



LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY
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Submission Cover Sheet

Inquiry into the Corrections and Sentencing
Legislation Amendment Bill 2022

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Good morning team,

A few points of feedback if I could regarding this amendment bill as there are some concerns:

(1A) However, the director-general may only declare the whole of a correctional centre as a nonsmoking area if the director-general is reasonably satisfied that appropriate therapeutic support is available to help detainees at the correctional centre stop smoking.

I would recommend adding 'and manage withdrawal symptoms' to the end of stop smoking.

Section 11.2.B (6) If the corrections officer or visitor refuses to allow a search or, if the search has started, withdraws consent, the corrections officer seeking to conduct the search may refuse to allow the other officer or visitor to enter the correctional centre.

There needs to be some clarification here around where this refusal relates to personal, legal or health information of a detainee. A common example would be either legal or statutory officers entering the facility with a folders/paperwork etc that corrections officers should have no ability to review or access for a variety of reasons. Refusal to allow this documentation for searching should not constitute a reason to refuse access to these persons.

You may even want to include a slightly varied form of definition of visitor for statutory of legal visitors?

Section 11.2.C There needs to be some section similar to section 112B.6 that a visitor has the right to refuse that frisk search if they instead agree to exit the facility. A frisk search of a non-detainee against their will is dangerous and potentially traumatising.

regards,

Shannon Pickles
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