own clothing for visits.

RECOMMENDATION 21

The Committee recommends that the Government incorporate in the design of the new ACT prison the need for waiting visitors to have adequate shelter outside the prison and for there to be a sufficiently large reception area.

Agreed in principle

Consideration for waiting visitors has been accounted for within the design brief. The following excerpts are from the Design Brief for the prison:

- The area would provide for the processing of visitors in a non-threatening low security setting. Its design would reflect the needs of visitors, especially children, not accustomed to a prison environment.
- Visitors would arrive at the Processing Area from adjacent visitor car parking and would be processed prior to proceeding to the visits area.

The Visitor Processing Area would include:

- a visitor reception/entry with a receptionist's station and waiting area. This area and ancillary facilities should be of a sufficient size to accommodate possible visitor numbers for up to 40 prisoners (assuming three visitors per prisoner); and
- reception counter to include child height area.

RECOMMENDATION 22

The Committee recommends that the Government make provision for older children to have overnight and day stays in the new ACT prison.

Noted

Existing research into the effects on children of staying with their primary caregivers in prisons will be reviewed. The Government will continue to examine policy and other implications in its considerations of this matter.

The design concept of the new ACT prison does include provision for children to stay with their primary caregiver in prison, either for overnight visits or on an ongoing basis up to a certain age. Due consideration will be given to the child's rights under the *ACT Human Rights Act 2004*.

RECOMMENDATION 23

The Committee recommends that the Government review visiting hours at BRC and the Symonston Temporary Remand Centre to provide for a later afternoon mid-week visiting time.

Agreed

The Government will review visiting hours.

RECOMMENDATION 24

The Committee recommends that the Government ensure visiting times for the new ACT prison enables families to have contact with inmates both during the week and on weekends.

Agreed

It is envisaged that visits will be conducted on both weekdays and weekends to allow families contact with prisoners on these days.

RECOMMENDATION 25

The Committee recommends that the Government ensure there is adequate public transport to the new ACT prison.

Agreed

There are provisions within the Design brief to build an appropriately sized bus shelter at the facility. Incorporating a bus service to the prison will only mean adding a single stop to existing bus services along the Monaro Highway.

RECOMMENDATION 26

While acknowledging that inmates may be strip searched, the Committee recommends that the Government commit to a policy of not strip searching visitors to the Belconnen Remand Centre, Symonston Temporary Remand Centre, Quamby or the new ACT prison once it is built.

Agreed in principle

No strip-searching of visitors occurs at Quamby Youth Detention Centre. There is no intention to change this policy. While searches at the new prison will not be arbitrary or mandatory, they may be undertaken if the police or prison authority believes an offence is committed or a breach of security is at risk.

RECOMMENDATION 27

The Committee recommends that the Government ensure current and future regulations for ACT Corrections facilities do not result in visits being used as a behaviour management tool.

Noted

Decisions regarding visits to prisoners are at the discretion of the General Manager of the prison and made on the basis of legislation and Standing Orders, in order to ensure the safety, security and good order of the prison. They are to be used as a behaviour tool only in circumstances where the behaviour of either the prisoner or the visitor threatens the safety, security and good order of the prison such as through the introduction of contraband.

It is essential to restrict visiting rights to control the introduction of contraband into the prison (which is a common problem) and for other considerations regarding the safety, security and good order of the prison. There is also the option of using non-contact visits. The importance of visits from family and friends is already well recognised by staff and noted in their training and tertiary level courses.

These issues are addressed differently in the juvenile corrections environment and the recommendation in so far as it relates to juvenile detention facilities is agreed. Issues affecting children and young people in custody are different from those concerning adults in a prison. In compliance with the objects and principles of the *Children and Young People Act 1999*, ongoing contact between the child or young person and their family members is encouraged and supported and not used as a behaviour management tool. This approach fosters the ongoing support by families with their children and young people, reducing the likelihood of the child or young person returning to a custodial environment.

RECOMMENDATION 28

The Committee recommends that the Government develop training for current and future corrections staff on the importance of family contact and visitors' experiences.

Agreed

Training of Quamby Youth Detention Centre staff is consistent with the principles of the *Children and Young People Act 1999*, which encourages contact with family and significant other persons to the child or young person.

It is imperative that staff working with inmates and their families are aware of the importance of promoting positive parenting and family interactions for the children and families as well as for the reintegration of the inmates into family and community life after release.

RECOMMENDATION 29

The Committee recommends the Government commit to assisting the families of people in custody in NSW by:

- reviewing the adequacy of the current subsidy offered to families travelling to interstate prisons;
- putting on a regular bus service to the main institutions (eg once a month to Goulburn and Junee); and
- investigating the possibility of bringing back ACT prisoners to an ACT remand centre for short periods where family circumstances are such that there are extreme difficulties visiting them in NSW.

Agreed in part

- *reviewing the adequacy of the current subsidy offered to families travelling to interstate prisons*

Agreed in principle

The Office for Children, Youth and Family Support offers support to families to visit resident's interstate on a case-by-case basis. If the family is a client of Care and Protection Services, they will be assisted.

The ACT Government will review the adequacy of the current subsidy. Assisting families to undertake prison visits is recognised as important for the maintenance of family contact with family members in prison.

- *putting on a regular bus service to the main institutions (eg once a month to Goulburn and Junee)*

Not agreed

Providing a regular bus service to the main institutions is not supported, as similar bus services have proven problematic. ACT prisoners are accommodated in a number of NSW facilities. To provide a regular service to one or two facilities only would not be equitable. It is considered a fairer and better solution to subsidise travel on an individual basis. Moreover, attempts by NSW to implement similar services have not been successful and had a low level of acceptance, possibly due to the stigmatisation inherent in a regular transport service to a correctional facility.

- *investigating the possibility of bringing back ACT prisoners to an ACT remand centre for short periods where family circumstances are such that there are extreme difficulties visiting them in NSW.*

Agreed in principle

Bringing a young person back to the ACT in special circumstances would only be possible with the agreement between the facilities and/or the Court and subject to the legislative or regulatory requirements.

The Belconnen Remand Centre operates at near capacity most of the time and is not designed or staffed to allow for bringing back ACT prisoners to an ACT remand centre for short periods where family circumstances are such that there are extreme difficulties visiting them in NSW. In addition, an offender's return would interrupt participation in programs and their preparation for parole or release.

Once the new prison is operational there will be no need for remandees or prisoners to be sent to NSW except in exceptional circumstances

RECOMMENDATION 30

The Committee recommends that the Government develop and implement a strategy for supporting the families of young people in Quamby that includes the provision of services to families on a proactive basis when the young person is incarcerated and after they are released.

Agreed

Families of young people resident at the Quamby Youth Detention Centre are offered support and assistance at the time the young person enters and exits the Centre. The engagement with services by families is a matter of choice.

RECOMMENDATION 31

The Committee recommends that the Government develop a range of culturally appropriate information brochures and posters for families of young people in Quamby advising them of where to get help and how the incarceration of their young people may be affecting their young people.

Agreed

The Office for Children, Youth and Family Support is developing a web site where information will be available to the community. In addition, culturally appropriate information brochures and the parent's handbook will be readily available at Quamby and the ACT Children's Court.

Information in a range of accessible formats to accommodate the needs of people with disabilities will be made available.

All documentation has information concerning the Telephone Interpreter Service (TIS). A review of client needs and family needs will determine the production of additional brochures in other community languages.

RECOMMENDATION 32

The Committee recommends that the Government consider funding a non-government organisation to work with young people at Quamby to produce a CD about Quamby (similar to the Jailbreak Families CD referred to in Recommendation 5) targeted at families particularly siblings.

Agreed

A CD similar to the *Jailbreak Families* CD will be produced with the involvement of young people resident at Quamby. The CD will be targeted at families particularly siblings.

Information in a CD similar to the *Jailbreak* CD will be available in other formats for people with disabilities who are unable to access electronic formats.

RECOMMENDATION 33

The Committee recommends that the Government provide a specific notice board at the Children's Court for information about family support services.

Agreed

A notice board currently exists at the Children's Court. Court staff in conjunction with staff from the Office for Children, Youth and Family Support maintains updated information.

RECOMMENDATION 34

The Committee recommends that in relation to families maintaining contact with their young person in Quamby the Government:

- **review the visiting times to provide for day visits on weekends;**
- **inform families at the outset that assistance can be provided to enable them to visit Quamby; and**
- **establish as part of the upgrade of Quamby, a phone system that would allow detainees in Quamby longer and more outgoing calls.**

Agreed in part

- *review the visiting times to provide for a day visits on weekends*

Not agreed

A review of the visiting times at Quamby is not supported. The current visiting times at Quamby Youth Detention Centre include day visits on Saturdays and Sundays. Visiting times during weekends are 11-12 noon, 1-2PM, 4-5PM and 6-8PM. The current visiting hours provide opportunities for families to maintain contact with their young people.

- *inform families at the outset that assistance can be provided to enable them to visit Quamby*

Agreed

The parent's handbook provided to parents of children and young people resident at Quamby advises of the assistance available to family members visiting residents.

- *establish as part of the upgrade of Quamby, a phone system that would allow detainees in Quamby longer and more outgoing calls*

Agreed

The upgrade of Quamby will provide for improved telephone access by residents.

RECOMMENDATION 35

The Committee recommends that the Government work collaboratively with government and non-government agencies to establish procedures for providing support and education to expectant mothers and other parents in Quamby.

Agreed

Currently the Quamby Youth Detention Centre provides support and education to expectant mothers and other parents in Quamby.

RECOMMENDATION 36

The Committee recommends that the Government incorporate into an evaluation of Home Detention Orders the specific assessment of the impact on families.

Agreed

In the next review on Home Detention (HD) this will be taken into consideration (families' opinions are already being considered in the larger review currently underway). It is unlikely however, that this will impact greatly on HD numbers.

It is accepted that HD is difficult for some families and the suitability of (and potential impact on) families is already considered in the assessment phase.

RECOMMENDATION 37

The Committee recommends that the Government review the adequacy of existing diversionary programs and non-custodial sentencing options, with particular attention on offenders who may require substance abuse rehabilitation and re-lapse prevention options.

Agreed

The ACT Government has committed to conducting an independent evaluation of the ACT Diversion program in 2004-2005. The Evaluation commenced will commence early in 2005 following the signing of the ACT/Commonwealth Diversion Agreement 2004/05 – 2006/07.

In developing increased diversionary options for individuals with substance abuse issues, it is strongly recommended that a focus on those with dual diagnosis issues (i.e. mental illness and substance abuse issues) be included.

ACT Health has provided Winnunga with initial funding to participate in the ACT Police Early Intervention and Diversion (PEID) and Court Alcohol and Drug Assessment Scheme Diversion (CADAS) programs pending finalisation of negotiations on the 2004-05 Diversion Program.

New diversionary programs including circle sentencing are being introduced or developed for young people.

The *Children and Young People Act 1999* will be amended to provide for a broader range of diversionary programs.

RECOMMENDATION 38

The Committee recommends that the Government ensure a preventative and proactive approach is taken to the healthcare needs of inmate in the new ACT prison.

Agreed

- ACT Health is incorporating the proposed Forensic National Mental Health Principles in its forensic mental health clinical practice and will expand these principles across the corrective sector.

The National Strategic Framework for Aboriginal and Torres Strait Islander Health includes the development of protocols for model health care delivery in custodial settings as one of its key result areas. This inclusion will require a high level of collaboration between health and justice agencies.

The ACT prison is to be a secure and safe place that will have a positive effect on the lives of prisoners held there and on staff who work there. Its management and operations will give substance to the dictum of Sir Alexander Paterson that offenders are sent to prison as punishment, not for punishment.

The centre will reflect the “Healthy Prison” concept. A Healthy Prison is one in which:

- everyone is and feels safe;
- everyone is treated with respect as a fellow human being;
- everyone is encouraged to improve himself or herself and is given the opportunity to do so through the provision of purposeful activity; and
- everyone is enabled to maintain contact with their families and is prepared for release.

Health care services will include health education and will promote a healthy lifestyle.

The ACT’s approach to the health and well being of people in custody is holistic. Every person placed in custody has their health assessed and has access to health care. Provision of health care begins in the ACT courts for people placed on remand.

Upon arrival at the remand centre, the remand centre’s nursing staff assesses the person. Within 24 hours the remand centre’s doctor also assesses the person.

Three doctors clinics are held each week. Access to an Indigenous doctor and a doctor who specialises in women’s health is also provided. Between clinics, people in

custody have access to medical staff on site or can seek an appointment with the remand centres' doctor. Once a week remandees also have access to dental care.

Meals provided at the centres are prepared in accord with advice provided by a nutritionist.

ACT Corrective Services also has a range of proactive intervention programs. Psychological, therapeutic and educational programs are provided for people supervised by ACT Corrective Services, including people on remand and people sentenced to periodic detention. There is also a range of alcohol and drug education programs delivered in the Remand Centres and at the Periodic Detention Centre.

Health assessments of inmates to the new ACT prison would take into account any disability a person may have. Where appropriate, clinical and therapeutic support with a disability-orientated focus would be provided to inmates with disabilities. In addition, any ongoing health plans for the entire prison should take into account the needs and requirements of people with disabilities.

RECOMMENDATION 39

The Committee recommends that if the new ACT prison accommodates NSW inmates, then the Government should:

- **establish and maintain a dialogue with NSW Corrections *specifically* in relation to the needs of NSW families;**
- **create a mechanism for monitoring and responding to any increase in the demand for services in the ACT, particularly Indigenous services; and**
- **consider the cross-border financial implications of families transferring into the ACT.**

Noted

There is currently no provision for and no plans to accommodate NSW prisoners in the new ACT prison. If this were to arise it would require changes to legislation and have financial implications. This recommendation addresses issues concerned with prisoners from NSW 'moving' into the ACT prison. The only reason a NSW prisoner will be accommodated in the ACT prison will be in relation to court matters in which a short stay will be required.

RECOMMENDATION 40

The Committee recommends that the Government:

- **develop and make publicly available a plan for including the local community in the design process for the new ACT prison; and**
- **establish a community advisory group to provide input into the prison, which includes a sub-group specifically tasked to provide input on the needs of families of those in custody.**

Not agreed

The Prison Project governance arrangements, which have been detailed in the ACT Prison Project Strategic Procurement Plan and approved by the Government

Procurement Board, include a Design Working Group consisting of people with the necessary expertise to make an informed and productive contribution to the design of the new prison.

A wide and diverse range of stakeholder groups including Prisoners Aid, the Intersectoral Women's Reference Group and AJAC have been consulted extensively in accordance with the objectives detailed in the Prison project Communication Plan. Their comments and perspectives are reflected in the Design Brief and design concept for the prison, which will inform the detailed planning and design of the ACT facility. Further consultation with all relevant stakeholder groups will occur as part of the Development Application process.

The establishment of a prison, the classification of prisoners to be housed in the ACT and the preferred operating philosophy of such a facility has been the subject of extensive community consultation over many years. This consideration includes a report by the Australian Law Reform Commission in 1988, the ACT Corrections Review Committee report titled *Paying the Price* in 1991 and a Government discussion paper in 1996. The Standing Committee on Legal Affairs and subsequently the Standing Committee on Justice and Community Safety have also considered the issue of an ACT prison.

The ACT Prison Project office is committed to consultation with the community and has an ongoing communication strategy involving many different groups and stakeholders. Issues relating to the needs of families have been and will continue to be considered as part of the communication strategy. In addition, the research carried out by the Prison Project office includes a comprehensive literature review, resulting in the report "From Exclusion to inclusion: a report into the role of local communities in the rehabilitation and re-integration of prisoners" which looks extensively at the needs of families of people in custody and underpins the operating philosophy of the prison in regard to the needs of the families of offenders. This report is publicly available on the Prison Project website.

RECOMMENDATION 41

The Committee recommends that the Government write to the Commonwealth Minister for Justice concerning:

- **the inclusion of support services for families of people in custody on the Ministerial Council on the Administration of Justices' agenda; and**
- **the establishment of an internet clearing house focused on support services for families of people in custody, which is accessible to both government and non-government agencies.**

Noted

Support services and the needs of families of people in custody are standard inclusions on the agenda of various working groups and committees and have been discussed in a variety of Commonwealth and State forums.

RECOMMENDATION 42

The Committee recommends that the Government consider implementing the recommendations in this report in the context of immediately establishing a

family support centre next to Quamby, to provide services to families of the young people in Quamby and the inmates in the Symonston Temporary Remand Centre.

Noted

Quamby Youth Detention Centre is to be relocated away from the site next to the Symonston Temporary Remand Centre. With this in mind, and taking into account the small number of families, who would use such a facility, the establishment of a separate support facility for families of Quamby detainees is not considered practical.

Appropriate facilities and programs, designed to work with and support, families of Quamby detainees will be included in the new Youth Detention Centre, to support the rehabilitation of young people. Support services including family restoration programs will also be strengthened at the Youth Detention Centre.

Appendix 1

<u>RECOMMENDATION 1</u> The Committee recommends that the Government develop a policy framework for services for families of people in custody as outlined in Chapter 5 of this report, which acknowledges the need for: • specialist not generalist services • services responsive to the changing needs of families over time; • separate services for major crimes; • services that recognise the parental status of people in custody; and • services that are culturally appropriate; and which includes a specific plan for enhancing support services for these families.	Agreed
<u>RECOMMENDATION 2</u> The Committee recommends that the Government ensure appropriate funding is allocated to implement the policy framework referred to in Recommendation 1.	Noted
<u>RECOMMENDATION 3</u> The Committee recommends that the Government develop and/or make available brochures that provide information about: • what happens to people who are in custody from the ACT; • how to make contact/visit people in custody in the ACT; • the range of services available to assist people to visit their family members in custody in NSW; • the likely emotional impact of incarceration and support services that are available to deal with the impacts of incarceration; and • what/how to tell children about having a family member in custody.	Agreed
<u>RECOMMENDATION 4</u> The Committee recommends that the information brochures referred to in Recommendation 3 be: • freely and widely available including at the courts, remand centres, Quamby, police stations, refuges, community organisations and on the internet; and • produced in a range of community languages	Agreed in Principle
<u>RECOMMENDATION 5</u> The Committee recommends that the Government develop a strategy for proactively providing free copies of the Jailbreak Families CD to the families of people incarcerated in NSW.	Agreed
<u>RECOMMENDATION 6</u> The Committee recommends that the Government fund an organisation to provide a family support worker to:	Noted

• provide welfare assistance to families of people in custody; and • develop targeted information in conjunction with relevant services providers (e.g., the Hepatitis C Council, Mental Health Foundation), relating to the health and well being of family members of people in custody.	
<u>RECOMMENDATION 7</u> The Committee recommends that the Government provide specific funding to Winnunga for the family support work that it does with Indigenous families of people in custody.	Noted
<u>RECOMMENDATION 8</u> The Committee recommends that the Government fund the following services on a two-year pilot project basis, with a view to assessing the level of need and establishing a permanent service: • professional counselling specifically for families of people in custody; and • the establishment of a peer support group.	Noted
<u>RECOMMENDATION 9</u> The Committee recommends that the family support worker proposed in Recommendation 6 collaborate with Prisoners Aid and other relevant organisations to develop a larger network of volunteers.	Agreed in Principle
<u>RECOMMENDATION 10</u> The Committee recommends that, in relation to pre-release planning and programs for the new ACT prison, the Government ensure: • a key aim is the restoration of families; • the process for developing individual plans starts on the day the person is received into custody; and • the portfolio containing corrective services is responsible for developing a collaborative approach with other agencies to the needs of families post release.	Agreed in Part Agreed Agreed Noted
<u>RECOMMENDATION 11</u> The Committee recommends that the Government ensure in policy and practice, eligible inmates who are the primary carers of children, are considered for an out of turn allocation by Housing ACT on their release from custody.	Agreed in Principle
<u>RECOMMENDATION 12</u> The Committee recommends that the Government provide for units in the new ACT prison that allow primary caregivers, whether on remand or sentenced, to maintain children up to pre-school age with them, where that is assessed as being in the children's best interests.	Noted

<u>RECOMMENDATION 13</u> The Committee recommends that the Government approach the Commonwealth Government requesting that they fund a long-term study into the effects on children of residing in prison.	Agreed
<u>RECOMMENDATION 14</u> The Committee recommends that the government include parent education in the core set of programs available to inmates in the new ACT prison.	Agreed
<u>RECOMMENDATION 15</u> The Committee recommends that the Government commit to providing regular family leave for suitable prisoners once a prison is established in the ACT.	Agreed
<u>RECOMMENDATION 16</u> The Committee recommends that the Government develop and implement a system for keeping data on the parental status of those in custody from the ACT and other relevant information about their children.	Agreed in principle
<u>RECOMMENDATION 17</u> The Committee recommends that as a matter of priority the Government appoint a Children's Officer within ACT Corrective Services to: • promote the needs of children and people in custody in the development of corrections policy and practice; • review and develop protocols regarding children of people in custody including protocols for: ○ visits by and searches of children; and ○ the care and treatment of children present during arrests; • act as a liaison point for relevant government and non-government stakeholders (including police and independent statutory offices such as the Office of Community Advocate); and • develop and coordinate a network of agencies that interact or are likely to have contact with these children in the ACT.	Noted
<u>RECOMMENDATION 18</u> The Committee recommends that the Government allow access to support services to families in the ACT with a person in custody, regardless of whether the person in their family has committed or is alleged to have committed an offence in the ACT or interstate.	Agreed
<u>RECOMMENDATION 19</u> The Committee recommends that the Government ensure the new ACT prison has a visiting centre designed to accommodate the needs of child visitors including access to toilet facilities in the visiting room.	Agreed

<u>RECOMMENDATION 20</u> The committee recommends that the Government review current regulations in ACT corrections facilities to ensure that: • inmates can read books to their children during visits; • inmates can receive pictures from their children during visits which have been cleared by security; • there are a range of toys and activities for children (e.g., colouring, puzzles, chalk board); and • inmates can wear 'normal' prison clothes and not overalls.	Agreed
<u>RECOMMENDATION 21</u> The Committee recommends that the Government incorporate in the design of the new ACT prison the need for waiting visitors to have adequate shelter outside the prison and for there to be a sufficiently large reception area.	Agreed in principle
<u>RECOMMENDATION 22</u> The Committee recommends that the Government make provision for older children to have overnight and day stays in the new ACT prison.	Noted
<u>RECOMMENDATION 23</u> The Committee recommends that the Government review visiting hours at BRC and the Symonston Temporary Remand Centre to provide for a later afternoon mid-week visiting time.	Agreed
<u>RECOMMENDATION 24</u> The Committee recommends that the Government ensure visiting times for the new ACT prison enables families to have contact with inmates both during the week and on weekends.	Agreed
<u>RECOMMENDATION 25</u> The Committee recommends that the Government ensure there is adequate public transport to the new ACT prison.	Agreed
<u>RECOMMENDATION 26</u> While acknowledging that inmates may be strip searched, the Committee recommends that the Government commit to a policy of not strip searching visitors to the Belconnen Remand Centre, Symonston Temporary Remand Centre, Quamby or the new ACT prison once it is built.	Agreed in principle
<u>RECOMMENDATION 27</u> The Committee recommends that the Government ensure current and future regulations for ACT Corrections facilities do not result in visits being used as a behaviour management tool.	Noted

<u>RECOMMENDATION 28</u> The Committee recommends that the Government develop training for current and future corrections staff on the importance of family contact and visitors' experiences.	Agreed
<u>RECOMMENDATION 29</u> The Committee recommends the Government commit to assisting the families of people in custody in NSW by: • reviewing the adequacy of the current subsidy offered to families travelling to interstate prisons; • putting on a regular bus service to the main institutions (eg once a month to Goulburn and Junee); and • investigating the possibility of bringing back ACT prisoners to an ACT remand centre for short periods where family circumstances are such that there are extreme difficulties visiting them in NSW.	Agreed in part Agreed in principle Not agreed Agreed in principle
<u>RECOMMENDATION 30</u> The Committee recommends that the Government develop and implement a strategy for supporting the families of young people in Quamby that includes the provision of services to families on a proactive basis when the young person is incarcerated and after they are released.	Agreed
<u>RECOMMENDATION 31</u> The Committee recommends that the Government develop a range of culturally appropriate information brochures and posters for families of young people in Quamby advising them of where to get help and how the incarceration of their young people may be affecting their young people.	Agreed
<u>RECOMMENDATION 32</u> The Committee recommends that the Government consider funding a non-government organisation to work with young people at Quamby to produce a CD about Quamby (similar to the Jailbreak Families CD referred to in Recommendation 5) targeted at families particularly siblings.	Agreed
<u>RECOMMENDATION 33</u> The Committee recommends that the Government provide a specific notice board at the Children's Court for information about family support services.	Agreed
<u>RECOMMENDATION 34</u> The Committee recommends that in relation to families maintaining contact with their young person in Quamby the Government: • review the visiting times to provide for day visits on weekends; • inform families at the outset that assistance can be provided to enable them to visit Quamby; and	Agreed in part Not agreed Agreed

establish as part of the upgrade of Quamby, a phone system that would allow detainees in Quamby longer and more outgoing calls.	Agreed
<u>RECOMMENDATION 35</u> The Committee recommends that the Government work collaboratively with government and non-government agencies to establish procedures for providing support and education to expectant mothers and other parents in Quamby.	Agreed
<u>RECOMMENDATION 36</u> The Committee recommends that the Government incorporate into an evaluation of Home Detention Orders the specific assessment of the impact on families.	Agreed
<u>RECOMMENDATION 37</u> The Committee recommends that the Government review the adequacy of existing diversionary programs and non-custodial sentencing options, with particular attention on offenders who may require substance abuse rehabilitation and re-lapse prevention options.	Agreed
<u>RECOMMENDATION 38</u> The Committee recommends that the Government ensure a preventative and proactive approach is taken to the healthcare needs of inmate in the new ACT prison.	Agreed
<u>RECOMMENDATION 39</u> The Committee recommends that if the new ACT prison accommodates NSW inmates, then the Government should: - establish and maintain a dialogue with NSW Corrections <i>specifically</i> in relation to the needs of NSW families; - create a mechanism for monitoring and responding to any increase in the demand for services in the ACT, particularly Indigenous services; and - consider the cross-border financial implications of families transferring into the ACT.	Noted

<u>RECOMMENDATION 40</u> The Committee recommends that the Government: • develop and make publicly available a plan for including the local community in the design process for the new ACT prison; and • establish a community advisory group to provide input into the prison, which includes a sub-group specifically tasked to provide input on the needs of families of those in custody.	Not agreed
<u>RECOMMENDATION 41</u> The Committee recommends that the Government write to the Commonwealth Minister for Justice concerning: • the inclusion of support services for families of people in custody on the Ministerial Council on the Administration of Justices's agenda; and • the establishment of an internet clearinghouse focused on support services for families of people in custody, which is accessible to both government and non-government agencies.	Noted
<u>RECOMMENDATION 42</u> The Committee recommends that the Government consider implementing the recommendations in this report in the context of immediately establishing a family support centre next to Quamby, to provide services to families of the young people in Quamby and the inmates in the Symonston Temporary Remand Centre.	Noted

