



STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY

JEREMY HANSON CSC MLA (CHAIR), MARISA PATERSON MLA (DEPUTY CHAIR), JO CLAY MLA

Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21
ANSWER TO QUESTION ON NOTICE

Asked by ELIZABETH KIKKERT:

In relation to: Remandees at the AMC

1. Would it be appropriate to say that the placement of remandees with convicted detainees at the AMC is a matter of routine?
 - a. If it is matter of routine or normal operation, is it appropriate to say that the placement of convicted detainees with remandees is not done in “exceptional circumstances”?
2. Do you believe the use of section 44(4) of the CM Act to house remandees with convicted detainees is in harmony with the Human Rights Act 19(2), the Nelson Mandela Rules and section 44(2) of the CM Act?
 - a. To your knowledge, when a remandee has been housed with a convicted detainee, is it always in the spirit of keeping with the example provided in section 44(4) of the CM Act?
 - b. Do you believe the director-general can be far too liberal in their use of section 44(4) of the CM Act in relation to housing remandees with convicted detainees?
3. Provided it was well funded and well planned, what benefit do you think the establishment of a dedicated remand centre would bring?

[NEIL MCALLISTER]: The answer to the Member’s question is as follows:–

1. Yes
 - a. No comment. It is not a function of the Inspector of Correctional Services to provide legal opinions.
2. I refer the Member’s attention to Chapter 2 of the OICS Report of a Review of a Correctional Service: The care and management of remandees at Alexander Maconochie Centre 2018. My office has not had occasion to re-examine the remandee issue since the report was tabled in the Legislative Assembly.
 - a. I refer the Member’s attention to Chapter 2 of the OICS Report of a Review of a Correctional Service: The care and management of remandees at Alexander Maconochie Centre 2018. My office has not had occasion to re-examine the remandee issue since the 2018 report was tabled in the Legislative Assembly.
 - b. No comment. It is not a function of the Inspector of Correctional Services to provide legal opinions.



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

QON No. 57

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3. [Compliance of the ACT Government with section 44\(2\) of the Corrections Management Act 2007 \(ACT\).](#)

Approved for circulation to the Standing Committee on Justice and Community Safety

A handwritten signature in black ink, consisting of several vertical, wavy lines, representing the signature of Neil McAllister.

Signature:

Date:

By Neil McAllister, Inspector of Correctional Services

3 March 2021