



**Simon Corbell** MLA

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

MINISTER FOR POLICE AND EMERGENCY SERVICES

MINISTER FOR ENERGY



MEMBER FOR MOLONGLO

Qs 1 + 2

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Ms Hunter on 19 November 2010: Ms Kathy Leigh took on notice the following question(s):

Ref: Hansard Transcript 19 November 2010, Page 3.

In relation to: The apparent increase in energy and water use in JACS

1. What policies and programs are being put in place to reduce greenhouse gas, water and energy use, and what evaluation is being conducted on them? Where have the policies and programs been put in place? What policies and programs are planned for the coming financial year?
2. Could a general update be provided on paper use and paper recycling, in particular the percentage of paper recycled and total paper usage?

Simon Corbell MLA: The answer to the Member's question is as follows:—

1. The department is currently developing a project aimed at implementing material and management initiatives to increase the efficiency of the ACT Magistrates Court building. An energy and water audit has been completed and subsequent recommendations are due to be implemented from January 2011. These include physical measures such as adjustments to base building equipment, the installation of low energy globes and more efficient use of lighting, fitting of door seals and improved window treatments. Additionally, a reduction in resources including printers and a reduction of waste to landfill through the Office Smart initiatives will be implemented. Management initiatives will be implemented in parallel to material changes to raise awareness of wasteful activities and support individual ownership amongst staff for the consumption of energy, water and resources

Approved for circulation to the Member

Simon Corbell MLA  
Attorney General

Date: 11.1.11

including paper. The outcomes of this project will be used for the development of further efficiencies across the department and will inform policies and programs for the coming financial year.

2. As reflected in table 78 on page 160 of the Annual Report, the Department purchased a total of 18,080 reams of paper in 2009-10. The total estimate (based on bins collected) of comingled material recycled was 2.6 tonnes. The total estimate of waste paper recycled was 1.3 tonnes. The total estimate of secure paper recycled was 1.6 tonnes.



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QoNs 3+4

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Mrs Dunne on 19 November 2010: Mr Corbell took on notice the following question(s):

Ref: Hansard Transcript 19 November 2010: pages 5-6

In relation to the victims of crime legislation:

- How did the consultation process work and who was consulted when?
- Who was on the advisory committee (ie reference group) and whom specifically was the discussion paper (ie issues paper) sent to?
- Was it sent specifically to interest groups?
- Who responded to the discussion paper?

Simon Corbell MLA: The answer to the Member's question is as follows:-

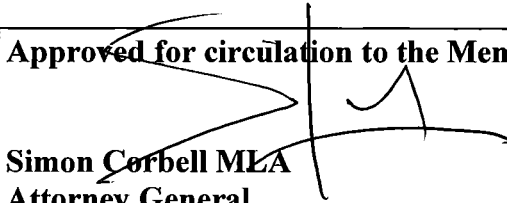
A reference group was established to assist in the drafting of an issues paper. The group was chaired by the Executive Director, Legislation and Policy Branch of the Department of Justice and Community Safety and comprised senior representatives from the DPP, Courts, ACT Policing, Corrective Services, Youth Justice and the Victims of Crime Coordinator.

The issues paper was released on 27 June 2008 and was made available online on the Department of Justice and Community Safety's website. Hard copies of the paper were also made available upon request. The closing date for submissions was 1 August 2008.

Responses to the issues paper were received from:

- ACT Policing
- ACT Corrective Services
- Director of Public Prosecutions
- Human Rights Commission
- Legal Aid ACT

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**Simon Corbell** MLA  
Attorney General

Date: 11.1.11

- ACT Ombudsman
- Domestic Violence Crisis Centre
- ACT Victims of Crime Coordinator
- SupportLink Australia Ltd
- Victims Assistance Board
- Public Advocate of the ACT
- and three private citizens.

The submissions were considered by the reference group to inform the development of the reforms.



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QON 5.

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING THE HEARINGS**

Asked by Mr Hargraves on 19 November 2010: The Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November, Page 7

In relation to: Legal Aid ACT

1. On [page 12] ... the Standing Committee of Attorney-Generals talked about a new National Partnership Agreement on Legal Aid. Minister, could you let us what are the details around the new agreement and how do they actually improve Legal Aid objectives with the Territory?

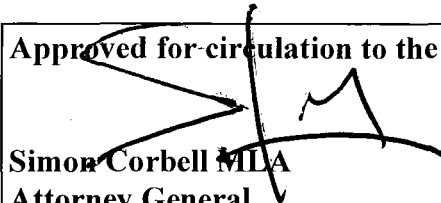
Simon Corbell MLA – the answer to the Member's question is as follows:

1. The National Partnership Agreement (NPA) came into effect on 1 July 2010. The stated objective of the NPA is a national system of legal assistance that is integrated, efficient and cost-effective, and focused on providing services for disadvantaged Australians in accordance with access to justice principles of accessibility, appropriateness, equity, efficiency and effectiveness.

The NPA aims to contribute to the following reforms across the legal assistance sector in accordance with Commonwealth legal aid service priorities.

- a. Early resolution of legal problems that, when appropriate, avoids the need for litigation.
- b. More appropriate targeting of legal assistance services to people who experience, or are at risk of experiencing, social exclusion.

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**Simon Corbell MLA**  
**Attorney General**

Date: 14.1.11

- c. Increased collaboration and cooperation between legal assistance providers and with other service providers to ensure clients receive 'joined up' service provision to address legal and other problems.
- d. A strategic national response to critical challenges and pressures affecting the legal assistance sector.

The NPA establishes national performance benchmarks to be achieved by legal aid commissions collectively. These include increasing the number of early intervention services by 30% and increasing total services by 25%, by 2014.

The Commonwealth has provided an additional \$26 million per annum over the four year term of the NPA to help legal aid commissions achieve the performance benchmarks. However, apart from a one-off payment of \$400,000 to expand its Family Dispute Resolution program the ACT Commission will not receive any additional Commonwealth funding under the NPA. Commonwealth funding of the ACT Commission will remain at 2009-10 levels, indexed at a notional annual rate of 1.6%.

As a result of declining Commonwealth funding in real terms, the ACT Commission will face difficulty in maintaining service levels in Commonwealth funded cases.

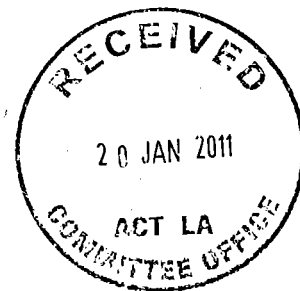
The Commission's total appropriation from both the Commonwealth and Territory governments is \$8,904,000. The ACT Government's share of the appropriation is \$5,819,000. Included in the ACT amount is \$1,161,000 being the amount distributed from the Statutory Interest Account held by the ACT Law Society. Due to a reduction in earnings on the SIA, the ACT Government provided an additional \$400,000 supplementary funding in the 2010-11 budget.



**Simon Corbell MLA**

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20Ns 6+8

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION ON NOTICE DURING THE HEARINGS**

Asked by Ms Dunne on 19 November 2010: The Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November, Page 9 and 14

In relation to: Legal Aid ACT

1. 'I ... note that the Commonwealth grants in this annual report amount to \$4.946 million, I can not quite work out how we are getting indexation. According to the Annual Report, the \$4.946 and last year they were \$4.112, so I am just trying to work out how do we reconcile those figures with the figures for growth in the out years?'
2. 'Was any consideration given to co-locating [Community Legal Centres] at the time that the Legal Aid Commission moved ... ?'

Simon Corbell MLA – the answer to the Member's question is as follows:

1. The funds received in 2009-10 do not reconcile with the figures for growth in the out years because of unanticipated additional Commonwealth revenue received in 2009-10.

The Commonwealth allocation of funding to the Commission for 2009-10 was \$4,211,092 which included an indexation figure of 1.904% and \$39,654 (recurrent) for de facto and spouse maintenance matters arising from amendments to the *Family Law Act 1975*.

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Simon Corbell MLA  
Attorney General

Date: 13.1.11

The difference between the 2008-09 and 2009-10 revenue figures is also accounted for by the fact the Commission received the following additional non-recurrent Commonwealth funding in 2009-10:

- \$335,000 to fit out the Family Dispute Resolution facility at the Commission's new premises;
- \$400,000 for the expansion of dispute resolution services;
- \$25,000 for other general legal services.

2. The Commission informed community legal centres that it was moving to new premises in Childers Square and asked centres if there was any interest in relocating with the Commission.

The Environmental Defenders Office, which has sublet space in the Commission's premises for a number of years, moved with the Commission to Childers Square. The Commission also took the opportunity to relocate the Youth Law Centre, which it operates in partnership with the ANU College of Law, from its former premises in Petrie Plaza to Childers Square.

I understand that there would have been interest among community legal centres in relocating to Childers Square had the commercial rent payable there not been significantly more than the community agency rent they currently pay.



**Simon Corbell** MLA

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MINISTER FOR ENERGY



MEMBER FOR MOLONGLO

QON 7.

*Inquiry into Annual and Financial Reports 2009-10*

### QUESTIONS TAKEN ON NOTICE DURING HEARINGS

Asked by Shane Rattenbury MLA on 19 November 2010. Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November 2010, Page 10

In relation to: Women's Legal Centre

How much funding was the Women's Legal Centre seeking?

Simon Corbell MLA: The answer to the Member's question is as follows:—

At the hearing, I indicated that \$50,000 - \$60,000 was sought by the community legal centres for fit-out. In fact, this funding was sought only by the Women's Legal Centre.

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Simon Corbell MLA  
Attorney General

Date: 6.1.11



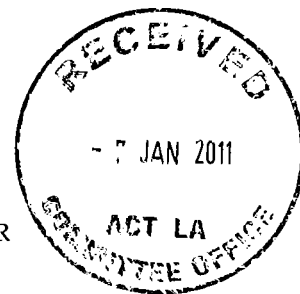
**Simon Corbell** MLA

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MINISTER FOR ENERGY



MEMBER FOR MOLONGLO

QON 9.

*Inquiry into Annual and Financial Reports 2009-10* See QON 5

**QUESTION TAKEN ON NOTICE DURING HEARINGS** For Q.8.

Asked by Mrs Dunne on 19 November 2010: Peter Garrisson took on notice the following question(s):

Ref: Hansard Transcript 19 November 2010, Page 18

In relation to: Mr David Eastman

The value of legal services undertaken by the Territory in relation to Mr David Eastman in the last two years.

Simon Corbell MLA: The answer to the Member's question is as follows:-

The value of legal services provided by the Territory in relation to Mr David Eastman since 24 November 2008 is \$343, 852.72. This figure consists of \$249,587.50 in legal services provided by the ACT Government Solicitor and \$94,265.22 in disbursements (which includes counsel's fees).

Approved for circulation to the Member

Simon Corbell MLA  
Attorney General

Date: 6.1.11



**Simon Corbell** MLA

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MEMBER FOR MOLONGLO

20N10.

*Inquiry into Annual and Financial Reports 2009-10*

### QUESTIONS TAKEN ON NOTICE DURING HEARINGS

Asked by Mrs Vicki Dunne on 19 November 2010. The Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November 2010, Page 27

Would you point to any particular jurisdiction where they have got [case management and streamlining work loads for courts] close to right or achieving perfection?

Simon Corbell MLA: The answer to the Member's question is as follows:—

I am advised by the Director of Public Prosecutions as follows.

The Director does monitor the effectiveness of case management regimes through the college of Australian Directors of Public Prosecutions. No doubt the Review of case management in the Supreme Court recently announced by the Government will have the opportunity to consider various models from around Australia. Most other jurisdictions have made provision for more effective case management, and it is fair to say that the ACT is lagging behind. Western Australia in its *Criminal Procedure Act 2004* has made extensive provision in this area. The Western Australian model, which is currently operating at Supreme Court level, is by all accounts working well. New South Wales has also recently introduced extensive provisions which will repay careful study.

Approved for circulation to the Member

Simon Corbell MLA  
Attorney General

Date: 14/11



**Simon Corbell MLA**

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

MINISTER FOR POLICE AND EMERGENCY SERVICES

MINISTER FOR ENERGY



MEMBER FOR MOLONGLO

QON. 11.

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTIONS TAKEN ON NOTICE DURING HEARINGS**

Asked by Meredith Hunter MLA on 19 November 2010. Minister Corbell took on notice the following question:

Ref: Hansard Transcript 19 November 2010, Page 20

In relation to: Restorative Justice

Meredith Hunter MLA: So do you keep some sort of data or information around whether it is the same group of young people, just to ensure that some young people are not falling through the gaps and not having that opportunity of a referral to the restorative justice unit?

Simon Corbell MLA: The answer to the Member's question is as follows:-

That data is not collected in this way because of the multiple points of referral that are available to young people, the voluntary nature of the restorative justice scheme and the discretion given to referring entities to make decisions about who they might refer to restorative justice. Collection would require significant resources.

The important issue is that there are opportunities for referral at each point of the criminal justice continuum, from the point of apprehension through to the serving of a sentence for an offence. The scheme is designed to allow police to use their discretionary powers to divert young people from prosecution and for young people, who are charged with more serious types of offences and with existing criminal histories, to have the opportunity to be referred later in the justice process.

**Approved for circulation to the Member**

**Simon Corbell MLA**  
**Attorney General**

**Date:** 6.1.11

To maximize the number of opportunities afforded to young people, officers from the Restorative Justice Unit provide a presence in the Children's Court to facilitate as many referrals as possible. They also pursue the referral of any co-offenders of each young person who is referred to restorative justice in order to assist those young people to share responsibility for their offending.



**Simon Corbell MLA**

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*QON 12*

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Ms Hunter MLA on 19 November 2010. The Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November 2010, Page 72

In relation to: The Human Rights Commission

- (1) What amount of (percentage of) administrative work does JACS pickup on behalf of the Human Rights Commission?

Simon Corbell MLA: The answer to the Member's question is as follows:—

- (1) The HRC 2009-10 actual cost included \$0.3m (or 2% of) for Corporate support activities.

A range of corporate support activities are provided centrally by the Department to all business areas in JACS portfolio, these services include governance, ministerial, facility management, human resources (industrial agreements; injury prevention and management) and financial and budget support (including preparation of financial statements) support.

The above actual cost also includes payments associated with a number of services purchased on behalf of JACS business areas (including HRC) which are paid centrally such as:

- Shared Services financial and human resources related processing;
- Law Library and subscriptions;
- Registry services, including mail and file management;

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*[Signature]*  
**Simon Corbell MLA**  
**Attorney General**

**Date:** *14.1.11*

- Payroll charges;
- Auditor General's Office (fees associated with end of year financial audits);
- Department's Learning and Development Program;
- Procurement Solutions goods and services processing; and
- Employee Assistance Program services.



**Joy Burch MLA**

MINISTER FOR DISABILITY, HOUSING AND COMMUNITY SERVICES  
MINISTER FOR AGEING  
MINISTER FOR MULTICULTURAL AFFAIRS  
MINISTER FOR WOMEN



Member for Brindabella

20N 13

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Mr Hargreaves on 19 November 2010 : The Attorney General took on notice the following questions:

[Ref: Hansard Transcript 19 November 2010 pages 48 and 58]

In relation to :

1. Can you tell us as at, say, 30 June the proportion of sentenced to remand prisoners?
2. What is the average length of stay of prisoners?
3. What is the ratio of existing prisoners to new prisoners? I.e. those prisoners from Goulburn gaol and as opposed to those sentenced in the ACT.

Simon Corbell MLA : The answer to the Member's questions is as follows:—

1. As at 30 June 2010 the total number of prisoners was 219. The total number of remand prisoners was 83 (38% of total prison population) and the total number of sentenced prisoners was 136 (62% of total prison population).
2. From 1 July 2009 to 30 June 2010, the average length of stay of remand prisoners was 48.21 days and the average length of stay of sentenced prisoners at the AMC was 214.25 days. This 'sentenced prisoners' figure of 214.25 days includes time served on remand and subsequently determined by the sentencing judge or magistrate to be included as part of the term of sentence. This figure does not include any period of imprisonment served in NSW prisons.
3. As at 22 November 2010, 15 prisoners returned to the ACT from the NSW prison system remain in the Alexander Maconochie Centre. So as at 22 November 2010, the ratio of 'existing' prisoners to 'new' prisoners is 15:212 (total prisoners at AMC on 22 November 2010 was 227).

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

Signature:

Date:

31.1.11

By the Acting Attorney General, Joy Burch MLA



# LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

## **STANDING COMMITTEE ON JUSTICE AND COMMUNITY SAFETY**

Vicki Dunne MLA (Chair), John Hargreaves MLA, Meredith Hunter MLA

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### **Re. Question on Notice No.14**

The Department of Justice and Community Safety have advised that all available information in relation to this question was provided in the Committee's hearing of 19 November 2010, at pages 53-54, available at: <http://www.hansard.act.gov.au/hansard/2009/comms/justice22.pdf>

Dr Brian Lloyd  
Committee Secretary  
Standing Committee on Justice and Community Safety  
Legislative Assembly of the ACT  
24/02/2011



**Simon Corbell** MLA

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

MINISTER FOR POLICE AND EMERGENCY SERVICES

MINISTER FOR ENERGY



MEMBER FOR MOLONGLO

20 Nov. 15

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Ms Bresnan MLA on 19 November 2010: The Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November 2010, Page 53-54

In relation to: Drug and alcohol programs

Do you have any figures as to how many people complete drug and alcohol programs and successfully get to the other end?

Simon Corbell MLA: The answer to the Member's question is as follows:—

**Number of participants and successful completions of AOD programs from the commencement of the AMC until 19 November 2010**

| AOD program           | Participants | Completions | Completion rate % |
|-----------------------|--------------|-------------|-------------------|
| Therapeutic Community | 20           | 17          | 85%               |
| First Steps           | 333          | 159         | 48%               |
| Back in Control       | 20           | 6           | 30%               |

The following are the main reasons why prisoners don't complete programs:

- Bailed
- Change in classification
- Withdrawal/non-attendance from program
- Dismissed from program due to lack of participation

**Approved for circulation to the Member**

**Simon Corbell** MLA  
Attorney General

Date: 6.1.11



**Simon Corbell** MLA

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MEMBER FOR MOLONGLO

20 N. 16.

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Ms Bresnan MLA on 19 November 2010: The Attorney General took on notice the following question(s):

Ref: Hansard Transcript 19 November 2010, Page 54

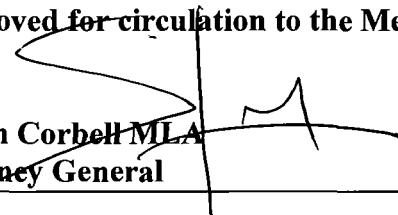
In relation to: Drugs at the AMC

I was wondering, in terms of the measures that are being undertaken now to prevent drugs getting into the prison, whether you have any estimate of how many instances there have been where there has been an active stopping of something going into the prison?

Simon Corbell MLA : The answer to the Member's question is as follows:—

During the 2009-10 financial year there have been 17 instances of drugs and drug related implements being seized before they could enter the Alexander Maconochie Centre.

Approved for circulation to the Member

  
**Simon Corbell** MLA  
Attorney General

Date: 6.1.11



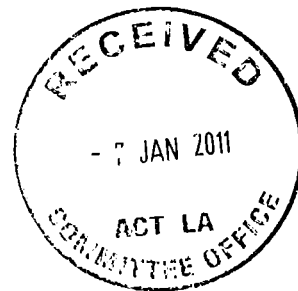
**Simon Corbell MLA**

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MEMBER FOR MOLONGLO

QON 17

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Ms Hunter MLA on 19 November 2010: The Attorney General took on notice the following question:

Ref: Hansard Transcript 19 November 2010, Page 55

In relation to: AMC and community organisations

Can we have a full list of community organisations that are working now in the AMC and what they are doing?

Simon Corbell MLA: The answer to the Member's question is as follows:—

The following table contains the relevant information:

|                                                     |                     |
|-----------------------------------------------------|---------------------|
| <b>Approved for circulation to the Member</b>       |                     |
| <b>Simon Corbell MLA</b><br><b>Attorney General</b> | <b>Date:</b> 6.1.11 |

| <b>AGENCY</b>                                                             | <b>TYPE</b>                                                                                                                                                                                               |
|---------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                           |                                                                                                                                                                                                           |
| <b>CHAPLAIN</b>                                                           |                                                                                                                                                                                                           |
| ACTCS/Pastoral Care Council of ACT                                        | Religion.                                                                                                                                                                                                 |
|                                                                           |                                                                                                                                                                                                           |
| <b>CHAPLAINCY TEAM</b>                                                    |                                                                                                                                                                                                           |
| Catholic                                                                  | Religion.                                                                                                                                                                                                 |
| Anglican                                                                  | Religion.                                                                                                                                                                                                 |
| Salvation Army                                                            | Religion.                                                                                                                                                                                                 |
| Uniting Church                                                            | Religion.                                                                                                                                                                                                 |
|                                                                           |                                                                                                                                                                                                           |
| <b>CHAPLAINCY ASSISTANTS</b>                                              |                                                                                                                                                                                                           |
| St Vincent De Paul                                                        | Religious charity.                                                                                                                                                                                        |
| Prison Fellowship                                                         | Religion.                                                                                                                                                                                                 |
| Uniting Church                                                            | Religion.                                                                                                                                                                                                 |
| Anglican                                                                  | Religion.                                                                                                                                                                                                 |
|                                                                           |                                                                                                                                                                                                           |
| <b>RELIGIOUS VISITORS</b>                                                 |                                                                                                                                                                                                           |
| Jewish Community                                                          | Religion.                                                                                                                                                                                                 |
| Canberra Islamic Centre                                                   | Religion.                                                                                                                                                                                                 |
| Islamic Society of ACT                                                    | Religion.                                                                                                                                                                                                 |
|                                                                           |                                                                                                                                                                                                           |
| <b>WOMEN'S VISITORS</b>                                                   |                                                                                                                                                                                                           |
| Women and Prisons (WAP)                                                   | Present and post-incarceration support group for women.                                                                                                                                                   |
| Inanna Inc                                                                | Present and post-incarceration women's support, including housing and accommodation and referrals for various problems (financial, family, mental health, etc).                                           |
| WIREDDD (Women's Information Resources & Education on Drugs & Dependency) | Support for women prisoners.                                                                                                                                                                              |
|                                                                           |                                                                                                                                                                                                           |
| <b>GENERAL VISITORS</b>                                                   |                                                                                                                                                                                                           |
| AA – Alcoholics Anonymous                                                 | Support for inmates with alcohol problems.                                                                                                                                                                |
| Centrelink                                                                | Centrelink is an Australian Government statutory agency, delivering a range of Commonwealth services to the Australian community. It assists people to become self-sufficient and supports those in need. |
| Legal Aid                                                                 | Legal support for the socially and economically disadvantaged – criminal and other matters.                                                                                                               |

|                                                                                                               |                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Prisoner Legal Service                                                                                        | Legal support for prisoners – civil and other matters.                                                                                                                                                                                                                                                                                                    |
| DIRECTIONS ACT – (Drug Information Referral Education Counselling Treatment Intervention Options NSP Service) | Drug and alcohol support and counselling service.<br>DIRECTIONS aims:<br>1. To promote and maximise the health and well-being of individuals, families and communities affected by Alcohol and Other Drug related harms.<br>2. To improve health, social and economic outcomes by reducing the harmful effects of illicit drug use in the ACT and region. |
| ADFACT – Alcohol and Drug Foundation of the ACT                                                               | ADFACT aims to be the leading provider of case-managed rehabilitation, treatment, transition, community and employment services for substance-dependent clients, most with complex needs.                                                                                                                                                                 |
| SAMSSA – Service Assisting Male Survivors of Sexual Assault                                                   | Counselling for male survivors of sexual assault.                                                                                                                                                                                                                                                                                                         |
| Canberra Recovery Services (Mancare)                                                                          | Salvation Army residential rehabilitation.                                                                                                                                                                                                                                                                                                                |
| Alternatives to Violence Project                                                                              | Administers alternatives to violence workshops at the AMC.                                                                                                                                                                                                                                                                                                |
| <b>INDIGENOUS VISITORS</b>                                                                                    |                                                                                                                                                                                                                                                                                                                                                           |
| Aboriginal Justice Centre                                                                                     | Legal support for Indigenous people. The AJC seeks solutions to address the Indigenous over representation in the criminal justice system.                                                                                                                                                                                                                |
| Gugan Gulwan – Youth Aboriginal Corporation                                                                   | Provides support for Indigenous youth.                                                                                                                                                                                                                                                                                                                    |
| Aboriginal Legal Service                                                                                      | Culturally sensitive legal support for Aboriginal prisoners.                                                                                                                                                                                                                                                                                              |
| Winnunga Nimmityjah Aboriginal Health Services                                                                | Health support for Aboriginal prisoners.                                                                                                                                                                                                                                                                                                                  |
| ACT Health AOD                                                                                                | Alcohol and other drugs support for all prisoners.                                                                                                                                                                                                                                                                                                        |
| <b>ALCOHOL AND OTHER DRUG VISITORS</b>                                                                        |                                                                                                                                                                                                                                                                                                                                                           |
| ACT Health AOD                                                                                                | Alcohol and other drugs support for all prisoners.                                                                                                                                                                                                                                                                                                        |

\*Please note: this is the initial response to the Question on Notice, provided 14 January 2011. It is amended by the response (following) of 23 February 2011.

Brian Lloyd  
Committee Secretary



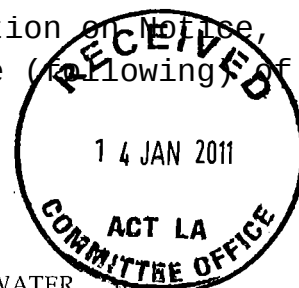
**Simon Corbell** MLA

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

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MINISTER FOR ENERGY



MEMBER FOR MOLONGLO

QON 18

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTION TAKEN ON NOTICE DURING HEARINGS**

Asked by Mr Hanson on 19 November 2010: The Attorney General took on notice the following question(s):

Ref: Hansard Transcript 19 November 2010 Page 55

1. Have you been able to track how extensive drug use is in the AMC and what drugs are being used commonly?
2. Given all that testing has occurred can you give me an idea of what the drug use is in terms of quantity?

Simon Corbell MLA : The answer to the Member's question is as follows:—

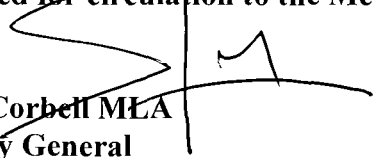
**Drug urinalysis tests of prisoners held at the Alexander Maconochie Centre (AMC):**

ACTCS has a urinalysis testing regime whereby all prisoners are tested on admission to the prison. This is to assess their status at the time of admission and is not used as a basis for discipline or entry to a particular program.

Targeted drug testing based on intelligence is also conducted, as is random testing, with penalties for positive results.

For the 2009-10 financial year, there was a total of 697 urinalysis tests administered to a total of 342 prisoners. Of these, 52 prisoners were subject to disciplinary action. In that same period, of the 697 urinalysis tests administered, 414 were random or targeted tests and 283 were tests administered on admission.

Approved for circulation to the Member

  
**Simon Corbell** MLA  
Attorney General

Date: 13.1.11

Urinalysis testing indicates that the drugs most commonly used by prisoners whilst incarcerated at the AMC are cannabinoids and methadone, with opiates, methamphetamines, valium based drugs, buprenorphine and cocaine appearing to a lesser extent.

It is not possible to determine how much of any given drug is used by prisoners. When a prisoner returns a positive urinalysis result, the test determines only how much of the drug was in the prisoner's system at the time of testing. For example, if a prisoner used a drug, and was tested two days later, the test result would not be an accurate indication of the amount of the drug used, as the amount of the drug in the prisoner's system would have decreased between the time it was taken and the time of testing. Other variables which have an effect on determining the quantity of drugs taken by a prisoner include the purity of the drug, how the drug has been ingested and the prisoner's metabolism.

\* Please note: this is the amended response to Question on Notice 18. The original response, provided 14 Jan 2011, precedes this.

Brian Lloyd  
Committee Secretary



**Simon Corbell** MLA

ATTORNEY GENERAL

MINISTER FOR THE ENVIRONMENT, CLIMATE CHANGE AND WATER

MINISTER FOR ENERGY

MINISTER FOR POLICE AND EMERGENCY SERVICES

20N 18  
Answered 18/01/2011

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MEMBER FOR MOLONGLO

Mrs Vicki Dunne MLA  
Chair, Standing Committee on Justice and Community Safety  
ACT Legislative Assembly  
GPO Box 1020  
Canberra City ACT 2601



Dear Mrs Dunne

I am writing in relation to a question on notice asked by Mr Jeremy Hanson on 19 November 2010, during the Inquiry into Annual and Financial Reports 2009-2010. Mr Hanson asked:

*Have you been able to track how extensive drug use is in the AMC and what drugs are being commonly used?*

*Given all that testing has occurred can you give me an idea of what the drug use is in terms of quantity?*

A copy of Mr Hanson's questions and my response of 13 January 2011 is at Attachment A.

I stated in my response that 'ACT Corrective Services (ACTCS) has a urinalysis testing regime whereby all prisoners are tested on admission to the prison.' ACTCS does indeed have a *Drug Testing Procedure* in place which states that 'all prisoners will be given a 'base line' drug test within 72 hours of their induction into ACTCS custody.' I have been advised, however, that testing has not in fact been undertaken of all new admissions within 72 hours.

I have also been advised that the superintendent of the Alexander Maconochie Centre has issued a superintendent's instruction to make clear that drug testing on admission is to occur.

My answer to Mr Hanson's questions also included detail on the number of prisoners subjected to urinalysis tests, the number of tests conducted on admission, the number of random/targeted tests conducted, and the number of tests resulting in discipline.

ACT Corrective Services has also checked the accuracy of the statistics provided in my answer of 13 January. As a result I am advised that the number of admission tests appears to have been overstated. On the other hand the overall number of tests was actually higher than previously reported.

ACT LEGISLATIVE ASSEMBLY

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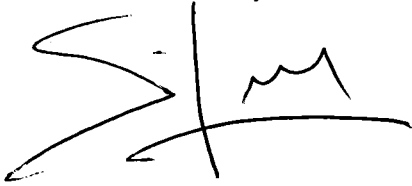
Accurate figures for the 2009-10 financial year are as follows:

There was a total of 739 urinalysis tests administered to a total of 344 prisoners. Of these, 46 prisoners were subject to disciplinary action. Of the 739 urinalysis tests administered, 672 were random or targeted tests and 67 were tests administered on admission.

I assure you I take the provision of incorrect data seriously. Indeed I have asked the independent reviewer Keith Hamburger and his firm Knowledge Consulting to investigate the implementation of drug testing procedures at the AMC and the extent to which the Government has been misinformed about drug testing practices. The review will also examine accountability, monitoring, review and evaluation systems and practices in ACT Corrective Services more generally. This is in addition to the independent review of the first 12 months of operation of the Alexander Maconochie Centre.

I apologise for any inconvenience caused by the provision of earlier incorrect information.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Simon Corbell', written over a horizontal line.

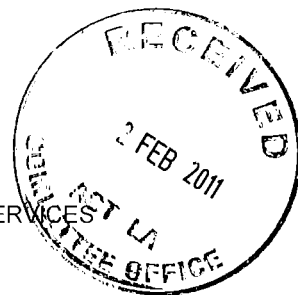
Simon Corbell MLA  
Attorney General

22.2.11



**Joy Burch MLA**

MINISTER FOR DISABILITY, HOUSING AND COMMUNITY SERVICES  
MINISTER FOR AGEING  
MINISTER FOR MULTICULTURAL AFFAIRS  
MINISTER FOR WOMEN



Member for Brindabella

2. N 19

*Inquiry into Annual and Financial Reports 2009-10*

**QUESTIONS TAKEN ON NOTICE DURING HEARINGS**

Asked by Ms Bresnan on 19 November 2010: The Attorney General took on notice the following question:

Ref: Hansard Transcript Friday 19 November Page 62

1. On pages 46 and 47 you talk about community-based corrections. My question is in relation to the table on page 47 about the number of offenders whose assessed risk has reduced over time. Does Corrective Services have any target for reduction in the rates of reoffending in relation to these particular programs and how are you performing against the target?

Simon Corbell MLA: The answer to the Member's question is as follows: -

1. The table on page 47 (Table 23) relates to the assessed reduction in an offender's criminogenic risk between the commencement of a community based order and the expiration of the order. When ACT Corrective Services (ACTCS) began collating this information a target rate of 65% was established. From 2006/07 to 2008/09 ACTCS achieved an average rate of 69% (68% in 2006/07, 69% in 2007/08 and 68% in 2008/09).

In 2009/10 the target rate was increased to 70% as a result of successfully achieving the target rate of 65% during the previous three financial years. While the assessed reduction rate from 2009/10 was only 62.3%, it has been noted that another 22.3% of offenders assessed had their risk remain static while only 15.4% of offenders actually increased their risk during this time.

Criminogenic risk is not measured for custodial detainees or on an individual program basis.

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

Signature:

Date: 21.1.11

By the Acting Attorney General, Joy Burch MLA



**Joy Burch MLA**

MINISTER FOR DISABILITY, HOUSING AND COMMUNITY SERVICES  
MINISTER FOR AGEING  
MINISTER FOR MULTICULTURAL AFFAIRS  
MINISTER FOR WOMEN



Member for Brindabella

QoN 20

*Inquiry into Annual and Financial Reports 2009-10*

### QUESTIONS TAKEN ON NOTICE DURING HEARINGS

Asked by Chair on 19 November 2010: The Attorney General took on notice the following question:

Ref: Hansard Transcript Friday 19 November Page 62

1. Please explain the Department's use of Level of Service Inventory?

Simon Corbell MLA: The answer to the Chair's question is as follows: -

1. ACT Corrective Services (ACTCS) uses an empirically validated risk assessment tool, the Level of Service Inventory - Revised (LSI-R), to assess an offender's/prisoner's criminogenic risks. The criminogenic risks are the risk factors that contributed to the offending behaviour, for example alcohol and drug use, mental health issues and associates, which if not addressed will increase the offender's/prisoner's risk of further offending.

The tool is administered on all offenders/prisoners within a short period of the commencement of the community based order or prison sentence. A case management plan is subsequently developed which outlines the interventions to be undertaken during the supervision or imprisonment period. For prisoners this plan details programs and education they need to undertake whilst in prison to address their criminogenic needs. The tool is administered every 12 months (this period has been recommended by the provider of the tool as an appropriate period to measure the stability and changes in an offender) for community based offenders and at the expiration of their sentence. This exit score is compared to the entry score to determine if their risk has reduced. ACTCS has a 70% target rate of reduction.

Given the generally short periods of incarceration in the ACT, the LSI-R is not administered on a prisoner when they exit the AMC. If a prisoner is placed on supervision following their incarceration, LSI-R administered in the AMC is continued whilst they are supervised by ACTCS.

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

Signature:

Date: 31.1.11

By the Acting Attorney General, Joy Burch MLA