



Inquiry into Annual and Financial Reports 2023–2024

Answer to question on notice

Asked by: Ms Chiaka Barry MLA

Addressed to: Minister for Mental Health

Reference: Mental Health – Canberra Health Services

Hearing: 11 February 2025

In relation to: Transfer from detention or youth detention to mental health facility

Question received: 18 February 2025

Answer Due: 25 February 2025

1. Can you tell me how often transfers from detention or youth detention to mental health facility under s136 of the Mental Health Act 2015 occurred in 2024?
2. How are transfers between Health and the Detention and Youth Detention facilities coordinated?
3. Are you satisfied that mental health issues are being identified in Detention centres quickly and appropriately?
4. What supervision arrangements are in place of decisions made about mental health referrals in Bimberi and AMC?
5. Noting the importance of the identification of underlying mental health issues to the challenge of reducing recidivism, what roles do mental health professionals have in the development of individual and collective management plans at Bimberi and AMC?

Rachel Stephen-Smith MLA: The answer to the Member's question is as follows:

1. There were fewer than five transfers from the Alexander Maconochie Centre (AMC) to a Mental Health Facility under a s136 in 2024.

There were no transfers from Bimberi Youth Justice Centre (BYJC) to a Mental Health Facility under a s136 in 2024.

2. Transfer from a correctional facility to an approved hospital for care and treatment under the *Mental Health Act 2015* is facilitated by Custodial Mental Health Services (CMHS) in cooperation with BYJC management or ACT Corrective Services (ACTCS).

CMHS clinicians, as delegates of the Chief Psychiatrist, enact the relevant provisions of the *Mental Health Act 2015* while BYJC or ACTCS provide security and transport to facilitate the

transfer. In some cases, assistance may be sought from ACT Ambulance Service. Transfers may occur under emergency provisions of the *Mental Health Act 2015* or may be planned. BYJC staff or ACTCS staff are responsible for maintaining custody whilst the person is in hospital, except in cases of transfer to Dhulwa Mental Health Unit (DMHU) where custody is able to be transferred to CHS under the *Mental Health (Secure Facilities) Act 2016*.

3. CMHS provides a specialist mental health induction screening of every detainee and young person entering custody. This exceeds the national standard for prison induction screenings across Australian correctional services. Induction assessments are conducted by a qualified mental health clinician within 24 hours of the detainee or young person entering custody. Where a person refuses or is unable to complete the induction screening, they are placed on enhanced monitoring until such time as they can be assessed.
4. Referral decisions are assessed through multi-disciplinary team processes and detainees or young people in custody can seek review of decisions directly with the treating team through standard feedback processes. Alternatively for detainees and young people in custody, family members can refer decisions made by mental health services to oversight bodies including the Human Rights Commission, the Official Visitor as well as the Inspector of Custodial Services, or through to the Chief Psychiatrist.
5. CMHS collaborates daily with the ACTCS High Risk Assessment Team (HRAT) at AMC and the management team at BYJC regarding the safety management of detainees and young people 'at-risk' including those accessing the Crisis Support Unit in AMC or enhanced observations in BYJC. CMHS clinicians also actively engage with case managers at AMC regarding case management plans and release planning and attend the Client Services Meeting at BYJC weekly to ensure mental health concerns and needs are considered in the individual care planning for young people. Both centres operate a collaborative Intensive Case Management Group for clients presenting with complex mental health and behavioural management needs to develop cohesive care and management plans.

Approved for circulation to the Standing Committee on Social Policy

Signature:



Date:

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By the Minister for Mental Health, Rachel Stephen-Smith