# Annual and Financial Reports 2019-2020; Appropriation Bill 2020-2021 and Appropriation (Office of the legislative Assembly) Bill 2020-2021

Standing Committee on Justice and Community Safety

March 2021

Report 1

## The Committee

### Committee Membership

* Mr Jeremy Hanson MLA Chair from 8 December 2020
* Dr Marisa Paterson MLA Deputy Chair from 8 December 2020
* Ms Jo Clay MLA Member from 2 December 2020

### Participating Members

* Mr Peter Cain MLA, Mrs Elizabeth Kikkert MLA, Ms Elizabeth Lee MLA, Mr Mark Parton MLA

### Secretariat

* Brianna McGill Committee Secretary
* Frieda Scott Senior Research Officer
* Lydia Chung Administrative Assistant
* Michelle Atkins Administrative Assistant

### Contact Information

Telephone 02 6207 0524

Post GPO Box 1020, CANBERRA ACT 2601

Email [LACommitteeJCS@parliament.act.gov.au](mailto:LACommitteeJCS@parliament.act.gov.au)

Website [www.parliament.act.gov.au](http://www.parliament.act.gov.au)

### Resolution of appointment

The Legislative Assembly for the ACT established the Standing Committee on Justice and Community Safety on 2 December 2020 by resolution[[1]](#footnote-1) which states (in part) that:

1. the following general-purpose standing committees be established as set out in the table below. The purpose of such committees is to enhance the scrutiny of the Executive, to examine and suggest improvements to any bills referred to it, to enable the citizens of the territory to engage and to participate in law-making and policy review, to enable financial scrutiny of the Executive’s budget proposals and to review annual reports or taxpayer funded agencies;
2. the committees so established may inquire and report on matters referred to it by the Assembly or matters that are considered by the committee to be of concern to the community and within the nominated areas of responsibility;
3. calendar and financial year annual and financial reports stand referred to the relevant standing committee for inquiry and report by 31 March of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*;

…

1. all bills presented to the Assembly stand referred to the relevant standing committee for inquiry and report within two months from the presentation of the bill. Should the standing committee resolve not to undertake an inquiry, the chair shall advise the Assembly and the responsible minister within 14 days of the presentation of the bill in the Assembly;

…

1. the committees so established are required to examine the expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget and prepare a report to the Assembly within 60 days of the presentation of the budget bills;

…

1. the Standing Committee on Justice and Community Safety shall:
   1. examine matters related to corruption and integrity in public administration;
   2. inquire into and report on matters referred to it by the Assembly or matters that are considered by the Committee to be of concern to the community;
   3. perform all functions required of it pursuant to the Integrity Commission Act 2018; and
   4. monitor, review and report on the performance of the Integrity Commission and the Inspector of the Integrity Commission or the exercise of the powers and functions of the Integrity Commission and the Inspector of the Integrity Commission, including examining the annual reports of the Integrity Commission and the Inspector of the Integrity Commission and any other reports made by the Commission; nothing in this resolution authorises the Committee to investigate a matter relating to particular conduct or to reconsider a decision to investigate, not to investigate or to discontinue an investigation of a particular complaint made to the Commission, or to reconsider the findings, recommendations, determinations or other decisions of the Commission or the Inspector in relation to a particular investigation or complaint;

…

|  |  |  |
| --- | --- | --- |
| Committee | Primary Wellbeing Indicator/s | Areas of Responsibility |
| Justice and Community Safety | Safety and Governance and Institutions | ACT Electoral Commission  ACT Integrity Commission  Gaming  Special Minister of State (Justice and Community Safety reporting areas)  Emergency management and the Emergency Services Agency  Policing and ACT Policing  Corrective services  Attorney-General  Consumer affairs  Human rights  Victims of crime  Access to justice and restorative practice  Public Trustee and Guardian  Scrutiny of bills and subordinate legislation |

### Terms of reference

As outlined above, the resolution of establishment for standing committees of the Tenth Assembly (passed by the Assembly on 2 December 2020) requires the Standing Committee on Justice and Community Safety to inquire into Annual and Financial Reports 2019-20 and ACT Budget 2020-21:

‘(3) calendar and financial year annual and financial reports stand referred to the relevant standing committee for inquiry and report by 31 March of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*;

…

‘(7) the committees so established are required to examine the expenditure proposals contained in the main appropriation bills for the Territory and any revenue estimates proposed by the Government in the annual budget and prepare a report to the Assembly within 60 days of the presentation of the budget bills;’[[2]](#footnote-2)

At its meeting on Thursday 11 February 2021, the Assembly resolved to amend the due date for the report on calendar and financial year annual and financial reports as follows:

‘In paragraph (3), omit "report by 31 March" and substitute "report by 9 April"’.[[3]](#footnote-3)

## Acronyms

|  |  |
| --- | --- |
| Acronym | Long name or phrase |
| ACAT | ACT Civil and Administrative Tribunal |
| ACT | Australian Capital Territory |
| ACTCS | ACT Corrective Services |
| ACTGS | ACT Government Solicitor |
| ADF | Australian Defence Force |
| AMC | Alexander Maconochie Centre |
| CALD | Culturally and linguistically diverse |
| CLCs | Community Legal Centres |
| CM Act | *Corrections Management Act 2007* |
| CMTEDD | Chief Minister Treasury and Economic Development Directorate |
| CORIS | Criminal Offender Record Information System |
| COVID-19 | Coronavirus disease 2019 |
| COVID Response Act | *COVID-19 Emergency Response Act 2020* |
| CYPS | Child and Youth Protection Services |
| DHSDCSC | Discrimination Health Services Disability and Community Services Commissioner |
| Directions | Annual Reports (Government Agencies) Directions 2019 (NI2019-296) |
| DPP | Director of Public Prosecutions |
| ESA | Emergency Services Agency |
| FOI | Freedom of Information |
| FMA | *Financial Management Act 1996* |
| HR Act | *Human Rights Act 2004* |
| HRC | Human Rights Commission |
| ICMS | Integrated Court Management System |
| JACS Committee | Standing Committee on Justice and Community Safety |
| JACSD | Justice and Community Safety Directorate |
| KPI | Key performance indicator |
| MLA | Member of the Legislative Assembly |
| NDIS | National Disability Insurance Scheme |
| OICS | Office of the Inspector of Correctional Services |
| PACYPC | Public Advocate and Children & Young People Commissioner |
| PTG | Public Trustee and Guardian |
| QON | Question on notice |
| QTON | Question taken on notice |
| SC Act | *Supreme Court Act 1933* |
| SMOS | Special Minister of State |
| VOCC | Victims of Crime Commissioner |

Table of Contents

[The Committee i](#_Toc67650111)

[Committee Membership i](#_Toc67650112)

[Participating Members i](#_Toc67650113)

[Secretariat i](#_Toc67650114)

[Contact Information i](#_Toc67650115)

[Resolution of appointment ii](#_Toc67650116)

[Terms of reference iv](#_Toc67650117)

[Acronyms v](#_Toc67650118)

[Recommendations](#_Toc67650119) ix

[1 Introduction 1](#_Toc67650120)

[Presentation of ACT Government Annual and Financial Reports 2019-20 1](#_Toc67650121)

[Presentation of ACT Budget 2020-21 2](#_Toc67650122)

[Conduct of inquiry 3](#_Toc67650123)

[Structure of the Report 4](#_Toc67650124)

[Acknowledgements 5](#_Toc67650125)

[2 Governing Framework 6](#_Toc67650126)

[Public sector annual and financial reports 6](#_Toc67650127)

[Territory Budget 7](#_Toc67650128)

[Compliance with governing framework 8](#_Toc67650129)

[3 Justice and Community Safety Directorate 9](#_Toc67650130)

[Policy Advice and Justice Programs (1.1) 9](#_Toc67650131)

[Legal Services to Government (1.2) 12](#_Toc67650132)

[Legislative Drafting and Publishing Services (1.3) 13](#_Toc67650133)

[Public Prosecutions (1.4) 13](#_Toc67650134)

[Protection of Rights (1.5) 13](#_Toc67650135)

[Corrective Services (2.1) 14](#_Toc67650136)

[Courts and Tribunals (3.1) 22](#_Toc67650137)

[Emergency Services (4.1) 28](#_Toc67650138)

[ACT Policing (EBT 1) 32](#_Toc67650139)

[4 Statutory Office Holders 38](#_Toc67650140)

[Director of Public Prosecutions 38](#_Toc67650141)

[Human Rights Commission 39](#_Toc67650142)

[Inspector of Correctional Services 42](#_Toc67650143)

[Legal Aid ACT 43](#_Toc67650144)

[Public Trustee and Guardian 46](#_Toc67650145)

[Solicitor-General for the Territory 48](#_Toc67650146)

[5 Officers of the Assembly 50](#_Toc67650147)

[Electoral Commission 50](#_Toc67650148)

[Integrity Commission 51](#_Toc67650149)

[6 Conclusion 52](#_Toc67650150)

[Annex A 53](#_Toc67650151)

[Recommendation supported by Mr Hanson MLA but not adopted by the Committee 53](#_Toc67650152)

[Appendix A - Witnesses 54](#_Toc67650153)

[19 February 2021 54](#_Toc67650154)

[25 February 2021 55](#_Toc67650155)

[Appendix B – Questions taken on Notice/ Questions on Notice 56](#_Toc67650156)

## Recommendations

[Recommendation 1](#_Toc67646832)

[3.12 The Committee recommends that ACT Government continue to monitor the regulatory framework for short-term, unsecured, high-interest loans, and engage with Commonwealth, state and territory consumer affairs ministers on matters arising.](#_Toc67646833)

[Recommendation 2](#_Toc67646834)

[3.32 The Committee recommends that:](#_Toc67646835)

[ ACT Government urgently address the problem of remandees being accommodated with sentenced prisoners at Alexander Maconochie Centre (AMC).](#_Toc67646836)

[ If the problem cannot be addressed in the near future, ACT Government should consider amending the *Corrections Management Act 2007* to acknowledge the inability of AMC to meet the section 44 obligation to accommodate convicted detainees separately from non-convicted detainees.](#_Toc67646837)

[Recommendation 3](#_Toc67646838)

[3.40 The Committee recommends that ACT Government implement the remand policy at Alexander Maconochie Centre, and deliver remandees the protections and privileges due to them under human rights law.](#_Toc67646839)

[Recommendation 4](#_Toc67646840)

[3.46 The Committee recommends that ACT Government urgently deliver improvements to the accommodation of women at the Alexander Maconochie Centre.](#_Toc67646841)

[Recommendation 5](#_Toc67646842)

[3.53 The Committee recommends that the Inspector for Correctional Services be provided access to the Criminal Offender Record Information System (CORIS) when it is implemented.](#_Toc67646843)

[Recommendation 7](#_Toc67646844)

[3.65 The Committee recommends that ACT Government review the operation of the provisions for involuntary judge alone trials during the COVID-19 pandemic, and identify any alternate options for facilitating safe and efficient operation of the court system during future states of emergency.](#_Toc67646845)

[Recommendation 8](#_Toc67646846)

[3.73 The Committee recommends that:](#_Toc67646847)

[ ACT Government continue to monitor the backlog in matters pending before the Courts, and allocate additional resources as necessary to minimise procedural delay in the justice system;](#_Toc67646848)

[ the Attorney General provide a statement to the Assembly in September 2021 on progress in clearing the backlog of matters pending before the Courts.](#_Toc67646849)

[Recommendation 9](#_Toc67646850)

[3.79 The Committee welcomes the government’s stated intention to establish a dedicated coroner’s court, and recommends that this work progress as soon as possible.](#_Toc67646851)

[Recommendation 10](#_Toc67646852)

[3.86 The Committee recommends that ACT Courts and Tribunal and ACT Policing align record keeping systems to enable the Integrated Courts Management System to capture and report systemic data on bail and breaches.](#_Toc67646853)

[Recommendation 11](#_Toc67646854)

[3.94 The Committee recommends that ACT Government ensure adequate numbers and safe positioning of helicopter landing sites in Namadgi National Park, with site locations published and made known to relevant agencies.](#_Toc67646855)

[Recommendation 12](#_Toc67646856)

[3.95 The Committee recommends that:](#_Toc67646857)

[ the Minister for Police and Emergency Services provide a statement to the Assembly outlining the coordination and training activities conducted in the wake of the Orroral Valley fire with NSW and Commonwealth agencies, including the Australian Defence Force, to strengthen future management of cross-border operations;](#_Toc67646858)

[ training and coordination activities conducted with NSW and Commonwealth agencies be reported on an ongoing basis in the Emergency Services Agency annual report.](#_Toc67646859)

[Recommendation 13](#_Toc67646860)

[3.101 The Committee recommends that ACT Government prepare a whole-of-government management plan for future smoke events and other incidents affecting air quality levels, and present it to the Assembly by the last sitting day in 2021.](#_Toc67646861)

[Recommendation 14](#_Toc67646862)

[3.110 The Committee recommends that, while the ACT Policing strategic accommodation plan is in development, close attention be paid to areas of population growth, particularly Molonglo Valley.](#_Toc67646863)

[Recommendation 15](#_Toc67646864)

[3.118 The Committee recommends that ACT Government report to the Assembly by September 2021 on the measures being taken to ensure that funding for multidisciplinary community policing responses to mental health and family violence situations will keep pace with demand.](#_Toc67646865)

[Recommendation 16](#_Toc67646866)

[3.124 The Committee recommends that the number of traffic incidents involving serious injury to vulnerable road users be formally recorded, and that ACT Government periodically assess the data to identify potential systemic responses to prevent and reduce death and injury.](#_Toc67646867)

[Recommendation 17](#_Toc67646868)

[4.14 The Committee recommends that ACT Government amend the *Children and Young People Act 2008* to provide a mechanism for external merits review of child protection decisions made under the Act, and ensure compatibility with the *Human Rights Act 2004*.](#_Toc67646869)

[Recommendation 18](#_Toc67646870)

[4.20 The Committee recommends that ACT Government monitor and report whether ACT Policing are contacting victims of crime within the time limits established in the Charter of Rights for Victims of Crime.](#_Toc67646871)

[Recommendation 19](#_Toc67646872)

[4.33 The Committee recommends that:](#_Toc67646873)

[ ACT Government engage with Legal Aid ACT and Community Legal Centres to identify the current scale of unmet demand for these services, and quantify the additional level of funding that would be required to fully address community need; and](#_Toc67646874)

[ the Attorney General report to the Assembly on the outcome of this review by the last sitting day in 2021.](#_Toc67646875)

## Introduction

### Presentation of ACT Government Annual and Financial Reports 2019-20

* 1. On 9 February 2021, the annual and financial reports of ACT Government agencies and statutory officers for 2019-20 were presented in the Assembly.[[4]](#footnote-4)
  2. During this inquiry the Standing Committee on Justice and Community Safety is required to examine the following annual reports, or sections of annual reports:
     + [ACT Director of Public Prosecutions](https://www.dpp.act.gov.au/__data/assets/pdf_file/0012/1678395/2019-2020-Annual-Report-.pdf)[[5]](#footnote-5)
     + [ACT Electoral Commission](https://www.elections.act.gov.au/__data/assets/pdf_file/0009/1677645/20Annual-Report.pdf)[[6]](#footnote-6)
     + [ACT Gambling and Racing Commission](https://www.dpp.act.gov.au/__data/assets/pdf_file/0012/1678395/2019-2020-Annual-Report-.pdf)[[7]](#footnote-7)
     + [ACT Human Rights Commission](https://hrc.act.gov.au/wp-content/uploads/2020/12/ACT-HRC-Annual-Report-2019-20-2.pdf)[[8]](#footnote-8)
     + [ACT Inspector of Correctional Services](https://www.ics.act.gov.au/reports-and-publications/annual-reports/annual-reports/2019-20-annual-report)[[9]](#footnote-9)
     + [ACT Integrity Commission](https://www.integrity.act.gov.au/__data/assets/pdf_file/0013/1700311/ACT-Integrity-Commission-2019-2020-Annual-Report.pdf)[[10]](#footnote-10)
     + [ACT Policing](https://www.police.act.gov.au/sites/default/files/Publications/actp-ar-2019-2020.pdf)[[11]](#footnote-11)
     + [Chief Minister Treasury and Economic Development Directorate](https://www.cmtedd.act.gov.au/functions/publications/2019-20annualreport):[[12]](#footnote-12)
       - Relating to the portfolio of Minister for Consumer Affairs (Access Canberra)
     + [Justice and Community Safety Directorate](https://www.cmtedd.act.gov.au/functions/publications/2019-20annualreport):[[13]](#footnote-13)
       - Relating to the portfolios of: Attorney General, Corrections, Consumer Affairs, Gaming, Human Rights, Policing and Emergency Services, and Special Minister of State
       - Relating to the Emergency Services Commissioner, Parliamentary Counsel, and Solicitor-General for the Territory
     + [Legal Aid Commission (ACT)](http://legalaidact.org.au/sites/default/files/files/publications/Legal_Aid_ACT_Annual_Report_2019-2020.pdf)[[14]](#footnote-14)
     + [Public Trustee and Guardian for the ACT](https://www.cmtedd.act.gov.au/functions/publications/2019-20annualreport)[[15]](#footnote-15)
     + [Sentence Administration Board](https://justice.act.gov.au/sites/default/files/2021-02/SAB%2019-20%20Annual%20Report.pdf)[[16]](#footnote-16)

### Presentation of ACT Budget 2020-21

* 1. On 9 February 2021 the [Appropriation Bill 2020-2021](https://www.legislation.act.gov.au/b/db_63792/) and [Appropriation (Office of the Legislative Assembly) Bill 2020-2021](https://www.legislation.act.gov.au/View/b/db_63793/current/PDF/db_63793.PDF) were presented in the Assembly, and the related [Budget papers](https://apps.treasury.act.gov.au/budget/budget-2020-21/budget-papers) were published on the Treasury website.[[17]](#footnote-17)
  2. During this inquiry the Standing Committee on Justice and Community Safety was required to examine the expenditure proposals for the following outputs in the main appropriation bills for the Territory, as outlined in [Budget Statement A](https://apps.treasury.act.gov.au/__data/assets/pdf_file/0011/1698932/2020-21-Budget-Statements-A.pdf) and [Budget Statement D](https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf):[[18]](#footnote-18)
     + Justice and Community Safety Directorate:
       - Output Class 1: Justice Services

Policy Advice and Justice Programs (output 1.1)

Legal services to Government (output 1.2)

Legislative Drafting and Publishing Services (output 1.3)

Public Prosecutions (output 1.4)

Protection of Rights (output 1.5)

* + - * Output Class 2: Corrective Services

Corrective Services (output 2.1)

* + - * Output Class 3: Courts and Tribunals

Courts and Tribunals (output 3.1)

* + - * Output Class 4: Emergency Services

Emergency Services (output 4.1)

* + - * EBT 1: ACT Policing

ACT Policing (output 1.1)

* + - Legal Aid Commission (ACT), Statement of Intent
    - Public Trustee and Guardian for the ACT, Statement of Intent
    - ACT Integrity Commission
    - Electoral Commissioner

### Conduct of inquiry

* 1. The impact of the COVID-19 pandemic and the timing of the ACT Election in 2020 resulted in deferral of the presentation of the annual reports for 2019-20 and the ACT Budget 2020-21 until February 2021. This circumstance enabled the Committee to conduct the inquiries into Annual and Financial Reports 2019-20 and ACT Budget 2020-21 simultaneously.

#### Public Hearings

* 1. The Committee held public hearings on 19 February 2021 and 25 February 2021. At the hearings the Committee heard from ACT Government Ministers and their accompanying directorate officials; statutory officers; and members of governing boards.
  2. Witnesses who appeared before the Committee are listed at Appendix A. Transcripts from [day one](http://www.hansard.act.gov.au/hansard/2021/comms/jacs01.pdf)[[19]](#footnote-19) and [day two](http://www.hansard.act.gov.au/hansard/2021/comms/jacs02.pdf)[[20]](#footnote-20) of the hearings are available on the Assembly website. Footage of the hearings ([Day 1 morning](http://aod.dpa.act.gov.au/C28027),[[21]](#footnote-21) [Day 1 afternoon](http://aod.parliament.act.gov.au/C28055),[[22]](#footnote-22) and [Day 2](http://aod.dpa.act.gov.au/C28189)[[23]](#footnote-23)) is available via video on demand on the Legislative Assembly website.[[24]](#footnote-24)
  3. This inquiry took place during the COVID-19 pandemic; therefore, hearings were conducted under COVID-Safe arrangements, with limits on the numbers of people at the hearing table and in the public gallery.

#### Questions Taken on Notice at Hearing and Questions Placed on Notice

* 1. A total of 122 questions were lodged during the inquiry. 29 questions were taken on notice by Ministers and statutory office holders during the hearings, and 83 questions on notice were submitted by Committee Members and visiting MLAs following the hearings.
  2. The answers to questions, and a list of questions (by subject, submitter, recipient) are available at Appendix B, and on the [inquiry webpage](https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021).[[25]](#footnote-25)
  3. The following table summarises the questions by portfolio.

Table 1: Questions on notice grouped by portfolio area

|  |  |  |
| --- | --- | --- |
| Portfolio | Questions taken on notice | Questions on notice |
| Attorney General | 7 | 27 |
| Consumer Affairs | 1 | 0 |
| Corrections | 8 | 21 |
| Gaming | 0 | 0 |
| Human Rights | 1 | 2 |
| Police and Emergency Services | 5 | 11 |
| Special Minister of State | 1 | 2[[26]](#footnote-26) |
| Statutory officers (Attorney General portfolio)[[27]](#footnote-27) | 1 | 0 |
| Statutory officers (Corrections portfolio)[[28]](#footnote-28) | 0 | 7 |
| Statutory officers (Human Rights portfolio)[[29]](#footnote-29) | 1 | 15 |
| Officers of the Legislative Assembly[[30]](#footnote-30) | 4 | 9[[31]](#footnote-31) |
| **Total** | 29 | 93 |

* 1. The Committee thanks directorates and statutory agencies for the time and effort involved in providing responses to these questions.
  2. All answers were received by the Committee before the report was finalised.

### Structure of the Report

* 1. The structure of this report is as follows:
     + Chapter 2 provides a brief overview of the requirements for territory budgets and public sector annual reports.
     + Chapter 3 covers Justice and Community Safety Directorate.
     + Chapter 4 covers statutory office holders.
     + Chapter 5 covers Officers of the Assembly.
  2. Footnotes in the report reference the proof transcripts of evidence. Page numbers may vary between the proof version and the final Hansard transcript.

### Acknowledgements

* 1. The Committee thanks everyone who participated in, or otherwise assisted, this inquiry. This includes ACT Government Ministers, directorate officials, statutory officers, members of governing boards, Members of the Legislative Assembly, Members’ staff, and staff of the Office of the Legislative Assembly.

## Governing Framework

### Public sector annual and financial reports

* 1. Accountability of the executive to the parliament and to the community is a key principle of responsible government. Through annual reports, agencies provide a statement of their performance and use of public funds.

Annual reports are reports from agency heads to their responsible Minister, the Legislative Assembly and the public that provide a detailed description of the agency’s activities during a reporting year. The primary purpose of an annual report is accountability.[[32]](#footnote-32)

* 1. Annual and financial reports are prepared by Territory reporting entities in accordance with:
     + *Annual reports (Government Agencies) Act 2004*
     + Annual Reports (Government Agencies) Directions 2019, and
     + *Financial Management Act 1996.*

#### Annual Reports (Government Agencies) Act 2004

* 1. The *Annual Reports (Government Agencies) Act 2004* (Annual Reports Act) sets the framework for annual reporting across the ACT public sector. This framework identifies which public bodies provide annual reports and outlines the time frame for provision of reports to the Assembly.

#### Annual Reports (Government Agencies) Directions 2019

* 1. The *Annual Reports (Government Agencies) Directions 2019* are issued by the Chief Minister under s8 Annual Reports Act to outline agency reporting requirements. All annual reports under the Act, except for those published by the Office of the Legislative Assembly or an Officer of the Assembly, must comply with the Directions.[[33]](#footnote-33) The Directions must be read in conjunction with the establishing legislation for each reporting entity.
  2. Public sector agencies within the Committee’s areas of responsibility publish annual report information in three forms, as determined by the Annual Report Directions:

Table 2: Form of annual report required under Annual Report Directions[[34]](#footnote-34)

|  |  |  |
| --- | --- | --- |
| Standalone report | Annual report annexed to the JACS Directorate annual report | Annual report information subsumed within the JACS Directorate annual report |
| Director of Public Prosecutions  Gambling and Racing Commission  Human Rights Commission  Inspector of Correctional Services  Legal Aid Commission  Public Trustee and Guardian | Sentence Administration Board | Emergency Services Commissioner  Parliamentary Counsel  Solicitor-General for the Territory |

#### Financial Management Act 1996

* 1. The *Financial Management Act 1996* governs the financial management of the Territory government, sets financial reporting requirements for government agencies, and provides for scrutiny by the Auditor General and the Assembly.
  2. Each directorate must prepare annual financial statements and a statement of performance relating to its operations during the year,[[35]](#footnote-35) and provide these to the Auditor General for an audit opinion.[[36]](#footnote-36) The financial statements, statement of performance and audit opinion must be published in the annual report for the directorate.[[37]](#footnote-37)

### Territory Budget

* 1. The *Financial Management Act 1996* sets the framework for Territory appropriations and budgets. Government expenditure must be authorised by the Assembly through an Appropriation Bill.[[38]](#footnote-38) Immediately after the presentation of an Appropriation Bill, the Treasurer must present to the Assembly the proposed budget for the Territory and for each directorate for the year.[[39]](#footnote-39) The Act specifies information that must be included in the proposed budget, and requires that it be in a form that assists a comparison with the budget for the previous financial year.[[40]](#footnote-40) The financial statements included in the proposed budget must include budget estimates for each of the next three financial years.[[41]](#footnote-41)

### Compliance with governing framework

* 1. The Directions required annual reports for 2019-20 reporting year to be finalised by 9 October 2020, and provided to the Assembly and Government Business team within Chief Minister Treasury and Economic Development Directorate (CMTEDD) for embargo one week before the first sitting period of the new Assembly (which took place 2 – 4 December 2020).[[42]](#footnote-42)
  2. However, an extension of time was granted by the Chief Minister under s14 of the *Annual Reports Act*, such that annual reports for 2019-20 were to be submitted to the Speaker’s office by the close of business on 18 December 2020. A statement of reasons for requesting an extension of time was tabled in the Assembly on 20 August 2020:

A Public Health Emergency was declared in the ACT on 16 March 2020 to combat coronavirus (COVID-19). An extension of time to present the following annual reports is necessary to address the operational impacts of the COVID-19 public health emergency on the ACT Government… The extended deadline for presentation will assist the relevant directorates and public sector bodies to complete a comprehensive annual report.[[43]](#footnote-43)

* 1. The Integrity Commission sought extension of time from the Speaker for presentation of its annual report.[[44]](#footnote-44) All other annual reports relating to the Committee’s areas of responsibility were received by the Speaker for distribution either on or before 18 December 2020. The reports were then tabled in the Assembly on the next sitting day, 9 February 2021.[[45]](#footnote-45)

## Justice and Community Safety Directorate

* 1. As stated in its annual report, ‘[t]he mission of the Justice and Community Safety (JACS) Directorate is to maintain a fair, safe and peaceful community in the ACT where people's rights and interests are respected and protected.’[[46]](#footnote-46)
  2. According to the statement in Budget Paper D, JACS Directorate ‘seeks to maintain a safe, just and resilient community in the ACT’, by achieving the following aims:
     + Strengthen community safety,
     + Protect people’s rights and interests,
     + Care for and support vulnerable people,
     + Enhance access to justice, and
     + Build community resilience to emergency.[[47]](#footnote-47)

#### Matters considered

* 1. The Committee considered the following general matters relating to the JACS Directorate annual report which are not attributable to specific budget outputs:
     + Number of non-ACTPS employees in JACS Directorate,[[48]](#footnote-48) and
     + JACS staff working from home during the COVID-19 pandemic.[[49]](#footnote-49)

### Policy Advice and Justice Programs (1.1)

* 1. Output 1.1 in Budget Paper D is: ‘High quality policy, legislation, ministerial support and advice to portfolio Ministers, Cabinet and other agencies on justice and community safety matters. Administer security coordination and emergency management policy, and innovative justice and crime prevention programs (including the Restorative Justice Program) across government and the community’.[[50]](#footnote-50)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Attorney General and Minister for Consumer Affairs on 19 February 2021:
     + Restorative justice conferences, impact on waitlist of COVID-19 pandemic and bushfires,[[51]](#footnote-51) Restorative justice conferences for family violence and sexual assault matters,[[52]](#footnote-52) Participant feedback,[[53]](#footnote-53)
     + Funding for community legal centres and Legal Aid,[[54]](#footnote-54)
     + *Residential Tenancies Act 1997*, new mechanism for consideration of occupancy complaints,[[55]](#footnote-55)
     + Funding for programs to address recidivism,[[56]](#footnote-56)
     + E-scooters policy framework,[[57]](#footnote-57)
     + Facebook decision to block news websites,[[58]](#footnote-58)
     + Scams,[[59]](#footnote-59)
     + Payday lending,[[60]](#footnote-60)
     + Product safety recalls,[[61]](#footnote-61) and
     + Right to repair legislation.[[62]](#footnote-62)
  2. The Committee discussed the following matters during the appearances by the Minister for Gaming and the Gambling and Racing Commission on 19 February 2021:
     + Community Clubs Ministerial Advisory Council; membership, process of appointment, payment, terms of reference,[[63]](#footnote-63)
     + Online gambling during COVID-19,[[64]](#footnote-64) Policy response to online gambling harm,[[65]](#footnote-65)
     + Five dollar bet limits on electronic gambling machines,[[66]](#footnote-66)
     + Labor Party ownership of poker machines,[[67]](#footnote-67) and
     + Training for club staff on identifying gambling harm,[[68]](#footnote-68) Protection for club staff from exposure to gambling machines.[[69]](#footnote-69)
  3. The Committee discussed the following matters during the appearance by the Special Minister of State on 25 February 2021:
     + Scope of new Ministerial portfolio of Special Minister of State,[[70]](#footnote-70)
     + Freedom of Information (FOI) applications,[[71]](#footnote-71)
     + Commitment to open transparent access to government information,[[72]](#footnote-72)
     + Cyber security, cyber attacks, fraud during COVID,[[73]](#footnote-73)
     + ACT Ombudsman oversight of FOI system,[[74]](#footnote-74)
     + Dedicated information commissioner,[[75]](#footnote-75)
     + Foreign interference or influence over ACT election processes,[[76]](#footnote-76)
     + Political donations from foreign sources,[[77]](#footnote-77) and
     + Electoral boundaries.[[78]](#footnote-78)

#### Key issues

##### Payday lending

* 1. During the hearing with the Minister for Consumer Affairs, the Committee asked about payday lending, and any observable trends in community experience resulting from the impact of the pandemic.
  2. The Minister confirmed that this policy area is the subject of government attention:

In broad terms, this is an area that government, and I as the Minister for Consumer Affairs, have been very concerned about for some time. The broad issue of vulnerable consumers finding themselves in financial transactions or financial arrangements that are expensive, unaffordable, beyond their means—all of the things that are unwise financial commitments—is a significant problem. The ACT has raised this in the Consumer Affairs Forum in the last couple of years. We have sought to work with other jurisdictions and the commonwealth to improve these areas. There are a number of legislative reforms happening at the moment, and I am quite concerned about a number of them. I have written to all of my state and territory colleagues and the federal Treasurer around some of these matters, particularly proposals to reform in the area of what are called SACCs, small-amount credit contracts, as well as consumer leases.[[79]](#footnote-79)

###### Committee comment

* 1. The Committee notes the current legislative and policy activity in the regulation of payday lending, or short-term, unsecured, high-interest loans. It also notes the pace at which the industry is evolving on digital platforms.
  2. The Committee welcomes ACT Government’s active engagement in the area.

Recommendation 1

The Committee recommends that ACT Government continue to monitor the regulatory framework for short-term, unsecured, high-interest loans, and engage with Commonwealth, state and territory consumer affairs ministers on matters arising.

### Legal Services to Government (1.2)

* 1. Output 1.2 in Budget Paper D is: ‘High quality and timely legal advice and representation for the Attorney-General and Government.’[[80]](#footnote-80)

#### Matters considered

* 1. The Solicitor-General appeared before the Committee on 19 February 2021 (see separate overview in the statutory officer holders chapter, at paragraphs 4.43 – 4.45).

### Legislative Drafting and Publishing Services (1.3)

* 1. Output 1.3 in Budget Paper D: ‘Provision of high quality and timely legislative drafting and publishing services for ACT legislation and maintenance of the ACT legislation register.’[[81]](#footnote-81)

### Public Prosecutions (1.4)

* 1. Output 1.4 in Budget Paper D is: ‘Prosecution of summary and indictable matters, at first instance and on appeal, provision of assistance to the Coroner, and provision of witness assistance services.’[[82]](#footnote-82)

#### Matters considered

* 1. The Director of Public Prosecutions appeared before the Committee on 19 February 2021 (see separate overview in the statutory officer holders chapter, at paragraphs 4.2 – 4.3).

### Protection of Rights (1.5)

* 1. Output 1.5 in Budget Paper D is: ‘Provision of advocacy, complaints-handling, advice, community awareness raising and other services in connection with the promotion and protection of rights especially for vulnerable members of society, through services provided by the ACT Human Rights Commission, including the Public Advocate of the ACT and Victim Support ACT. This output also includes services provided by the Privacy Commissioner.’[[83]](#footnote-83)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Minister for Human Rights on 19 February 2021:
     + Increase in complaints to the Human Rights Commission,[[84]](#footnote-84)
     + Organ donation,[[85]](#footnote-85)
     + Commemorative certificates for early pregnancy loss,[[86]](#footnote-86)
     + Engagement of former MLA Gordan Ramsay to assist in review of the *Discrimination Act 1991,*[[87]](#footnote-87)
     + Discrimination complaints in relation to the NDIS,[[88]](#footnote-88) and
     + Human rights issues engaged during the COVID-19 public health emergency.[[89]](#footnote-89)
  2. The Human Rights Commission appeared before the Committee on 19 February 2021 (see separate overview in the statutory officer holders chapter, at paragraphs 4.4 – 4.20).

### Corrective Services (2.1)

* 1. Output 2.1 in Budget Paper D is: ‘Provision of safe and secure custody for detainees with a strong focus on the delivery of rehabilitative, educational and vocational programs, effectively managing un-sentenced offenders and community based corrections programs and providing advice and services to the ACT justice system.’[[90]](#footnote-90)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Minister for Corrections on 25 February 2021:
     + Appointment of Christine Nixon as chair of committee overseeing implementation of healthy prison review,[[91]](#footnote-91)
     + Positive rehabilitation programs; Family intervention programs,[[92]](#footnote-92)
     + Data on deaths of former detainees,[[93]](#footnote-93)
     + Facilities for female prisoners in the AMC,[[94]](#footnote-94)
     + CORIS offender management system,[[95]](#footnote-95)
     + Accommodation of remandees with sentenced prisoners,[[96]](#footnote-96)
     + Prisoner transfers to NSW correctional facilities,[[97]](#footnote-97)
     + Impact of COVID-19 pandemic on AMC operations,[[98]](#footnote-98)
     + Community programs,[[99]](#footnote-99)
     + Recidivism programs,[[100]](#footnote-100)
     + Mental health services,[[101]](#footnote-101)
     + Contract for development of CORIS system,[[102]](#footnote-102)
     + Directions under s44(4) for accommodation of non-convicted detainees,[[103]](#footnote-103)
     + Drug testing syringe exchange,[[104]](#footnote-104)
     + Lockdowns,[[105]](#footnote-105)
     + Women in custody reference group,[[106]](#footnote-106)
     + Review of ACTCS policies announced in 2018,[[107]](#footnote-107) and
     + Community corrections orders.[[108]](#footnote-108)

#### Key issues

##### Remandees and sentenced prisoners accommodated together at AMC

* 1. The Committee raised the topic of the routine mixing of remandees and sentenced prisoners at Alexander Maconochie Centre (AMC).
  2. Commissioner for ACT Corrective Services (ACTCS) confirmed this is occurring:

Yes, they are, for all fundamental purposes, being treated the same. The challenge we have in the AMC is that when it was built it was not predicted how many remand prisoners we would have. As of today, we are operating at about 39 per cent of our detainee population being on remand. Of course, when you put that in the context of there being insufficient space to move those and keep them as different cohorts, along with all the remaining cohorts we have, it becomes a specific challenge for us to be able to manage that population…[[109]](#footnote-109)

We are absolutely cognisant of the issue, but because of the high levels of the population we cannot feasibly manage that within the AMC now.[[110]](#footnote-110)

* 1. Appearing separately before the Committee, the Inspector of Correctional Services described the situation in this way:

There is really no distinction at the AMC at all between the treatment of a person on remand and a convicted person.[[111]](#footnote-111)

* 1. The Minister for Corrections said the government is working towards a resolution of the situation:

[I]t is something that we are looking at. We are also working with women in AMC and looking at what we can do for them in future. It is an ongoing piece of work. We have not yet developed a resolution, but we are certainly on track.[[112]](#footnote-112)

* 1. The Committee put the view that the AMC facility was built too small to accommodate the future number of detainees that were projected for future decades. In response, the Director General told the Committee that at the time the AMC facility was planned and built:

[T]was a different assumption about the mix of detainees that would be in the facility. The working presumption was that there would be far more low-security detainees. That is not what has happened in reality.[[113]](#footnote-113)

* 1. The Commissioner elaborated on the Director General’s comments:

There is a significant difference, if you look at the figures regarding what we actually have now, from a security perspective, and what was originally planned—a very big disparity in that. While I acknowledge your comments, the other issue we have is that we never planned for the number of cohorts we have, which makes it challenging.[[114]](#footnote-114)

###### Committee comment

* 1. The Committee appreciates the Government’s transparency in the admission of the significant problems with the accommodation and treatment of remandees at AMC. However, the Committee is concerned that the situation is not being addressed with more urgency.
  2. The Committee notes the January 2019 report by the Inspector of Correctional Services about the care and management of remandees at AMC, which found that ‘contrary to ACT Corrections legislation and ACT and international human rights law, remandees are not separated from convicted detainees in the ACT’, and ‘there is no material difference in the way remandees are treated at the AMC compared to convicted detainees, despite ACT law requiring them to be treated as innocent’.[[115]](#footnote-115)
  3. Section 44 of the *Corrections Management Act 2007* (CM Act) requires the Director General of JACS Directorate to ‘ensure that convicted detainees are accommodated separately from non-convicted detainees’. The Committee is concerned that ACT Corrective Services is not meeting the obligation expressed in this provision. If the situation is to continue for an extended period without resolution, then the Committee makes the reluctant recommendation that the CM Act be amended. As it stands, the CM Act makes incorrect representations about the human rights compliance of the adult correctional system in the Territory. Amendment of the CM Act to state that remandees should be accommodated separately ‘where practicable’ would raise questions about compliance of the CM Act with the *Human Rights Act 2004* and international human rights law, but this would serve to clarify the problem and move the discussion to more authentic terrain.

Recommendation 2

The Committee recommends that:

ACT Government urgently address the problem of remandees being accommodated with sentenced prisoners at Alexander Maconochie Centre (AMC).

If the problem cannot be addressed in the near future, ACT Government should consider amending the *Corrections Management Act 2007* to acknowledge the inability of AMC to meet the section 44 obligation to accommodate convicted detainees separately from non-convicted detainees.

##### Treatment of remandees at AMC

* 1. During the hearings, the topic of treatment of remandees was raised during the separate appearances of the Minister for Corrections (accompanied by the Commissioner for ACT Corrective Services), and the Inspector of Correctional Services.
  2. The Inspector told the Committee that a central finding of his remand report, published in January 2019, was that ACT Corrective Services (ACTCS) did not have a policy on remandees, as required under s44(1) *Corrections Management Act*.[[116]](#footnote-116)
  3. Section 44(1) *Corrections Management Act* states:

… the director-general must make a corrections policy or operating procedure providing for different treatment of convicted detainees and non-convicted detainees.[[117]](#footnote-117)

* 1. The Commissioner for ACTCS told the Committee that, following the Inspector’s report, ACTCS designed and implemented a remand policy:

In terms of what we have done, as you would be aware, two years ago the inspector did his review into remand detainees. One of those recommendations was to create some policy around this. As you would be aware, I listened to the inspector’s comments on Friday. We do have a policy and, where practical, we use it. It really is around trying to respect the rights of remand prisoners, as opposed to anything we can really do that is concrete.[[118]](#footnote-118)

* 1. Both the Commissioner and the Inspector described the policy as more symbolic than substantive. The Inspector told the Committee:

… they have actually implemented that and there is now a policy. In terms of the practical effects of that, there is really no difference. Remandees do not get extra privileges at the Alexander Maconochie Centre. By that I mean that in other places—by “other places” I mean other prisons in other jurisdictions—they have quite liberal visiting rights, for example. They might have visiting rights for five or six days a week, and they have access to legal resources and so on. So they have privileges as unconvicted people that convicted people do not necessarily have. That is not the case at the AMC. There is really no distinction at the AMC at all between the treatment of a person on remand and a convicted person.[[119]](#footnote-119)

* 1. The Inspector’s report on remandees provides examples of the protections and privileges that should be afforded to non-convicted detainees:

Remandees must be afforded a particular specialised regime that takes into consideration their status as innocent in law. In particular, attention needs to be paid to certain aspects of a remandee’s treatment, notably: maximum opportunity to contact their lawyer or the facilities and opportunity to prepare their legal defence; maximum opportunity to maintain contact with the outside world including family; the opportunity, but not compulsion, to participate in work and programs in prison; and measures to reduce or alleviate anxiety and stress including maximum possible time out-of-cells, and participation in (non-criminogenic) programs and activities.[[120]](#footnote-120)

###### Committee comment

* 1. The Committee welcomes the fact that ACTCS now has a policy on treatment of remandees, as required under the *Corrections Management Act 2007*. However, the evidence put to the Committee during the hearings indicates that the policy is mainly symbolic, and not effective in providing remandees with the additional protections and privileges that are due to them under international human rights law.

Recommendation 3

The Committee recommends that ACT Government implement the remand policy at Alexander Maconochie Centre, and deliver remandees the protections and privileges due to them under human rights law.

##### Accommodation for women at AMC

* 1. The Committee discussed the accommodation of female detainees at AMC in separate appearances by the Minister for Corrections (accompanied by the Commissioner for ACT Corrective Services), and the Inspector of Correctional Services.
  2. The Inspector provided the Committee with his assessment of the circumstances of women prisoners at AMC. The Inspector began by describing the purpose-built accommodation in which female detainees were previously housed:

It is cottage-style accommodation—quite spacious, with lots of greenery, lawns. It is totally self-contained and out of the view of the male prisoners at the jail.[[121]](#footnote-121)

* 1. The Inspector went on to describe his understanding of the changes to the accommodation arrangements:

Around late 2017, for reasons of increased numbers, particularly of women, at the jail, a decision was made that they did not fit in that women’s centre anymore, so they were moved to a high-security male block which was called the Special Care Centre. The names of the blocks at the AMC do not mean anything anymore. The remand cottage can have sentenced people in the facility, so the names are a bit confusing, but in effect they were moved to a high-security wing, which has really no green space around it at all. It was designed for high-security male prisoners, so it is not particularly female friendly. And that is where they still are.

We have commented before, in a number of reports, that we do not think that is satisfactory. As soon as they can be moved back to where they should be, the better. That area was specifically designed for women. The issue we have talked about in some of our reports, and which others in civil society have talked about, is that women have to parade past some of the male units when they are going to, for example, programs, the health centre and visits. They are subject to catcalls and worse, so it is not a good situation and we would certainly prefer that that was resolved sooner rather than later. I do not think we are alone in that observation.[[122]](#footnote-122)

* 1. When invited to respond to these comments, the Minister told the Committee:

It is a live matter to me that we do have women very close to male detainees, and the impact that that can have. It is something that I have talked to the directorate and Mr Peach about, in looking at what we can do to change that in the future. It is a work in progress, if you like... We are looking at options for the future and at what we can do to provide safe accommodation for women detainees.[[123]](#footnote-123)

###### Committee comment

* 1. The Committee encourages the ACT Government to identify options for improving the accommodation of women at AMC as a matter of urgency. Their environment should be both physically and psychologically safe, prevent visual exposure to male detainees, and maximise opportunities for rehabilitative intervention.

Recommendation 4

The Committee recommends that ACT Government urgently deliver improvements to the accommodation of women at the Alexander Maconochie Centre.

##### CORIS offender management system

* 1. The Committee discussed the electronic database systems used by ACTCS in separate appearances by the Minister for Corrections (accompanied by the Commissioner for ACT Corrective Services), and the Inspector of Correctional Services.
  2. The Inspector described to the Committee the limitations of the current system:

Part of the problem is that the database they use to capture a whole range of information was probably antiquated when they bought it. It is just an old database system. It is not easy to interrogate. A lot of the information is stored on basically PDFs, almost like an electronic cardboard folder. The limitations on their ability to produce quality data in a timely way is frustrating them, and will do until they move to the new database that they are in the process of installing.[[124]](#footnote-124)

* 1. The Inspector described the benefits of an upgraded system:

I have worked with much newer data systems than the AMC is currently working off in other jurisdictions. I am familiar with the sort of information you can extract from them. In Victoria we had direct access to the Victorian database; we could run our own reports off that database. We could do SQL purges, create our own reports on any number of 22-year-olds who escaped in the period—whatever parameters you want to put around the questions. I would like us to be in that position, too. I do not like continually asking them for information that we could extract if we had some avenue to do it ourselves. There is a delay. We have to ask them; they have to go away and ask somebody else; they have to ask somebody else. We can wait weeks at times to get answers to relatively simple questions.[[125]](#footnote-125)

* 1. The Commissioner for ACTCS informed the Committee that an upgrade will occur later this year, when the Criminal Offender Record Information System (CORIS) offender management system is implemented:

The CORIS system is obviously a new system for us which, when we are able to implement it, which will be later this year, will be able to resolve the issues that the inspector raises. The unfortunate position we have been in is that the system we currently have is a very dated system. It does not allow us to get the datasets that we need to be able to produce the information. All of our data entry for the requirements that the inspector seeks is manual entry. Through the HPR [Healthy Prison Review] recommendation, we have managed to create the reports that we can print off for the inspector, as we need to. I would not necessarily agree that there is a lag time, but the reality is that there does need to be a request for us to do that. The inspector does not have the ability to press a button and print it himself. But when that request is made, we can turn that around very quickly.[[126]](#footnote-126)

* 1. The Committee asked if the Inspector will have access to the CORIS system when it is implemented. The interaction between the Chair and the Commissioner is presented below:

Mr Peach: Philosophically, there is no reason why not. He already has access to our data now.

THE CHAIR: It is really about technical impediments that potentially need to be worked through?

Mr Peach: Yes.[[127]](#footnote-127)

###### Committee comment

* 1. The Committee welcomes the future upgrade to the ACTCS electronic database system. The Committee recommends that the Inspector be provided access to the system to enable him to produce reports as needed for the performance of his functions.

Recommendation 5

The Committee recommends that the Inspector for Correctional Services be provided access to the Criminal Offender Record Information System (CORIS) when it is implemented.

### Courts and Tribunals (3.1)

* 1. Output 3.1 in Budget Paper D is: ‘High quality support to judicial officers and tribunal members in the ACT Courts and Tribunal and high quality services to the public using the courts and the tribunal.’[[128]](#footnote-128)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Attorney General on 19 February 2021:
     + Integrated Courts Management System (ICMS),[[129]](#footnote-129) Access to systemic data from the Courts, such as bail numbers and breaches of bail,[[130]](#footnote-130)
     + Drug and alcohol sentencing list,[[131]](#footnote-131) Evaluation of drug and alcohol court program,[[132]](#footnote-132) Eligibility for program,[[133]](#footnote-133)
     + Judge alone trials legislation,[[134]](#footnote-134)
     + Warrumbul Circle Sentencing Court,[[135]](#footnote-135)
     + Impact of COVID-19 on court operations, backlog in matters pending,[[136]](#footnote-136) and
     + Dedicated coroner’s court.[[137]](#footnote-137)

#### Key issues

##### Judge alone trials

* 1. In April 2020, the *COVID-19 Emergency Response Act 2020* (COVID Response Act) was passed by the Assembly during the emergent crisis period of the public health emergency. The COVID Response Act introduced new s68BA into the *Supreme Court Act 1933* to allow for trial by judge alone in criminal proceedings during the COVID-19 emergency period. The court was empowered to order that a case would be tried by judge alone ‘if satisfied the order would ensure the orderly and expeditions discharge of the business of the court, and is otherwise in the interests of justice’.[[138]](#footnote-138)
  2. These provisions were repealed by the Assembly on 9 July 2020,[[139]](#footnote-139) following ‘the decision of the Supreme Court to recommence the conduct of jury trials with special measures to ensure that social distancing requirements can be complied with’.[[140]](#footnote-140)
  3. During the hearing for this inquiry, the Committee drew the Minister’s attention to a journal article by local senior legal practitioners which argued that the ACT Government may have transgressed the constitutional limitations of their powers.
  4. The Committee asked questions about the operation of the emergency provisions, and whether any judge-alone trials proceeded without the consent of the accused or prosecution.[[141]](#footnote-141)
  5. The Attorney General provided information on notice to say that 31 individual notices were given pursuant to s68BA(4) of the *Supreme Court Act 1933* (SC Act), and of these cases:
     + 13 defendants (in eight trials) who received a notice were tried by judge alone, by order of the Court under s68BA(3) SC Act;
     + four defendants who received a notice made an election to be tried by judge alone, with no order under s68BA(3) being made; and
     + the remaining defendants who received a notice were either tried by a jury or pleaded guilty, with no order under s68BA(3) being made.[[142]](#footnote-142)
  6. The Committee was told that all trials where an order for judge alone trial was made have concluded, and one defendant has appealed his conviction.[[143]](#footnote-143) The Attorney General informed the Committee that the Solicitor-General will intervene in these proceedings before the Court of Appeal to present arguments on behalf of ACT Government on the constitutional validity of the provisions.[[144]](#footnote-144)

###### Committee comment

* 1. The Committee acknowledges that the COVID-19 pandemic created significant challenges for the court system in meeting the dual aims of (a) protecting the health of court staff, defendants, victims, witnesses, jurors, and the legal profession, and (b) avoiding prolonged delays in court proceedings.
  2. The Committee agrees with the comments of the authors of the recent article published in *Current Issues in Criminal Justice*, that even though the laws providing for judge alone trial have been repealed, it is important to apply scrutiny and learn from the episode.[[145]](#footnote-145) There may be alternate responses to emergency situations which would facilitate safe and efficient operation of the court system, while also protecting the right to trial by jury.
  3. The Committee notes that the matter is likely to be examined by the Supreme Court, and suggests the outcome of that appeal process be a prompt for government review of the policy approach in this area.

Recommendation 7

The Committee recommends that ACT Government review the operation of the provisions for involuntary judge alone trials during the COVID-19 pandemic, and identify any alternate options for facilitating safe and efficient operation of the court system during future states of emergency.

##### Magistrates Court delays

* 1. The Committee asked about the impact of the COVID-19 public health restrictions on the operation of the Court system.
  2. The Acting Principal Registrar and CEO of ACT Courts and Tribunal informed the Committee:

There has been a limited impact in the Supreme Court. There has been a bigger impact in the Magistrates Court. It was more difficult to continue matters in the Magistrates Court on the basis of the volume of people that come into that court and the need to maintain social distancing. Some of it could be done remotely and was done remotely. Some of it could not be. So there is a backlog in the Magistrates Court.[[146]](#footnote-146)

* 1. The Attorney General provided information on notice to quantify the backlog. Table 3 shows that ‘[t]he impact on the number of pending matters was felt most acutely during the latter part of the 2019-20 financial year’.[[147]](#footnote-147)

Table 3: Court case backlog; matters pending at three points in time[[148]](#footnote-148)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
|  | Supreme Court Criminal | Magistrates Court Criminal | Supreme Court Civil | Magistrates Court Civil | ACAT |
| Matters pending on 30 June 2019 | 284 | 2,641 | 660 | 1,042 | 1,025 |
| Matters pending on 30 June 2020 | 358 | 3,462 | 627 | 1,422 | 1,310 |
| Matters pending on 31 Dec 2020 | 350 | 3,288 | 537 | 1,235 | 1,151 |

* 1. In presenting these figures, the Attorney General stated that:

It is difficult to be precise about when the COVID impact will cease. At present, the Supreme Court and ACAT are well placed to be back to pre-COVID levels within the next months. However, the Magistrates Court anticipates a more persistent impact.[[149]](#footnote-149)

* 1. When asked about plans in place to manage the backlog, the Attorney General told the Committee:

There has been money allocated in the budget. There was an additional $310,000 in the budget this year, which brought on an additional magistrate and administrative support. That has been provided for a full 12 months, so this budget filled another six months. There had already been some allocated previously, and there has been an additional allocation in the budget. So, yes, there are additional resources being provided to deal with that backlog.[[150]](#footnote-150)

###### Committee comment

* 1. The Committee acknowledges the efforts of the judiciary, Court staff and legal profession to continue operating the justice system during the extremely challenging circumstances of the COVID-19 pandemic.
  2. Data indicates that progress has been made to begin to address the backlog in matters pending before the Courts. The Committee highlights the importance of continued investment in this work, to minimise the negative consequences of procedural delay in the justice system.

Recommendation 8

The Committee recommends that:

ACT Government continue to monitor the backlog in matters pending before the Courts, and allocate additional resources as necessary to minimise procedural delay in the justice system;

the Attorney General provide a statement to the Assembly in September 2021 on progress in clearing the backlog of matters pending before the Courts.

##### Coroners Court

* 1. The Committee asked the Attorney General to outline the government position on the appointment of a full-time coroner. In response, the Attorney General expressed support for the concept of a dedicated coroner’s court:

I certainly have the view that we should have a dedicated coronial court. I believe it will produce efficiencies. For grieving families, as well as all the people involved in the process, it should be more timely. It concerns me that the length of time for some coronial matters to come through adds to the grief for some families, particularly. I do not think that that is an outcome we want. I also think that in having a dedicated coroner’s court you will necessarily develop a degree of specialisation, and I think that will also improve processes and the like.[[151]](#footnote-151)

* 1. The Attorney General stated that appointment of a full-time coroner will be preceded by a process of legislative review:

[T]he government intends to undertake further coronial reform at a more legislative level to change the way the coronial system operates, to look at best practice in other jurisdictions and to take feedback from a range of community stakeholders who have made representations about areas they think can be improved.[[152]](#footnote-152)

* 1. When asked about the timeframe for this work, the Attorney General told the Committee:

I would like the coronial reform process to be one that is grass-roots built in the sense that there are some important stakeholders and I want them to have a strong voice in that process. But, clearly, the input from courts, the Bar Association, the Law Society and the like, will also be significant in this space, and, I anticipate, the Victims of Crime Commissioner. I would be surprised if we had it ready any sooner than 18 months because I would like to put some time into the consultative process to make sure we do it right.[[153]](#footnote-153)

###### Committee comment

* 1. The Committee welcomes the government’s intention to establish a dedicated coroner’s court, and encourages work to progress as soon as possible.
  2. The Committee would appreciate receiving updates on the development of this work in coming months.

Recommendation 9

The Committee welcomes the government’s stated intention to establish a dedicated coroner’s court, and recommends that this work progress as soon as possible.

##### Court database

* 1. The Committee noted the historic barriers to examining systemic issues within the justice system due to data access issues, and asked for an update on the development of the Integrated Courts Management System (ICMS).
  2. The Director General informed the Committee that ICMS is now operating:

… in both the civil and criminal jurisdiction in the court and, to an extent, in the tribunal. It is a replacement for a previous system that was called MACS … and it provides a much richer level of data around what can happen in the court. It also has the potential, as we do some change management with judicial officers, to be able to capture, in real time, data in the court and actions in the court that are otherwise done on pieces of paper and handed to registry staff.[[154]](#footnote-154)

* 1. The Committee asked if the ICMS system will enable analysis of trends in people being granted bail, and instances of breaches of bail.
  2. The Acting Principal Registrar and CEO of ACT Courts and Tribunal told the Committee:

I am advised that at this point we are unable to. There has been some preliminary analysis of the offences committed while on bail. The report is very heavily dependent on ACT Policing providing a single identifier per offender. There has been work continuing with ACT Policing so that each person that is in our system is readily able to be identified. In times past, under old systems, Jo Smith may be in the system as Joanne Smith, JoBeth Smith or Jo Smith, and it has not been able to marry up those people. We have been working with ACT Policing to address unique identifier issues.[[155]](#footnote-155)

* 1. Providing further information on notice, the Attorney General informed the Committee that ‘if this unique identified issue is solved, the system will then be able to provide summary reports’.[[156]](#footnote-156)

###### Committee comment

* 1. The Committee welcomes the commencement of operation of the ICMS system, and encourages the government to enhance its ability to produce systemic data, which will enable the ACT community to understand and improve the operation of the justice system.

Recommendation 10

The Committee recommends that ACT Courts and Tribunal and ACT Policing align record keeping systems to enable the Integrated Courts Management System to capture and report systemic data on bail and breaches.

### Emergency Services (4.1)

* 1. Output 4.1 in Budget Paper D is: ‘*Prevention and Mitigation*: Measures taken in advance of an emergency aimed at decreasing or eliminating its impact on the community and the environment. *Preparedness*: Measures to ensure that, should an emergency occur, communities, resources and services are capable of responding to and coping with the effects. *Response*: Strategies and services to control, limit or modify an emergency to reduce its consequences. *Recovery*: Strategies and services to return the ACT Emergency Services Agency to a state of preparedness after emergency situations and to assist with community recovery.’[[157]](#footnote-157)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Minister for Police and Emergency Services on 25 February 2021:
     + Ignition of Orroral Valley fire by an Australian Defence Force (ADF) helicopter,[[158]](#footnote-158)
     + Training, coordination and oversight of ADF operations,[[159]](#footnote-159)
     + Hazard reduction burns,[[160]](#footnote-160)
     + Bushfire smoke event in summer 2019-20,[[161]](#footnote-161)
     + Bushfire Council,[[162]](#footnote-162)
     + Climate change preparedness (fire risk, extreme heat, smoke), Safety standards for construction,[[163]](#footnote-163)
     + Ambulance response times,[[164]](#footnote-164)
     + Hospital bypass events,[[165]](#footnote-165) and
     + Ambulance callouts during heat events.[[166]](#footnote-166)

#### Key issues

##### Helicopter landing sites in Namadgi National Park

* 1. The Committee raised the topic of helicopter landing sites in Namadgi National Park, and asked the Minister for Police and Emergency Services about work undertaken to learn from the incident in January 2020 which sparked the Orroral Valley fire.
  2. The ACT Emergency Services Commissioner (ESA Commissioner) informed the Committee:

Two things are underway. The first one, which is complete, was our very extensive lessons learned program, where we identified that what happened nationally in the 2019-20 black summer was new for most jurisdictions in terms of the close working relationship with defence and also the extensive use of aerial assets nationally. The work is underway to identify that that is a key lesson that has come out.

The second and most critical part is the ongoing and deliberate development of relationships with defence, in our case with the task force that is attached to the ACT, working with them not only for us to understand what our requirements are and how we can best utilise defence but also for the chief of the Rural Fire Service and all of our plans and operations staff to better understand ongoing preparedness and the maintenance cycle.[[167]](#footnote-167)

* 1. The Committee asked about protocols and training with Australian Defence Force to prevent similar events occurring in future, and the Commissioner responded:

There has been a lot of work between AFAC and defence to engage across commissioners and chief officers nationally, including the exchange of information and training programs.[[168]](#footnote-168)

* 1. The ESA Commissioner provided the Committee with further detail:

I cannot answer for defence, but I can outline the work that we are doing with defence and the checks and balances that I or my incident controllers would put in place for future events.

For example, we have recently exchanged correspondence with the Deputy Chief of Army to more formalise our training programs. Our task group is with the 5th Brigade, which is based in Holsworthy, in Canberra-based units. We have been undertaking some ongoing training with our staff. We are entering into a very deep cycle of incident management training and exercise planning; we will invite defence personnel to participate in those programs.

The second thing is that we all learned from the Orroral Valley fire. I am very confident from the exchange of information that I have had with defence, on their lessons learned program from their review of the event, that some learnings are on the way.

As I said, I cannot guarantee what defence will do, but I can say that the checks and balances that we have put in place—as we have nationally—would ensure that we would not be in a situation where that kind of event would be likely to occur. I cannot say never, but I can say it is unlikely.[[169]](#footnote-169)

###### Committee comment

* 1. The Committee acknowledges the extraordinary efforts of the staff and volunteers of the Emergency Services Agency in responding to the Orroral Valley fire, and will monitor with interest the implementation of lessons learned from the ignition incident.

Recommendation 11

The Committee recommends that ACT Government ensure adequate numbers and safe positioning of helicopter landing sites in Namadgi National Park, with site locations published and made known to relevant agencies.

Recommendation 12

The Committee recommends that:

the Minister for Police and Emergency Services provide a statement to the Assembly outlining the coordination and training activities conducted in the wake of the Orroral Valley fire with NSW and Commonwealth agencies, including the Australian Defence Force, to strengthen future management of cross-border operations;

training and coordination activities conducted with NSW and Commonwealth agencies be reported on an ongoing basis in the Emergency Services Agency annual report.

##### Air quality and extreme smoke events

* 1. The Committee asked about the government’s response to the extreme smoke events of summer 2019-20, and any measures put in place to manage such events in future. The Committee noted that 31 people died from the effects of the smoke events, and queried whether a state of emergency should have been declared.
  2. The ESA Commissioner told the Committee:

Since the 2019-20 event, we have been working very closely in our operations and planning area with all government directorates on how we would work through both the appreciation and planning processes for a variety of events. Certainly there is the mechanism in place in terms of broader emergency planning to bring together the subject matter experts, which I think is what would then trigger advice to government in a very timely fashion to make that call.[[170]](#footnote-170)

###### Committee comment

* 1. The Committee’s areas of responsibility incorporate emergency services, and the Committee recognises that the health impacts of smoke events and poor air quality fall under the jurisdiction of the Standing Committee on Health and Community Wellbeing.
  2. The Committee notes the resolution of the Ninth Assembly on 13 February 2020, which called on the Government to ‘(a) create a whole-of-government strategy on smoke and air quality in the ACT, to be completed and released before the beginning of the 2020-21 fire season; and (b) report to the Assembly on the progress of the strategy in August 2020.’[[171]](#footnote-171)
  3. The Minister for Health provided a statement to the Assembly on 27 August 2020, to say that a strategy had not been finalised at that time, due to the Royal Commission and ACT inquiries into the 2019-20 bushfires, and the impact of the COVID-19 pandemic:

The Government is committed to developing this strategy through considering and responding to relevant findings and recommendations by the Royal Commission and ACT inquiries and reviews as soon as practicable.[[172]](#footnote-172)

Recommendation 13

The Committee recommends that ACT Government prepare a whole-of-government management plan for future smoke events and other incidents affecting air quality levels, and present it to the Assembly by the last sitting day in 2021.

### ACT Policing (EBT 1)

* 1. EBT 1 in Budget Paper D is: ‘Payment to ACT Policing (the ACT branch of the Australian Federal Police) for the provision of police services to the ACT community. These services include the protection of persons and property, crime prevention and detection, maintaining peace and good order and the enforcement of ACT laws.’[[173]](#footnote-173)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Minister for Police and Emergency Services on 25 February 2021:
     + Crime statistics in Weston Creek Molonglo; Police presence in expanding residential area of Molonglo,[[174]](#footnote-174)
     + Police numbers per capita, Strategic accommodation plan,[[175]](#footnote-175)
     + Community engagement on police service model,[[176]](#footnote-176)
     + Use of tasers, training for use of force,[[177]](#footnote-177)
     + Vulnerable road users,[[178]](#footnote-178)
     + Outlaw motorcycle gangs,[[179]](#footnote-179)
     + Organised crime groups,[[180]](#footnote-180)
     + Male dominated workplace culture,[[181]](#footnote-181)
     + Community policing, education, environmental design to promote community safety,[[182]](#footnote-182)
     + Enforcement of speeding offences,[[183]](#footnote-183) and
     + Roadside alcohol and drug testing.[[184]](#footnote-184)

#### Key issues

##### Permanent police presence in Molonglo Valley

* 1. The Committee asked about police presence in the expanding region of Weston Creek and Molonglo, and how ACT Policing are anticipating the growth in population (and associated growth in criminal incidents) in the area.
  2. The ACT Chief Police Officer informed the Committee that:

[W]e are working with ACT government and the directorate in relation to a strategic accommodation plan which will look at what the footprint of ACT Policing, from a bricks and mortar perspective, looks like in the next 20 to 30 years. That is really important. We currently have five police stations servicing a population of around about 450,000. The population will grow, as you said. Is five police stations the right model for a jurisdiction of this size and are they in the right place?[[185]](#footnote-185)

* 1. Further information about the strategic accommodation plan was provided in the ACT Policing submission to the inquiry into ACT Policing conducted in 2020 by the Ninth Assembly Standing Committee on Justice and Community Safety (the predecessor of the current Committee):

ACT Policing and the Justice and Community Safety Directorate have developed a Strategic Accommodation Framework which has been considered and supported by the ACT Government. A 20 year accommodation plan is currently being developed as a priority, and will ultimately progress through future ACT Government budget processes.[[186]](#footnote-186)

###### Committee comment

* 1. The Committee notes that the Ministerial Direction to ACT Policing issued by the Minister for Police and Emergency Services states the government’s expectation of ‘ACT Policing evolving in line with population growth and community expectations’.[[187]](#footnote-187)
  2. The Committee also notes the 2020 recommendation of the Ninth Assembly Standing Committee on Justice and Community Safety in the ACT Policing inquiry:

[The Committee recommends t]hat the Government prior to the next policing agreement release a plan for regions of the city currently a significant distance from current operational stations. These plans should include plans for Kippax and west Belconnen, Weston Creek and the Molonglo Valley which includes a future clear police presence and that the different regions addressed be engaged for more information about the crime they are experiencing.[[188]](#footnote-188)

* 1. The Committee welcomes the long-term planning for ACT Policing that is proposed in the strategic accommodation plan. Given the long timeframes for the completion of this work, the Committee suggests that, in the interim, close attention be paid to community safety in areas of population growth, particularly Molonglo Valley.

Recommendation 14

The Committee recommends that, while the ACT Policing strategic accommodation plan is in development, close attention be paid to areas of population growth, particularly Molonglo Valley.

##### Community policing programs

* 1. The Committee raised the Police, Ambulance and Clinician Early Response (PACER) program as a positive example of ACT Policing collaborating with government agencies to respond to the mental health needs of the community.
  2. The ACT Chief Police Officer described his approach to community engagement, and concluded by saying:

What we have done with PACER is a really good example of directorates working together to achieve a greater outcome for the community, and I think that the success of PACER speaks for itself.[[189]](#footnote-189)

* 1. The Chief Police Officer went on to describe another initiative in development in the family violence sector:

We are trying to do something similar in the family violence space, where we are going to work with the other directorates, the Domestic Violence Crisis Service, Legal Aid and the Human Rights Commission to name but a few, to come up with a better solution for how we deal with that. Again, we have to tackle the root cause of the problem. Once someone is involved in a physical altercation in the family violence situation, it becomes a justice issue. Let’s try and deal with it before that.[[190]](#footnote-190)

###### Committee comment

* 1. The Committee’s areas of responsibility incorporate ‘policing and ACT Policing’, and the Committee recognises that ‘prevention of domestic and family violence’ falls under the jurisdiction of the Standing Committee on Health and Community Wellbeing.
  2. The Committee notes the evidence provided by Legal Aid ACT in a separate hearing session about the demand for legal services in family violence matters:

One thing that COVID has underlined is the unfortunate prevalence of family violence again. If you were at the court on a Monday, you would be astounded at the number of people coming through and needing that kind of support. We have been very appreciative of the additional funding we got this year just to keep up with some of the demand in the family violence area and the elder abuse space… We are consistent generally with what you see around Australia. We have seen some very alarming figures in other countries, up to a 30 per cent increase. It partly depends on what has been counted, but to us it is looking as at least 10 per cent in round figures, in terms of people reporting.[[191]](#footnote-191)

* 1. The Committee notes the anecdotal positive feedback about the PACER program as expressed during hearings by the Committee, and the Health and Community Wellbeing Committee.[[192]](#footnote-192)
  2. The Committee welcomes the development of multidisciplinary (or inter-agency) models of community policing.

Recommendation 15

The Committee recommends that ACT Government report to the Assembly by September 2021 on the measures being taken to ensure that funding for multidisciplinary community policing responses to mental health and family violence situations will keep pace with demand.

##### Vulnerable road users

* 1. The Committee discussed vulnerable road users (pedestrians, bicyclists and motorcyclists), noting their exposure to higher risk of death or serious long-term injury following a road traffic incident.
  2. The Committee asked the Minister for Police and Emergency Services and the ACT Chief Police Officer to provide data on ‘the total number of accidents involving vulnerable road users, and what percentage of those did involve the collision investigation and reconstruction team’.[[193]](#footnote-193)
  3. In a written response to the question taken on notice, the acting Minister for Police and Emergency Services told the Committee:

ACT Policing are unable to provide the number of accidents involving vulnerable road users and attendance by the MCT [Major Collision Team], as it would require the diversion of police resources to manually interrogate all collision reports made to ACT Policing. This would be an arduous process, unable to be completed within the required timeframes.[[194]](#footnote-194)

###### Committee comment

* 1. The Committee understands that ACT Policing currently record the numbers of deaths of vulnerable road users following road traffic incidents, but data collection does not extend to serious injuries.
  2. The Committee recommends that data on serious injuries be formally recorded and assessed to enable ACT Government to identify potential systemic improvements to prevent and reduce death and injury of vulnerable road users.

Recommendation 16

The Committee recommends that the number of traffic incidents involving serious injury to vulnerable road users be formally recorded, and that ACT Government periodically assess the data to identify potential systemic responses to prevent and reduce death and injury.

## Statutory Office Holders

* 1. The JACS Directorate consists of business units operating under Ministerial direction, and independent statutory office holders with objects and functions defined in establishing legislation. As outlined above in Table 1 on page 10, the form of annual reporting for the statutory office holders varies; some publish a standalone report, some annex their report to the JACS Directorate annual report, and for some the annual report is subsumed within the JACS Directorate annual report.

### Director of Public Prosecutions

* 1. The role of the ACT Director of Public Prosecutions (DPP) is described in the DPP annual report: ‘The Office of the Director of Public Prosecutions was established by the *Director of Public Prosecutions Act 1990* to institute, conduct and supervise prosecutions and related proceedings. It comprises the Director of Public Prosecutions, an independent statutory officer appointed by the ACT’s Executive, and staff employed under the *Public Sector Management Act 1994*, to assist the Director. The ODPP, an independent prosecution authority of and for the ACT, is solely under the control of the Director.’[[195]](#footnote-195)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Director of Public Prosecutions on 19 February 2021:
     + Funding for DPP,[[196]](#footnote-196)
     + impact of COVID on court list delays and the operation of the DPP,[[197]](#footnote-197)
     + Appointment of prosecutor associates,[[198]](#footnote-198) Staff retention,[[199]](#footnote-199)
     + Judge alone trials,[[200]](#footnote-200)
     + New KPI indicator for percentage of cases where indictments, case statements and questionnaires are filed within the time frame specified,[[201]](#footnote-201)
     + New court building,[[202]](#footnote-202) and
     + Number of appeals and crown appeals.[[203]](#footnote-203)

### Human Rights Commission

* 1. The role of the ACT Human Rights Commission (HRC) is described in the HRC annual report:

‘The Commission promotes the human rights and welfare of all people living in the ACT. The Commission is an independent agency established in 2006 under the *Human Rights Commission Act 2005*… The Commission's role under the HRC Act is to: promote understanding of human rights in the ACT; identify and examine issues that affect human rights and the welfare of vulnerable groups in the ACT; independently handle complaints about discrimination, and complaints between users and providers of prescribed services; encourage service improvement and increase awareness of the rights and responsibilities of service users and providers; provide advice to government and others about their human rights obligations; provide advocacy for children, young people and adults experiencing vulnerability; [and] deliver services to victims of crime and advocate for them. The HR Act [*Human Rights Act 2004*] provides the Commission with the power to review the effect of ACT laws, including the common law, on human rights and make recommendations to the Minister for Human Rights and Attorney-General about systemic human rights issues.’[[204]](#footnote-204)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Human Rights Commission on 19 February 2021:
     + Rise in complaint numbers, Resources to handle increased complaints,[[205]](#footnote-205)
     + Client satisfaction data,[[206]](#footnote-206)
     + Conciliation rates,[[207]](#footnote-207)
     + Complaints about National Disability Insurance Scheme (NDIS),[[208]](#footnote-208)
     + External merits review of child protection decisions,[[209]](#footnote-209)
     + Implementation issues with new database,[[210]](#footnote-210) Cost of new database,[[211]](#footnote-211)
     + Victims of crime charter,[[212]](#footnote-212) Cost of implementing charter,[[213]](#footnote-213)
     + Police contact with victim survivors,[[214]](#footnote-214) and
     + Complaints about Housing ACT.[[215]](#footnote-215)

#### Key issues

##### External merits review of child protection decisions

* 1. A visiting Member attending the hearing asked the Human Rights Commission about external merits review in the child protection system.
  2. The Public Advocate and Children & Young People Commissioner, who performs independent oversight functions relating to child protection, informed the Committee that ‘there is a commitment to introducing external merits review’.[[216]](#footnote-216)

My understanding of the position currently is that government is about to go out to tender for a piece of work that will assist in the design of that external merits review system, to enable that to be implemented … and we are working very closely with government to make sure that those processes are continuing, and to ensure that we have input into the shaping of what that ultimately looks like.[[217]](#footnote-217)

* 1. The Public Advocate and Children & Young People Commissioner told the Committee:

We are the only jurisdiction, as I understand it, that does not have an external merits review system in place.[[218]](#footnote-218)

* 1. The President and Human Rights Commissioner told the Committee that, in the absence of a process for external merits review, the *Children and Young People Act 2008*, which establishes the framework for the child protection system, is incompatible with the *Human Rights Act 2004*.[[219]](#footnote-219)

###### Committee comment

* 1. The Committee’s areas of responsibility include the Human Rights Commission, which performs oversight functions in relation to Child and Youth Protection Services. The Committee recognises that the Standing Committee on Health and Community Wellbeing has responsibility to examine child protection service provision more generally.
  2. The Committee acknowledges the vital role played by Child and Youth Protection Services (CYPS) in ensuring the safety and wellbeing of children and young people in the ACT.
  3. The Committee notes that the Childrens Court provides independent adjudication on only the most significant child protection decisions. CYPS (and outsourced service providers) are authorised to make a wide range of day-to-day and long-term care decisions that have a major impact on the lives of children and young people. It is important that these types of decisions are subject to safeguards and independent review.
  4. The Committee welcomes the indications that ACT Government is considering options for a system of external merits review in the child protection system.

Recommendation 17

The Committee recommends that ACT Government amend the *Children and Young People Act 2008* to provide a mechanism for external merits review of child protection decisions made under the Act, and ensure compatibility with the *Human Rights Act 2004*.

##### Charter of Rights for Victims of Crime

* 1. The Committee asked the Human Rights Commission about the Charter of Rights for Victims of Crime which came into effect on 1 January 2021.
  2. The Victims of Crime Commissioner responded to the question:

We warmly welcomed commencement of the charter on 1 January. Of course, as you also know, victims often feel that their voices are not heard in the justice system, despite the fact that without their evidence we do not have a criminal justice process. The charter sets out very clear rights of victims of crime relating to their privacy, their access to information and a right to be consulted. It is in fact the most comprehensive set of victim rights that has been legislated in the country.[[220]](#footnote-220)

* 1. The Committee invited the Commissioner’s comment on whether ACT Policing are meeting the required standards for contacting victims of crime to update them on the process of the criminal investigation:

I think generally they are not… That is why I particularly welcome the clarity in the charter about the specific time frames within which police must regularly contact victim survivors. A large bulk of our complaints are about the fact that people have given a statement and have never heard anything again, and, upon follow up, there is information that could have been made available. Our police colleagues have been very honest about that. The Chief Police Officer has indicated that there is room for improvement. The previous governing principles provided guidance around time frames for provision of information. The charter provides rights to information, including updates every six weeks. We hope that that will allow us to better hold our colleagues at police to account around those regular updates. We remain available to work with any member of the community who does not feel that those requirements are being met, but we hope that it will actually drive systemic change in relation to responsiveness to victim survivor needs.[[221]](#footnote-221)

###### Committee comment

* 1. The Committee welcomes the commencement of the Charter of Rights for Victims of Crime, and encourages all justice agencies to engage with the Charter to improve the experience of victim survivors in the criminal justice system.
  2. The Committee acknowledges that full compliance with the Charter will involve a period of transition and adjustment for justice agencies, and suggests that ACT Government aid this process by monitoring and reporting on progress.

Recommendation 18

The Committee recommends that ACT Government monitor and report whether ACT Policing are contacting victims of crime within the time limits established in the Charter of Rights for Victims of Crime.

### Inspector of Correctional Services

* 1. The role of the ACT Inspector of Correctional Services (OICS) is described in the OICS annual report:

‘The Office of the ACT Inspector of Correctional Services was established in 2017 through the enactment of the *Inspector of Correctional Services Act 2017* to promote continual improvement of ACT correctional centres and services, and from December 2019, ACT youth justice facilities. The vision of OICS is: A transparent and accountable ACT correctional and youth justice system where the rights, interests and well-being of adult and young detainees are upheld, staff are safe and are valued, and everyone is treated with dignity and respect. We work to achieve this vision by: Promoting the continuous improvement of ACT correctional centres and services for adults and young people, and in doing so increasing transparency, the protection of rights of all and the prevention of ill-treatment, mismanagement, unfairness, and corruption.’[[222]](#footnote-222)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Inspector of Correctional Services on 19 February 2021:
     + Accommodation of remandees with sentenced prisoners at AMC,[[223]](#footnote-223) ACT Corrective Services Policy on remandees,[[224]](#footnote-224)
     + Commencement of next scheduled Healthy Prison Review,[[225]](#footnote-225)
     + Accommodation of female prisoners at AMC,[[226]](#footnote-226)
     + Critical incidents,[[227]](#footnote-227)
     + Impact of crime prevention programs on recidivism,[[228]](#footnote-228) and
     + Access to data held by ACT Corrective Services.[[229]](#footnote-229)
  2. Recommendations arising from the evidence provided by the Inspector are contained in the Corrective Services chapter of this report, at paragraphs 3.21 – 3.53.

### Legal Aid ACT

* 1. Description of Legal Aid ACT contained in Budget Paper D: ‘The Commission is established by the *Legal Aid Act 1977*. The primary purpose of the Commission is to provide vulnerable and disadvantaged Australians with access to justice through a range of legal aid services.’[[230]](#footnote-230)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by Legal Aid ACT on 19 February 2021:
     + Funding for Legal Aid, Demand for services, Impact of COVID on Legal Aid operations; Staffing levels,[[231]](#footnote-231)
     + Staff retention,[[232]](#footnote-232) Training/support for young staff,[[233]](#footnote-233)
     + Proportion of Aboriginal and Torres Strait Islander staff and clients,[[234]](#footnote-234)
     + Scale of fees,[[235]](#footnote-235)
     + Service provision for older people,[[236]](#footnote-236) and
     + New tenancy advice service.[[237]](#footnote-237)

#### Key issues

##### Funding for Legal Aid ACT and Community Legal Centres

* 1. The Committee discussed the adequacy of funding for Legal Aid ACT and Community Legal Centres (CLCs) during separate appearances by the Attorney General and Legal Aid ACT.
  2. When asked about resourcing for Legal Aid and CLCs, the Attorney General told the Committee:

There is no doubt that community legal centres provide an excellent return on investment, if you like, for government. There has been research at times that has shown that for every dollar allocated there is a very significant return in terms of benefits—people getting the right support in the justice system, avoided court processes, early interventions and the like. So there is no doubt that, from a government point of view, the spending on community legal centres is money well spent. You are right to identify the sources of funding—they do come from trust funds and various other places—and the low-interest environment has had an impact on the funds available. This is a policy matter that government is having to consider because we cannot just have that money not available to these new legal centres. There has, of course, been additional funding provided during the pandemic for a range of service providers, in recognition of some increased need and the like.[[238]](#footnote-238)

* 1. The Executive Group Manager, Legislation Policy and Programs, provided further information:

… the feedback from the community legal sector in the territory has been that there has been increased need for legal assistance in the community, particularly over the period where the community has been most affected by COVID-19. The territory was fortunate, in some respects, that the commonwealth was able to provide some additional funding to the legal assistance sector more broadly on a couple of fronts during the 2021 financial year. That came in two streams. One was to support the additional frontline services of legal assistance providers. When I talk in that space it is about community legal centres but also Legal Aid and the Aboriginal Legal Service. So there was some additional funding to support more frontline services that were needed during that period, but there was some ICT funding as well to acknowledge the need for providers to change their service models to adapt to a virtual service delivery model. As you will appreciate, like all of us at the start of the pandemic, the community legal assistance sector was required to go remote but still make efforts to reach all the people that needed the legal assistance services, particularly given the economic impacts of COVID-19 at the front end. So that funding has amounted to $1.39 million. There were decisions that came out of National Cabinet that the commonwealth would be providing states and territories some additional funding to support those two streams of operations.[[239]](#footnote-239)

* 1. When asked if Legal Aid ACT has enough staff to do the work before it, the Chief Executive Officer told the Committee that the eligibility criteria for legal assistance is significant in defining the scope of work to be done:

That issue is a reflection of the poverty line really. It is a question of how many people you want to assist. We assist people for grants of legal aid at around $411 a week, after you take children and mortgage or rent away. The poverty line is about $386. The justice gap is very real in terms of the number of people who can receive legal aid and the number of people who can effectively pay for private representation. We have a whole range of strategies to try and address that, but ultimately one of the major issues is providing representation for people in court, and that is a function of the resourcing that is available. As I say, that is one of the risks we face. I would not want to see that level reduced any further. With duty work, family advocacy advice services and therapeutic court, duty lawyers are doing a great job in managing people, empowering people. But ultimately we need resources to defend people in court, and that is a matter that, with any government, requires our agitation and our submission to government about those issues. We could always do more with more money, but we do the best we can with whatever money we are provided. I fully appreciate the number of considerations that government has when it is spending money.[[240]](#footnote-240)

###### Committee comment

* 1. The Committee notes the statement from Legal Aid about increasing demand for legal assistance in family violence situations (mentioned at paragraph 3.115 above).
  2. The Committee also notes the downturn in some of the key funding sources for Legal Aid and CLCs, such as statutory trust accounts.
  3. The Committee is of the view that the adequacy of funding for Legal Aid and CLCs should be closely monitored, to ensure the forms and levels of funding are responsive to community need. A key part of this assessment is the impact of the eligibility threshold for free legal assistance and representation.

Recommendation 19

The Committee recommends that:

ACT Government engage with Legal Aid ACT and Community Legal Centres to identify the current scale of unmet demand for these services, and quantify the additional level of funding that would be required to fully address community need; and

the Attorney General report to the Assembly on the outcome of this review by the last sitting day in 2021.

### Public Trustee and Guardian

* 1. Description of Public Trustee and Guardian contained in Budget Paper D: ‘PTG is established to provide rights, choices, security and justice for all people in the ACT community. PTG will achieve this through the following services: acting as Manager/Guardian under appointment by the ACT Civil and Administrative Tribunal (ACAT); making Wills (where appointed as an executor); administering deceased estates under Will or intestacy; acting as attorney under Enduring Power of Attorney (EPA); acting as trustee for trusts created in Wills, Deeds and Court Orders for families, infants and people with disabilities; providing an annual examination of accounts maintained by external managers appointed by ACAT on behalf of people with impaired decision-making ability; acting as administrator for the ACT Official Visitor Scheme; and chairing and administering the Official Visitor Board. PTG also acts as agent for the Territory in respect to the following services: receiving, managing and disposing of assets forfeited under the *Confiscation of Criminal Assets Act 2003*; administering moneys declared unclaimed under the *Unclaimed Money Act 1950*, *Legal Practitioners Act 2006* and *Agents Act 2003*, including receiving money, processing claims and investing funds; and investing moneys held in specified government trust funds.’[[241]](#footnote-241)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Public Trustee and Guardian on 19 February 2021:
     + Operating loss,[[242]](#footnote-242)
     + Free wills service to Aboriginal and Torres Strait Islander people,[[243]](#footnote-243)
     + Community engagement with seniors,[[244]](#footnote-244) and
     + Fraud.[[245]](#footnote-245)

#### Key issues

##### Quality Assurance of PTG performance

* 1. The Committee asked about the Public Trustee and Guardian’s fraud prevention systems, and the changes put in place since 2014, when it was discovered that several PTG staff were stealing money from the accounts of clients with disability and mental illness.
  2. The Public Trustee and Guardian outlined the actions taken since the incident:

The incident that you talked about goes back to 2014. From the outset, we had KPMG and the Federal Police involved. Once the Federal Police part of the process had been completed, we kept KPMG on and reviewed the whole organisation. They produced a report which was tabled in the Assembly. Twelve or 18 months later, we called them back in again, and they produced a follow up report to ensure that we had implemented what they had said. Central to that particular type of fraud, we have changed a significant number of processes, including separation of duties and the manner in which people can order products or services from service providers. We established a property unit, which is a dedicated unit, that channels all the dealings with properties. We manage in the order of 130 or 140 real estate properties. Prior to that fraud, that was being handled by any number of 25 different people, with the potential for those people dealing with and developing relationships with suppliers and so forth. That does not happen now. All the property transactions are dealt with through the property unit. There is now a compulsory requirement that all staff at the public trustee attend fraud awareness training. We have an internal audit committee, which is quite active in conducting mini-audits in the office. And late last year we completed, with ACTIA, a complete review of our risk fraud corruption framework. We now have a new risk framework, which is used as the agenda for the internal audit committee to conduct audits.[[246]](#footnote-246)

###### Committee comment

* 1. The Committee recognises the importance of the office of the Public Trustee and Guardian (PTG) in supporting some of the most vulnerable members of the Canberra community; namely, people with serious mental illness and other forms of disability who require assistance in managing their lives.
  2. The Committee is aware that the involuntary nature of guardianship orders and financial management orders means that the professional interactions between PTG staff and clients can be complex and challenging to manage. This dynamic means it is vital that PTG is resourced and equipped to train and support staff to engage with clients in a positive and respectful way.
  3. The Committee notes the actions taken by PTG in response to the fraud uncovered in 2014, as outlined during the hearing.
  4. The Committee also notes the additional functions provided to the agency in 2016, when PTG was amalgamated with some of the functions of the former Public Guardian.
  5. Following consideration of these four factors, the Committee has decided to write to the Auditor General to suggest that PTG operations may be an appropriate subject for performance audit under the *Auditor General Act 1996*.

### Solicitor-General for the Territory

* 1. Description of the Solicitor-General contained in the JACS Directorate annual report: ‘The ACT Government Solicitor (ACTGS) is established as a body corporate to act as legal practitioner for the Territory, its Ministers and agencies (including most statutory authorities) with governing provisions detailed in the *Law Officers Act 2011*. In addition to the legal services delivered by the ACTGS, the Solicitor-General for the ACT acts as counsel for the Territory, the Crown in right of the Territory and any other Territory entity, as well as performing other functions as directed by the Attorney-General. The Solicitor-General also exercises the functions of Chief Solicitor for the ACT, in accordance with a direction from the Attorney-General.’

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Solicitor-General for the Territory on 19 February 2021:
     + Judge alone trials legislation,[[247]](#footnote-247)
     + Balance of internal and contracted work,[[248]](#footnote-248)
     + Trends in complexity of matters,[[249]](#footnote-249) and
     + Equal opportunity briefing policy.[[250]](#footnote-250)
  2. One recommendation arising from the evidence provided by the Solicitor-General is contained in the Courts and Tribunals chapter of this report, at paragraphs 3.56 – 3.65.

## Officers of the Assembly

* 1. Under s8 *Financial Management Act 1996*, funding for the Office of the Legislative Assembly and officers of the Assembly is appropriated through the [Appropriation (Office of the Legislative Assembly) Bill 2020-2021](https://www.legislation.act.gov.au/View/b/db_63793/current/PDF/db_63793.PDF) which is separate to the main appropriation bill.

### Electoral Commission

* 1. Description of the Electoral Commission contained in Budget Paper A: ‘The Electoral Commissioner is an independent statutory office holder under the *Electoral Act 1992*. The Electoral Commissioner is a member of the ACT Electoral Commission, which consists of three statutory office holders – the Chairperson, the Electoral Commissioner and one other Member. All three are appointed as officers of the ACT Legislative Assembly. The Electoral Commissioner is assisted by officers employed under the *Public Sector Management Act 1994* and the *Electoral Act*. The Electoral Commissioner is the chief executive officer of the Commission. The ACT Electoral Commission is responsible for: the conduct of elections and referendums for the ACT Legislative Assembly; the determination of electoral boundaries for the ACT; and the provision of electoral information, education, advice and services to a wide range of clients.’[[251]](#footnote-251)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Electoral Commission on 19 February 2021:
     + Electronic voting,[[252]](#footnote-252) Accuracy and integrity of the code,[[253]](#footnote-253) Access procedures for researchers to test the code,[[254]](#footnote-254)
     + Efforts to enrol young people on the electoral register,[[255]](#footnote-255) and
     + Activities of the Commission in non-election years.[[256]](#footnote-256)

### Integrity Commission

* 1. Description of the Integrity Commission contained in Budget Paper A: ‘The ACT Integrity Commission (the Commission) is established by the *Integrity Commission Act 2018* (the Act) and is an independent statutory authority. Under Section 23 of the Act, the Commission’s functions primarily are to: investigate conduct that is alleged to be corrupt conduct; refer suspected instances of criminality or wrongdoing to the appropriate authority for further investigation and action; prevent corruption, including by: researching corrupt practices; and mitigating the risks of corruption; publish information about investigations conducted by the Commission, including lessons learned; provide education programs about the operation of this Act and the Commission, including providing advice, training and education services to: the Legislative Assembly and the public sector to increase capacity to prevent corrupt conduct; people who are required to report corrupt conduct under this Act; and the community about the detrimental effects of corruption on public administration and ways in which to assist in preventing corrupt conduct; foster public confidence in the Legislative Assembly and public sector.’[[257]](#footnote-257)

#### Matters considered

* 1. The Committee discussed the following matters during the appearance by the Integrity Commission on 25 February 2021:
     + Number of complaints that proceeded to full investigation, Nature of complaints,[[258]](#footnote-258)
     + Process for review of Commission decision not to proceed with investigation,[[259]](#footnote-259)
     + Key vulnerability for corruption prevention in the ACT,[[260]](#footnote-260)
     + Conflicts of interest and record keeping,[[261]](#footnote-261)
     + Community of practice,[[262]](#footnote-262)
     + Referral to external entities,[[263]](#footnote-263)
     + Ministers offices subject of investigation,[[264]](#footnote-264)
     + Difference between full inquiry and investigation,[[265]](#footnote-265) and
     + Public interest disclosure review.[[266]](#footnote-266)

## Conclusion

* 1. The Committee has made 19 recommendations in its inquiry into Annual and Financial Reports 2019-20 and ACT Budget 2020-21.
  2. The Committee thanks ACT Government Ministers and accompanying directorate officials, the statutory office holders, and members of governing boards who assisted the Committee during the inquiry by appearing to give evidence and responding to questions.

Jeremy Hanson MLA

Chair

24 March 2021

## Annex A

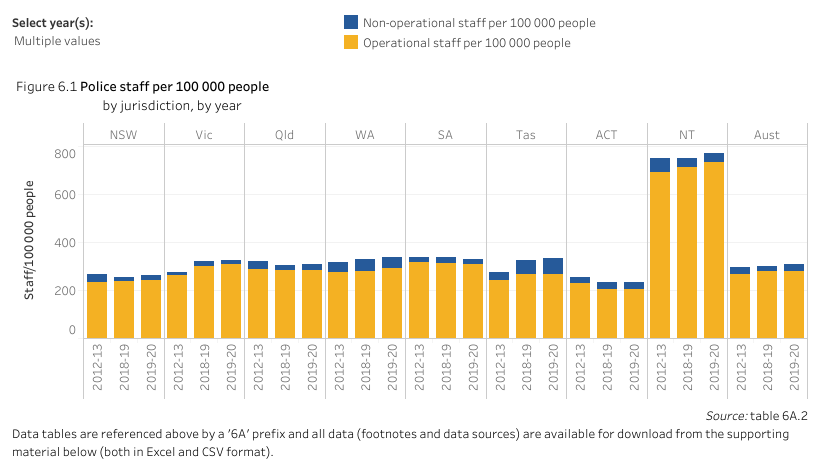
### Recommendation supported by Mr Hanson MLA but not adopted by the Committee

**Policing level per capita**

During the hearing with the Minister for Police and Emergency Services, the Chair noted that police numbers in the Territory are lower than other Australian jurisdictions on a per capita basis. In response, the Chief Police Officer stated:

We talk about police numbers all the time. It is very difficult to compare the territory with any other jurisdiction in the country because our population is fairly compacted to a very small part of the territory. I always hear people talk about the numbers of police in a place like Tasmania. The fact is, it is three hours between their biggest cities—here it is literally 10 minutes and I can move patrols around very quickly.[[267]](#footnote-267)

Data published by the Productivity Commission in the annual *Report on Government Services* indicates that the ACT has the lowest number of staff per capita, as shown in the diagram below. In ACT in 2019-20, there were 206 operational staff per 100,00 people, and 28 non-operational staff per 100,000 people:[[268]](#footnote-268)



**Recommendation**

The Committee recommends that ACT Government increase the number of police per capita in the ACT to at least be consistent with NSW.

## Appendix A - Witnesses

### 19 February 2021

**Attorney General portfolio**

* Shane Rattenbury MLA, Attorney General
* Richard Glenn, Director-General, Justice and Community Safety Directorate
* Jennifer McNeill, Deputy Director-General Justice, Justice and Community Safety Directorate
* Amanda Nuttall, Acting Principal Registrar and CEO, ACT Courts and Tribunal
* Kathryn Johnson, Executive Branch Manager, Legislation Policy and Programs, JACSD
* Trevor Higgs, Senior Convenor, Restorative Justice Unit, Legislation Policy and Programs, JACSD
* Peter Garrisson, Solicitor-General for the ACT
* Daniel Ng, Executive Group Manager, Legislation Policy and Programs, JACSD

**Minister for Consumer Affairs portfolio**

* Shane Rattenbury MLA, Minister for Consumer Affairs
* Richard Glenn, Director-General, Justice and Community Safety Directorate
* Jennifer McNeill, Deputy Director-General Justice, Justice and Community Safety Directorate
* Peter Garrisson, Solicitor-General for the ACT
* Daniel Ng, Executive Group Manager, Legislation Policy and Programs, JACSD
* Liz Beattie, Chief Human Resources Officer, People and Workplace Strategy, JACSD
* Zoe Hutchinson, Executive Branch Manager, Legislation Policy and Programs, JACSD
* Josh Rynehart, Executive Branch Manager, Access Canberra, CMTEDD

**Minister for Gaming portfolio**

* Shane Rattenbury MLA, Attorney General
* Richard Glenn, Director-General, Justice and Community Safety Directorate
* Daniel Ng, Executive Group Manager, Legislation Policy and Programs, JACSD
* Yu-Lan Chan, ACT Gambling and Racing Commission & Executive Branch Manager, Projects, Governance and Support/Access Canberra, CMTEDD

**Minister for Human Rights portfolio**

* Tara Cheyne MLA, Minister for Human Rights
* Richard Glenn, Director-General, Justice and Community Safety Directorate
* Jennifer McNeill, Deputy Director-General Justice, Justice and Community Safety Directorate

**Electoral Commission**

* Mr Damian Cantwell AM CSC, ACT Electoral Commissioner, ACT Electoral Commission
* Mr Rohan Spence, Deputy Electoral Commissioner, ACT Electoral Commission
* Mr Scott Hickey, Chief Finance Officer, ACT Electoral Commission

**Justice and Community Safety statutory office holders**

* Neville Shane Drumgold SC, Director of Public Prosecutions
* Dr John Boersig, Chief Executive Officer, Legal Aid Commission
* Brett Monger, Chief Finance Officer, Legal Aid Commission
* Peter Garrisson, Solicitor-General for the ACT
* Dr Helen Watchirs, President and Human Rights Commissioner
* Karen Toohey, Discrimination, Health Services, Disability & Community Services Commissioner
* Jodie Griffiths-Cook, Public Advocate and Children & Young People Commissioner
* Heidi Yates, Victims of Crime Commissioner
* Neil McAllister, Inspector of Correctional Services
* Rebecca Minty, Deputy Inspector of Correctional Services
* Andrew Taylor, Public Trustee and Guardian
* Callum Hughes, Senior Director (Finance), Office of the Public Trustee and Guardian

### 25 February 2021

**Integrity Commission**

* Michael Adams, Acting Integrity Commissioner
* John Hoitink, CEO of Integrity Commission

**Minister for Police and Emergency Services portfolio**

* Mick Gentleman MLA, Minister for Police and Emergency Services
* Richard Glenn, Director-General, Justice and Community Safety Directorate
* Georgeina Whelan, Commissioner, ACT Emergency Services Agency, JACSD
* Mr Howard Wren, Chief Officer, ACT Ambulance Service, ACT ESA, JACSD
* Neil Gaughan, Chief Police Officer, ACT Policing
* Michael Chew, Deputy Chief Police Officer, ACT Policing

**Minister for Corrections portfolio**

* Mick Gentleman MLA, Minister for Corrections
* Richard Glenn, Director-General, Justice and Community Safety Directorate
* Jon Peach, Commissioner, ACT Corrective Services, Justice and Community Safety Directorate
* Therese Goodman, Assistant Commissioner, Community Corrections, ACT CS, JACSD

**Special Minister of State portfolio**

* Chris Steel MLA, Special Minister of State
* Richard Glenn, Director-General, Justice and Community Safety Directorate

## Appendix B – Questions taken on Notice/ Questions on Notice

Questions taken on Notice 19 February 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Hearing date | Asked by | Directorate/ Portfolio | Subject | Answer date |
|  | 19.2.21 | Hanson | Attorney General | Courts ICMS data | 2.3.21 |
|  | 19.2.21 | Clay | Attorney General | Drug & Alcohol Sentencing List | 2.3.21 |
|  | 19.2.21 | Hanson | Attorney General | Judge Alone Ordered Trials | 2.3.21 |
|  | 19.2.21 | Paterson | Attorney General | Warrumbul Circle Sentencing Court | 2.3.21 |
|  | 19.2.21 | Hanson | Attorney General | Backlog of matters pending | 2.3.21 |
|  | 19.2.21 | Paterson | Attorney General | Staff not employed by ACT Public Service | 2.3.21 |
|  | 19.2.21 | Cain | Attorney General | Reducing recidivism 25 by 25 initiative | 2.3.21 |
|  | 19.2.21 | Paterson | Consumer Affairs | Product safety recalls | 2.3.21 |
|  | 19.2.21 | Hanson | Minister for Human Rights | Review of the *Discrimination Act* and engagement of former Minister Gordon Ramsay | 1.3.21 |
|  | 19.2.21 | Clay | Legal Aid ACT | Tenancy Advice Service | 1.3.21 |
|  | 19.2.21 | Clay | Human Rights Commission | Complaints about Housing ACT | 1.3.21 |
|  | 19.2.21 | Hanson | Electoral Commission | Report published by Associate Professor Teague | 26.2.21 |
|  | 19.2.21 | Clay | Electoral Commission | Commission engagement with young people | 26.2.21 |

Questions taken on Notice 25 February 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Hearing date | Asked by | Directorate/ Portfolio | Subject | Answer date |
|  | 25.2.21 | Cain | Integrity Commission | Reports referred to external entities | 10.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | Appeal mechanisms for Commission decisions | 10.3.21 |
|  | 25.2.21 | Hanson | Emergency Services | Bushfire Council | 5.3.21 |
|  | 25.2.21 | Clay | Emergency Services | Ambulance callouts during heat events | 5.3.21 |
|  | 25.2.21 | Hanson | Policing | Incident report data in Weston Creek Molonglo | 5.3.21 |
|  | 25.2.21 | Clay | Policing | Vulnerable road users | 5.3.21 |
|  | 25.2.21 | Hanson | Policing | Roadside drug testing data | 5.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Candidates for Chair of implementation committee | 16.3.21 |
|  | 25.2.21 | Hanson | Corrections | Detainees transferred to NSW | 16.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Contract for development of CORIS database | 16.3.21 |
|  | 25.2.21 | Kikkert | Corrections | s44 *Corrections Management Act 2007* | 16.3.21 |
|  | 25.2.21 | Hanson | Corrections | Lockdowns in AMC | 16.3.21 |
|  | 25.2.21 | Clay | Corrections | Women in Custody Reference Group | 16.3.21 |
|  | 25.2.21 | Kikkert | Corrections | ACTCS policy review announced in 2018 | 16.3.21 |
|  | 25.2.21 | Hanson | Corrections | Community Corrections Orders | 16.3.21 |
|  | 25.2.21 | Paterson | Special Minister of State | Cyber security and cyber attacks during COVID-19 | 3.3.21 |

Questions on Notice lodged following hearing on 19 February 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Hearing date | Asked by | Directorate/ Portfolio | Subject | Answer date |
|  | 19.2.21 | Clay | Attorney General | ACAT E-lodgement | 16.3.21 |
|  | 19.2.21 | Clay | Inspector of Correctional Services | Women in custody reference group | 22.3.21 |
|  | 19.2.21 | Clay | Public Advocate and Children & Young People Commissioner | ACT Aboriginal and Torres Strait Islander Commissioner | 16.3.21 |
|  | 19.2.21 | Clay | Victims of Crime Commissioner | ACT Intermediary Program | 16.3.21 |
|  | 19.2.21 | Clay | Inspector of Correctional Services | Community Correction Orders | 16.3.21 |
|  | 19.2.21 | Clay | Attorney General | COVID-19 rent relief | 16.3.21 |
|  | 19.2.21 | Clay | Discrimination Health Services Disability and Community Services Commissioner | Discrimination and housing | 10.3.21 |
|  | 19.2.21 | Clay | Attorney General | National Redress Scheme | 16.3.21 |
|  | 19.2.21 | Clay | Attorney General | Remote hearings | 9.3.21 |
|  | 19.2.21 | Clay | Attorney General | Residential Tenancies Amendment 2020 (part 1) | 16.3.21 |
|  | 19.2.21 | Clay | Attorney General | Residential Tenancies Amendment 2020 (part 2) | 16.3.21 |
|  | 19.2.21 | Clay | Attorney General | Restorative Justice Program | 16.3.21 |
|  | 19.2.21 | Clay | Attorney General | Vulnerable people and COVID | 16.3.21 |
|  | 19.2.21 | Kikkert | Public Advocate and Children & Young People Commissioner | Standards of care and safety in residential care homes | 16.3.21 |
|  | 19.2.21 | Kikkert | Public Advocate and Children & Young People Commissioner | Bimberi lockdowns and consequences | 16.3.21 |
|  | 19.2.21 | Kikkert | Public Advocate and Children & Young People Commissioner | Children with complex high-level needs | 16.3.21 |
|  | 19.2.21 | Kikkert | Public Advocate and Children & Young People Commissioner | Children's views | 16.3.21 |
|  | 19.2.21 | Kikkert | Public Advocate and Children & Young People Commissioner | External merits review in child protection | 16.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | Community engagement | 15.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | Customer satisfaction survey | 10.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | Discrimination and disability complaints | 10.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | Complaints received by DHSDCSC for 2019-20 | 10.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | Resourcing and capacity | 10.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | Community engagement | 10.3.21 |
|  | 19.2.21 | Kikkert | Discrimination Health Services Disability and Community Services Commissioner | KPI | 10.3.21 |
|  | 19.2.21 | Kikkert | Inspector of Correctional Services | Discipline at the AMC | 3.3.21 |
|  | 19.2.21 | Kikkert | Inspector of Correctional Services | Circumstances of remandees at AMC | 3.3.21 |
|  | 19.2.21 | Kikkert | Inspector of Correctional Services | Incident reports to the Inspector | 3.3.21 |
|  | 19.2.21 | Kikkert | Inspector of Correctional Services | Reintegration Centre | 3.3.21 |
|  | 19.2.21 | Kikkert | Inspector of Correctional Services | Resourcing for OICS | 3.3.21 |
|  | 19.2.21 | Kikkert | Inspector of Correctional Services | Start of Healthy Prison Review | 3.3.21 |
|  | 19.2.21 | Lee | Attorney General | CALD support | 9.3.21 |
|  | 19.2.21 | Lee | Attorney General | Court backlogs | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | COVID response to jury trials | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | Drug alcohol sentencing list | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | ICMS | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | Interpreter protocols | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | Comparative costs of courts | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | Courts and Tribunals recurrent expenditure | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | Jury Management System | 16.3.21 |
|  | 19.2.21 | Lee | Attorney General | Therapeutic Care Court | 9.3.21 |
|  | 19.2.21 | Cain | Special Minister of State | ACT Election 2020 | 10.3.21 |
|  | 19.2.21 | Cain | Special Minister of State | Modernisation of Electoral Commission systems | 10.3.21 |
|  | 19.2.21 | Cain | Minister for Human Rights | Protecting vulnerable people | 9.3.21 |
|  | 19.2.21 | Cain | Minister for Human Rights | Victims of Crime Commission | 11.3.21 |
|  | 19.2.21 | Cain | Attorney General | Courts and Tribunal | 9.3.21 |
|  | 19.2.21 | Cain | Attorney General | Reducing recidivism by 25pc by 2025 | 16.3.21 |
|  | 19.2.21 | Cain | Attorney General | ACT Government Solicitor | 16.3.21 |
|  | 19.2.21 | Cain | Attorney General | Supporting government transparency | 16.3.21 |
|  | 19.2.21 | Cain | Attorney General | Legal Aid ACT | 16.3.21 |
|  | 19.2.21 | Cain | Attorney General | Parliamentary Counsels Office | 16.3.21 |
|  | 19.2.21 | Cain | Attorney General | Director of Public Prosecutions | 16.3.21 |
|  | 19.2.21 | Cain | Attorney General | Smiley Face Signs | 9.3.21 |
|  | 19.2.21 | Cain | Attorney General | Unclaimed Money Trust | 9.3.21 |
|  | 19.2.21 | Cain | Special Minister of State | Electoral legislation amendments | Part A 10.3.21 Part B 9.3.21 |

Questions on Notice lodged following hearing on 25 February 2021

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| No. | Hearing date | Asked by | Directorate/ Portfolio | Subject | Answer date |
|  | 25.2.21 | Hanson | Policing | Drug and alcohol testing | 24.3.21 |
|  | 25.2.21 | Hanson | Policing | Futures program | 24.3.21 |
|  | 25.2.21 | Hanson | Policing | Staffing | 25.3.21 |
|  | 25.2.21 | Hanson | Emergency Services | Omnibus question | 25.3.21 |
|  | 25.2.21 | Hanson | Policing | Callouts | 25.3.21 |
|  | 25.2.21 | Clay | Emergency Services | Budget for future bushfire seasons | 24.3.21 |
|  | 25.2.21 | Clay | Emergency Services | Cultural burns | 24.3.21 |
|  | 25.2.21 | Clay | Emergency Services | Replacing wood and gas heaters | 24.3.21 |
|  | 25.2.21 | Clay | Emergency Services | Emergency services resources | 24.3.21 |
|  | 25.2.21 | Clay | Emergency Services | ESA and links with other info sources | 24.3.21 |
|  | 25.2.21 | Clay | Emergency Services | Fire retardants | 24.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | 2020 to 2021 priorities | 19.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | Complaints process | 19.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | Complaints | 19.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | Controlled recurrent payments | 19.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | COVID challenges | 19.3.21 |
|  | 25.2.21 | Cain | Integrity Commission | Education programs | 19.3.21 |
|  | 25.2.21 | Cain | Special Minister of State | Special Minister of State JACS responsibilities | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | AMC Capacity scopes prior to construction | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | AMC inmates in NSW | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Assaults in the AMC | 24.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Staffing Profile | 24.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Community Based Corrections | 24.3.21 |
|  | 25.2.21 | Kikkert | Corrections | CORIS rollout | 22.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Cost per day for Inmates at the AMC | 24.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Telephone Providers | 22.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Education in the AMC | 24.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Electrical Testing and Tagging | 22.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Fire Sensors, Lighters and Damage | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Inspection of detainee correspondence | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Women Prisoners at the AMC | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Prisoner employment | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Oversight committee | 24.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Reintegration Centre | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Smoking in the AMC | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Staff overtime hours | 25.3.21 |
|  | 25.2.21 | Kikkert | Corrections | DG instructions to house remandees and sentenced detainees | 22.3.21 |
|  | 25.2.21 | Kikkert | Corrections | Justice Housing Program | 24.3.21 |

1. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 2](https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/1669030/MoP002F.pdf), 2 December 2020, pp. 17. [↑](#footnote-ref-1)
2. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 2](https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/1669030/MoP002F.pdf), 2 December 2020, p. 17. [↑](#footnote-ref-2)
3. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 6](https://www.parliament.act.gov.au/__data/assets/pdf_file/0011/1701758/MoP006F.pdf), 11 February 2021, p. 72. [↑](#footnote-ref-3)
4. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 4](https://www.parliament.act.gov.au/__data/assets/pdf_file/0005/1700087/MoP004F.pdf), 9 February 2021, pp. 51-52. [↑](#footnote-ref-4)
5. [www.dpp.act.gov.au/\_\_data/assets/pdf\_file/0012/1678395/2019-2020-Annual-Report-.pdf](http://www.dpp.act.gov.au/__data/assets/pdf_file/0012/1678395/2019-2020-Annual-Report-.pdf) [↑](#footnote-ref-5)
6. [www.elections.act.gov.au/\_\_data/assets/pdf\_file/0009/1677645/20Annual-Report.pdf](http://www.elections.act.gov.au/__data/assets/pdf_file/0009/1677645/20Annual-Report.pdf) [↑](#footnote-ref-6)
7. [www.dpp.act.gov.au/\_\_data/assets/pdf\_file/0012/1678395/2019-2020-Annual-Report-.pdf](http://www.dpp.act.gov.au/__data/assets/pdf_file/0012/1678395/2019-2020-Annual-Report-.pdf) [↑](#footnote-ref-7)
8. [hrc.act.gov.au/wp-content/uploads/2020/12/ACT-HRC-Annual-Report-2019-20-2.pdf](https://hrc.act.gov.au/wp-content/uploads/2020/12/ACT-HRC-Annual-Report-2019-20-2.pdf) [↑](#footnote-ref-8)
9. [www.ics.act.gov.au/reports-and-publications/annual-reports/annual-reports/2019-20-annual-report](http://www.ics.act.gov.au/reports-and-publications/annual-reports/annual-reports/2019-20-annual-report) [↑](#footnote-ref-9)
10. [www.integrity.act.gov.au/\_\_data/assets/pdf\_file/0013/1700311/ACT-Integrity-Commission-2019-2020-Annual-Report.pdf](http://www.integrity.act.gov.au/__data/assets/pdf_file/0013/1700311/ACT-Integrity-Commission-2019-2020-Annual-Report.pdf) [↑](#footnote-ref-10)
11. [www.police.act.gov.au/sites/default/files/Publications/actp-ar-2019-2020.pdf](http://www.police.act.gov.au/sites/default/files/Publications/actp-ar-2019-2020.pdf) [↑](#footnote-ref-11)
12. [www.cmtedd.act.gov.au/functions/publications/2019-20annualreport](http://www.cmtedd.act.gov.au/functions/publications/2019-20annualreport) [↑](#footnote-ref-12)
13. [www.cmtedd.act.gov.au/functions/publications/2019-20annualreport](http://www.cmtedd.act.gov.au/functions/publications/2019-20annualreport) [↑](#footnote-ref-13)
14. [legalaidact.org.au/sites/default/files/files/publications/Legal\_Aid\_ACT\_Annual\_Report\_2019-2020.pdf](http://legalaidact.org.au/sites/default/files/files/publications/Legal_Aid_ACT_Annual_Report_2019-2020.pdf) [↑](#footnote-ref-14)
15. [www.cmtedd.act.gov.au/functions/publications/2019-20annualreport](http://www.cmtedd.act.gov.au/functions/publications/2019-20annualreport) [↑](#footnote-ref-15)
16. [justice.act.gov.au/sites/default/files/2021-02/SAB%2019-20%20Annual%20Report.pdf](https://justice.act.gov.au/sites/default/files/2021-02/SAB%2019-20%20Annual%20Report.pdf) [↑](#footnote-ref-16)
17. [www.legislation.act.gov.au/b/db\_63792/](http://www.legislation.act.gov.au/b/db_63792/); [www.legislation.act.gov.au/View/b/db\_63793/current/PDF/db\_63793.PDF](http://www.legislation.act.gov.au/View/b/db_63793/current/PDF/db_63793.PDF) [↑](#footnote-ref-17)
18. Budget Statement A: [apps.treasury.act.gov.au/\_\_data/assets/pdf\_file/0011/1698932/2020-21-Budget-Statements-A.pdf](https://apps.treasury.act.gov.au/__data/assets/pdf_file/0011/1698932/2020-21-Budget-Statements-A.pdf) Budget Statement D: [apps.treasury.act.gov.au/\_\_data/assets/pdf\_file/0005/1698935/2020-21-Budget-Statements-D.pdf](https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf) [↑](#footnote-ref-18)
19. <http://www.hansard.act.gov.au/hansard/2021/comms/jacs01.pdf> [↑](#footnote-ref-19)
20. <http://www.hansard.act.gov.au/hansard/2021/comms/jacs02.pdf> [↑](#footnote-ref-20)
21. <http://aod.dpa.act.gov.au/C28027> [↑](#footnote-ref-21)
22. <http://aod.parliament.act.gov.au/C28055> [↑](#footnote-ref-22)
23. <http://aod.dpa.act.gov.au/C28189> [↑](#footnote-ref-23)
24. <http://aod.parliament.act.gov.au/> [↑](#footnote-ref-24)
25. <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021> [↑](#footnote-ref-25)
26. One question was split into two parts, and answered by both the Special Minister of State and the Electoral Commission. [↑](#footnote-ref-26)
27. Director of Public Prosecutions, Legal Aid ACT, Public Trustee and Guardian, Solicitor-General [↑](#footnote-ref-27)
28. Inspector of Correctional Services [↑](#footnote-ref-28)
29. Human Rights Commission (Discrimination Health Services Disability and Community Services Commissioner, Public Advocate and Children & Young People Commissioner, President and Human Rights Commissioner, Victims of Crime Commissioner) [↑](#footnote-ref-29)
30. Integrity Commission, Electoral Commission [↑](#footnote-ref-30)
31. One question was split into two parts, and answered by both the Special Minister of State and the Electoral Commission. [↑](#footnote-ref-31)
32. Annual Reports (Government Agencies) Directions 2019 (NI2019-296), p. 5. [↑](#footnote-ref-32)
33. Annual Reports (Government Agencies) Notice 2019—Notifiable instrument NI2019-296, p. 5. [↑](#footnote-ref-33)
34. Annual Reports (Government Agencies) Directions 2019 (NI2019-296), p. 44. [↑](#footnote-ref-34)
35. Section 27 and s30A *Financial Management Act 1996* [↑](#footnote-ref-35)
36. Section 29 and s30C *Financial Management Act 1996* [↑](#footnote-ref-36)
37. Section 30 and s30D *Financial Management Act 1996* [↑](#footnote-ref-37)
38. Section 6, *Financial Management Act 1996* [↑](#footnote-ref-38)
39. Section 10, *Financial Management Act 1996* [↑](#footnote-ref-39)
40. Section 11, *Financial Management Act 1996* [↑](#footnote-ref-40)
41. Section 11, *Financial Management Act 1996* [↑](#footnote-ref-41)
42. Annual Reports (Government Agencies) Directions 2019 (NI2019-296), p. 9. [↑](#footnote-ref-42)
43. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 138](https://www.parliament.act.gov.au/__data/assets/pdf_file/0003/1617087/MoP138F_2.pdf), 20 August 2020, p. 2106. [↑](#footnote-ref-43)
44. Correspondence from the Acting Speaker to the Standing Committee on Justice and Community Safety, dated 17 December 2020. [↑](#footnote-ref-44)
45. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 4](https://www.parliament.act.gov.au/__data/assets/pdf_file/0005/1700087/MoP004F.pdf), 9 February 2021, pp. 51-54. [↑](#footnote-ref-45)
46. Justice and Community Safety Directorate, *Annual Report 2019-20*, p. 6 <https://www.justice.act.gov.au/sites/default/files/2020-12/JACS%20Annual%20Report%202019-2020.pdf> [↑](#footnote-ref-46)
47. ACT Government Budget 2020-21, *Budget Paper D*, p. 1 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-47)
48. *Proof Transcript of Evidence*, 19 February 2021, p. 18. [↑](#footnote-ref-48)
49. *Proof Transcript of Evidence*, 19 February 2021, p. 18. [↑](#footnote-ref-49)
50. ACT Government Budget 2020-21, *Budget Paper D*, p. 8 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-50)
51. *Proof Transcript of Evidence*, 19 February 2021, p. 3. [↑](#footnote-ref-51)
52. *Proof Transcript of Evidence*, 19 February 2021, p. 4. [↑](#footnote-ref-52)
53. *Proof Transcript of Evidence*, 19 February 2021, p. 5. [↑](#footnote-ref-53)
54. *Proof Transcript of Evidence*, 19 February 2021, p. 12. [↑](#footnote-ref-54)
55. *Proof Transcript of Evidence*, 19 February 2021, p. 20. [↑](#footnote-ref-55)
56. *Proof Transcript of Evidence*, 19 February 2021, p. 20. [↑](#footnote-ref-56)
57. *Proof Transcript of Evidence*, 19 February 2021, p. 24. [↑](#footnote-ref-57)
58. *Proof Transcript of Evidence*, 19 February 2021, p. 24. [↑](#footnote-ref-58)
59. *Proof Transcript of Evidence*, 19 February 2021, p. 26. [↑](#footnote-ref-59)
60. *Proof Transcript of Evidence*, 19 February 2021, p. 26. [↑](#footnote-ref-60)
61. *Proof Transcript of Evidence*, 19 February 2021, p. 28. [↑](#footnote-ref-61)
62. *Proof Transcript of Evidence*, 19 February 2021, p. 28. [↑](#footnote-ref-62)
63. *Proof Transcript of Evidence*, 19 February 2021, p. 30. [↑](#footnote-ref-63)
64. *Proof Transcript of Evidence*, 19 February 2021, p. 33. [↑](#footnote-ref-64)
65. *Proof Transcript of Evidence*, 19 February 2021, p. 33. [↑](#footnote-ref-65)
66. *Proof Transcript of Evidence*, 19 February 2021, p. 34. [↑](#footnote-ref-66)
67. *Proof Transcript of Evidence*, 19 February 2021, p. 35. [↑](#footnote-ref-67)
68. *Proof Transcript of Evidence*, 19 February 2021, p. 36. [↑](#footnote-ref-68)
69. *Proof Transcript of Evidence*, 19 February 2021, p. 36. [↑](#footnote-ref-69)
70. *Proof Transcript of Evidence*, 25 February 2021, p. 144. [↑](#footnote-ref-70)
71. *Proof Transcript of Evidence*, 25 February 2021, p. 144. [↑](#footnote-ref-71)
72. *Proof Transcript of Evidence*, 25 February 2021, p. 145. [↑](#footnote-ref-72)
73. *Proof Transcript of Evidence*, 25 February 2021, p. 147. [↑](#footnote-ref-73)
74. *Proof Transcript of Evidence*, 25 February 2021, p. 148. [↑](#footnote-ref-74)
75. *Proof Transcript of Evidence*, 25 February 2021, p. 148. [↑](#footnote-ref-75)
76. *Proof Transcript of Evidence*, 25 February 2021, p. 149. [↑](#footnote-ref-76)
77. *Proof Transcript of Evidence*, 25 February 2021, p. 150. [↑](#footnote-ref-77)
78. *Proof Transcript of Evidence*, 25 February 2021, p. 151. [↑](#footnote-ref-78)
79. Minister for Consumer Affairs, *Proof Transcript of Evidence*, 19 February 2021, p. 26. [↑](#footnote-ref-79)
80. ACT Government Budget 2020-21, *Budget Paper D*, p. 8 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-80)
81. ACT Government Budget 2020-21, *Budget Paper D*, p. 9 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-81)
82. ACT Government Budget 2020-21, *Budget Paper D*, p. 9 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-82)
83. ACT Government Budget 2020-21, *Budget Paper D*, p. 9 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-83)
84. *Proof Transcript of Evidence*, 19 February 2021, p. 38. [↑](#footnote-ref-84)
85. *Proof Transcript of Evidence*, 19 February 2021, p. 39. [↑](#footnote-ref-85)
86. *Proof Transcript of Evidence*, 19 February 2021, p. 40. [↑](#footnote-ref-86)
87. *Proof Transcript of Evidence*, 19 February 2021, p. 41. [↑](#footnote-ref-87)
88. *Proof Transcript of Evidence*, 19 February 2021, p. 43. [↑](#footnote-ref-88)
89. *Proof Transcript of Evidence*, 19 February 2021, p. 44. [↑](#footnote-ref-89)
90. ACT Government Budget 2020-21, *Budget Paper D*, p. 10 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-90)
91. *Proof Transcript of Evidence*, 25 February 2021, p. 123. [↑](#footnote-ref-91)
92. *Proof Transcript of Evidence*, 25 February 2021, p. 125. [↑](#footnote-ref-92)
93. *Proof Transcript of Evidence*, 25 February 2021, p. 126. [↑](#footnote-ref-93)
94. *Proof Transcript of Evidence*, 25 February 2021, p. 128. [↑](#footnote-ref-94)
95. *Proof Transcript of Evidence*, 25 February 2021, p. 128. [↑](#footnote-ref-95)
96. *Proof Transcript of Evidence*, 25 February 2021, p. 129. [↑](#footnote-ref-96)
97. *Proof Transcript of Evidence*, 25 February 2021, p. 131. [↑](#footnote-ref-97)
98. *Proof Transcript of Evidence*, 25 February 2021, p. 132. [↑](#footnote-ref-98)
99. *Proof Transcript of Evidence*, 25 February 2021, p. 133. [↑](#footnote-ref-99)
100. *Proof Transcript of Evidence*, 25 February 2021, p. 135. [↑](#footnote-ref-100)
101. *Proof Transcript of Evidence*, 25 February 2021, p. 135. [↑](#footnote-ref-101)
102. *Proof Transcript of Evidence*, 25 February 2021, p. 136. [↑](#footnote-ref-102)
103. *Proof Transcript of Evidence*, 25 February 2021, p. 137. [↑](#footnote-ref-103)
104. *Proof Transcript of Evidence*, 25 February 2021, p. 138. [↑](#footnote-ref-104)
105. *Proof Transcript of Evidence*, 25 February 2021, p. 138. [↑](#footnote-ref-105)
106. *Proof Transcript of Evidence*, 25 February 2021, p. 139. [↑](#footnote-ref-106)
107. *Proof Transcript of Evidence*, 25 February 2021, p. 140. [↑](#footnote-ref-107)
108. *Proof Transcript of Evidence*, 25 February 2021, p. 140. [↑](#footnote-ref-108)
109. Commissioner for ACT Corrective Services, *Proof Transcript of Evidence*, 25 February 2021, p. 129. [↑](#footnote-ref-109)
110. Commissioner for ACT Corrective Services*, Proof Transcript of Evidence*, 25 February 2021, p. 129. [↑](#footnote-ref-110)
111. Inspector of Correctional Services, *Proof Transcript of Evidence*, 25 February 2021, p. 81. [↑](#footnote-ref-111)
112. Minister for Corrections, *Proof Transcript of Evidence*, 19 February 2021, p. 130. [↑](#footnote-ref-112)
113. Director General of Justice and Community Safety Directorate, *Proof Transcript of Evidence*, 19 February 2021, p. 131. [↑](#footnote-ref-113)
114. Commissioner for ACT Corrective Services, *Proof Transcript of Evidence*, 25 February 2021, p. 131. [↑](#footnote-ref-114)
115. Inspector of Correctional Services, *The care and management of remandees at the Alexander Maconochie Centre 2018*, <https://www.ics.act.gov.au/__data/assets/pdf_file/0017/1322126/10346-ACT-ICS-Care-and-Management-of-Remandees-Feb-2019_FA_tagged.pdf> [↑](#footnote-ref-115)
116. Inspector of Correctional Services, *Proof Transcript of Evidence*, 19 February 2021, p. 81. [↑](#footnote-ref-116)
117. Section 44(1) *Corrections Management Act 2007.* [↑](#footnote-ref-117)
118. Commissioner for ACT Corrective Services, *Proof Transcript of Evidence*, 25 February 2021, p. 130. [↑](#footnote-ref-118)
119. Inspector of Correctional Services, *Proof Transcript of Evidence*, 19 February 2021, p.81. [↑](#footnote-ref-119)
120. Inspector of Correctional Services, *The care and management of remandees at the Alexander Maconochie Centre 2018*, p. 15 <https://www.ics.act.gov.au/__data/assets/pdf_file/0017/1322126/10346-ACT-ICS-Care-and-Management-of-Remandees-Feb-2019_FA_tagged.pdf> [↑](#footnote-ref-120)
121. Inspector of Correctional Services, *Proof Transcript of Evidence*, 19 February 2021, p. 82. [↑](#footnote-ref-121)
122. Inspector of Correctional Services, *Proof Transcript of Evidence*, 19 February 2021, p. 82-83. [↑](#footnote-ref-122)
123. Minister for Corrections, *Proof Transcript of Evidence*, 25 February 2021, p. 128. [↑](#footnote-ref-123)
124. Inspector of Correctional Services, *Proof Transcript of Evidence*, 19 February 2021, p. 85. [↑](#footnote-ref-124)
125. Inspector of Correctional Services, *Proof Transcript of Evidence*, 19 February 2021, p. 85-86. [↑](#footnote-ref-125)
126. Commissioner for ACT Corrective Services, *Proof Transcript of Evidence*, 25 February 2021, p. 129. [↑](#footnote-ref-126)
127. Commissioner for ACT Corrective Services, *Proof Transcript of Evidence*, 25 February 2021, p. 129. [↑](#footnote-ref-127)
128. ACT Government Budget 2020-21, *Budget Paper D*, p. 10 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-128)
129. *Proof Transcript of Evidence*, 19 February 2021, p. 2. [↑](#footnote-ref-129)
130. *Proof Transcript of Evidence*, 19 February 2021, pp. 2-3. [↑](#footnote-ref-130)
131. *Proof Transcript of Evidence*, 19 February 2021, p. 6. [↑](#footnote-ref-131)
132. *Proof Transcript of Evidence*, 19 February 2021, p. 6. [↑](#footnote-ref-132)
133. *Proof Transcript of Evidence*, 19 February 2021, p. 7. [↑](#footnote-ref-133)
134. *Proof Transcript of Evidence*, 19 February 2021, p. 8. [↑](#footnote-ref-134)
135. *Proof Transcript of Evidence*, 19 February 2021, p. 11. [↑](#footnote-ref-135)
136. *Proof Transcript of Evidence*, 19 February 2021, p. 14. [↑](#footnote-ref-136)
137. *Proof Transcript of Evidence*, 19 February 2021, p. 16. [↑](#footnote-ref-137)
138. *COVID-19 Emergency Response Act 2020*, point-in-time version in force on 8 April 2020, <https://www.legislation.act.gov.au/View/a/2020-11/20200408-73648/PDF/2020-11.PDF> [↑](#footnote-ref-138)
139. *COVID-19 Emergency Response Legislation Amendment Act 2020* (No 2), <https://www.legislation.act.gov.au/View/a/2020-27/current/PDF/2020-27.PDF> [↑](#footnote-ref-139)
140. Explanatory Statement to *COVID-19 Emergency Response Legislation Amendment Act 2020* (No 2), presented by the Attorney General on 18 June 2020. [↑](#footnote-ref-140)
141. *Proof Transcript of Evidence*, 19 February 2021, p. 8. [↑](#footnote-ref-141)
142. Answer to question taken on notice 03, <https://www.parliament.act.gov.au/__data/assets/pdf_file/0006/1724406/QToN-003-Answer-Judge-alone-ordered-trials.pdf> [↑](#footnote-ref-142)
143. Answer to question taken on notice 03, <https://www.parliament.act.gov.au/__data/assets/pdf_file/0006/1724406/QToN-003-Answer-Judge-alone-ordered-trials.pdf> [↑](#footnote-ref-143)
144. Attorney General, *Proof Transcript of Evidence*, 19 February 2021, p. 9. [↑](#footnote-ref-144)
145. J Boersig, J Campbell and S Carmichael (2021) ‘Accused stripped of the power to elect to have trials before a jury of their peers’, *Current Issues in Criminal Justice* <https://www.tandfonline.com/doi/full/10.1080/10345329.2020.1859967?src=> [↑](#footnote-ref-145)
146. Acting Principal Registrar and CEO of ACT Courts and Tribunal, *Proof Transcript of Evidence*, 19 February 2021, p. 15. [↑](#footnote-ref-146)
147. Answer to question taken on notice 05, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021#tab1704475-5id> [↑](#footnote-ref-147)
148. Answer to question taken on notice 05, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021#tab1704475-5id> [↑](#footnote-ref-148)
149. Answer to question taken on notice 05, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021#tab1704475-5id> [↑](#footnote-ref-149)
150. Attorney General, *Proof Transcript of Evidence*, 19 February 2021, p. 15. [↑](#footnote-ref-150)
151. *Proof Transcript of Evidence*, 19 February 2021, p. 16. [↑](#footnote-ref-151)
152. *Proof Transcript of Evidence*, 19 February 2021, p. 16-17. [↑](#footnote-ref-152)
153. *Proof Transcript of Evidence*, 19 February 2021, p. 17. [↑](#footnote-ref-153)
154. *Proof Transcript of Evidence*, 19 February 2021, p. 2. [↑](#footnote-ref-154)
155. *Proof Transcript of Evidence*, 19 February 2021, p. 3. [↑](#footnote-ref-155)
156. Question taken on notice 01, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021#tab1704475-5id> [↑](#footnote-ref-156)
157. ACT Government Budget 2020-21, *Budget Paper D*, p. 11 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-157)
158. *Proof Transcript of Evidence*, 25 February 2021, p. 99. [↑](#footnote-ref-158)
159. *Proof Transcript of Evidence*, 25 February 2021, p. 100. [↑](#footnote-ref-159)
160. *Proof Transcript of Evidence*, 25 February 2021, p. 101. [↑](#footnote-ref-160)
161. *Proof Transcript of Evidence*, 25 February 2021, p. 102. [↑](#footnote-ref-161)
162. *Proof Transcript of Evidence*, 25 February 2021, p. 103. [↑](#footnote-ref-162)
163. *Proof Transcript of Evidence*, 25 February 2021, p. 105. [↑](#footnote-ref-163)
164. *Proof Transcript of Evidence*, 25 February 2021, p. 106. [↑](#footnote-ref-164)
165. *Proof Transcript of Evidence*, 25 February 2021, p. 107. [↑](#footnote-ref-165)
166. *Proof Transcript of Evidence*, 25 February 2021, p. 108. [↑](#footnote-ref-166)
167. ACT Emergency Services Commissioner, *Proof Transcript of Evidence*, 25 February 2021, pp. 99-100. [↑](#footnote-ref-167)
168. ACT Emergency Services Commissioner, *Proof Transcript of Evidence*, 25 February 2021, p. 101. [↑](#footnote-ref-168)
169. ACT Emergency Services Commissioner, *Proof Transcript of Evidence*, 25 February 2021, p. 100. [↑](#footnote-ref-169)
170. ACT Emergency Services Commissioner, *Proof Transcript of Evidence*, 25 February 2021, p. 103. [↑](#footnote-ref-170)
171. ACT Legislative Assembly, [*Minutes of Proceedings*, No. 125](https://www.parliament.act.gov.au/__data/assets/pdf_file/0007/1480381/MoP125F1.pdf), 13 February 2020, p. 1861. [↑](#footnote-ref-171)
172. Minister for Health, Statement in the Assembly, ‘Government response to Assembly resolution of 13 February 2020: Development of a smoke and air quality strategy, p. 6 <https://www.parliament.act.gov.au/__data/assets/pdf_file/0009/1622646/11_-LIST_-Government-Response-to-the-Assembly-Resolution-of-13-February-2020-Development-of-a-Smoke-and-Air-Quality-Strategy-Statement.pdf> [↑](#footnote-ref-172)
173. ACT Government Budget 2020-21, *Budget Paper D*, p. 11 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-173)
174. *Proof Transcript of Evidence*, 25 February 2021, p. 110. [↑](#footnote-ref-174)
175. *Proof Transcript of Evidence*, 25 February 2021, p. 111. [↑](#footnote-ref-175)
176. *Proof Transcript of Evidence*, 25 February 2021, p. 113. [↑](#footnote-ref-176)
177. *Proof Transcript of Evidence*, 25 February 2021, p. 114. [↑](#footnote-ref-177)
178. *Proof Transcript of Evidence*, 25 February 2021, p. 114. [↑](#footnote-ref-178)
179. *Proof Transcript of Evidence*, 25 February 2021, p. 116. [↑](#footnote-ref-179)
180. *Proof Transcript of Evidence*, 25 February 2021, p. 117. [↑](#footnote-ref-180)
181. *Proof Transcript of Evidence*, 25 February 2021, p. 118. [↑](#footnote-ref-181)
182. *Proof Transcript of Evidence*, 25 February 2021, p. 119. [↑](#footnote-ref-182)
183. *Proof Transcript of Evidence*, 25 February 2021, p. 120. [↑](#footnote-ref-183)
184. *Proof Transcript of Evidence*, 25 February 2021, p. 120. [↑](#footnote-ref-184)
185. ACT Chief Police Officer, *Proof Transcript of Evidence*, 25 February 2021, p. 111. [↑](#footnote-ref-185)
186. ACT Submission to Ninth Assembly Standing Committee on Justice and Community Safety, Inquiry into the Form of an Evaluation of Current ACT Policing Arrangements, p. 11 <https://www.parliament.act.gov.au/__data/assets/pdf_file/0011/1541684/Sub-2-AFP.pdf> [↑](#footnote-ref-186)
187. Minister for Police and Emergency Services, *Ministerial Direction 2019* <https://www.police.act.gov.au/about-us/government-directions> [↑](#footnote-ref-187)
188. Ninth Assembly Standing Committee on Justice and Community Safety, Inquiry into the Form of an Evaluation of Current ACT Policing Arrangements, recommendation 4, <https://www.parliament.act.gov.au/__data/assets/pdf_file/0004/1634881/JACS-Report-9-Inquiry-into-the-form-of-an-evaluation-of-current-ACT-Policing-arrangements.pdf> [↑](#footnote-ref-188)
189. ACT Chief Police Officer, *Proof Transcript of Evidence*, 25 February 2021, p. 113. [↑](#footnote-ref-189)
190. ACT Chief Police Officer, *Proof Transcript of Evidence*, 25 February 2021, pp. 113-114. [↑](#footnote-ref-190)
191. Chief Executive Officer, Legal Aid ACT, *Proof Transcript of Evidence*, 19 February 2021, p. 61. [↑](#footnote-ref-191)
192. Standing Committee on Health and Community Wellbeing, Inquiry into annual and financial reports 2019-20 and ACT budget 2020-21, *Proof Transcript of Evidence*, p. 101 <http://www.hansard.act.gov.au/hansard/2021/comms/hcw01.pdf> [↑](#footnote-ref-192)
193. Ms Clay MLA, *Proof Transcript of Evidence*, 25 February 2021, p. 116. [↑](#footnote-ref-193)
194. Answer to question taken on notice 19, <https://www.parliament.act.gov.au/parliamentary-business/in-committees/committees/jcs/inquiries-into-annual-and-financial-reports-20192020-and-act-budget-20202021#tab1704475-5id> [↑](#footnote-ref-194)
195. ACT Director of Public Prosecutions *Annual Report 2019-20*, p. 39 <https://www.dpp.act.gov.au/__data/assets/pdf_file/0012/1678395/2019-2020-Annual-Report-.pdf> [↑](#footnote-ref-195)
196. *Proof Transcript of Evidence*, 19 February 2021, p. 56. [↑](#footnote-ref-196)
197. *Proof Transcript of Evidence*, 19 February 2021, p. 56. [↑](#footnote-ref-197)
198. *Proof Transcript of Evidence*, 19 February 2021, p. 57. [↑](#footnote-ref-198)
199. *Proof Transcript of Evidence*, 19 February 2021, p. 58. [↑](#footnote-ref-199)
200. *Proof Transcript of Evidence*, 19 February 2021, p. 58. [↑](#footnote-ref-200)
201. *Proof Transcript of Evidence*, 19 February 2021, p. 59. [↑](#footnote-ref-201)
202. *Proof Transcript of Evidence*, 19 February 2021, p. 60. [↑](#footnote-ref-202)
203. *Proof Transcript of Evidence*, 19 February 2021, p. 60. [↑](#footnote-ref-203)
204. ACT Human Rights Commission, *Annual Report 2019-20*, p. 20. [↑](#footnote-ref-204)
205. *Proof Transcript of Evidence*, 19 February 2021, p. 71. [↑](#footnote-ref-205)
206. *Proof Transcript of Evidence*, 19 February 2021, p. 72. [↑](#footnote-ref-206)
207. *Proof Transcript of Evidence*, 19 February 2021, p. 72. [↑](#footnote-ref-207)
208. *Proof Transcript of Evidence*, 19 February 2021, p. 72. [↑](#footnote-ref-208)
209. *Proof Transcript of Evidence*, 19 February 2021, p. 73. [↑](#footnote-ref-209)
210. *Proof Transcript of Evidence*, 19 February 2021, p. 75. [↑](#footnote-ref-210)
211. *Proof Transcript of Evidence*, 19 February 2021, p. 76. [↑](#footnote-ref-211)
212. *Proof Transcript of Evidence*, 19 February 2021, p. 76. [↑](#footnote-ref-212)
213. *Proof Transcript of Evidence*, 19 February 2021, p. 78. [↑](#footnote-ref-213)
214. *Proof Transcript of Evidence*, 19 February 2021, p. 77. [↑](#footnote-ref-214)
215. *Proof Transcript of Evidence*, 19 February 2021, p. 77. [↑](#footnote-ref-215)
216. *Proof Transcript of Evidence*, 19 February 2021, p. 73. [↑](#footnote-ref-216)
217. *Proof Transcript of Evidence*, 19 February 2021, pp. 73-74. [↑](#footnote-ref-217)
218. Public Advocate and Children & Young People Commissioner, *Proof Transcript of Evidence*, 19 February 2021, p. 74. [↑](#footnote-ref-218)
219. President and Human Rights Commissioner, *Proof Transcript of Evidence*, 19 February 2021, p. 74. [↑](#footnote-ref-219)
220. Victims of Crime Commissioner, *Proof Transcript of Evidence*, 19 February 2021, p. 76. [↑](#footnote-ref-220)
221. Victims of Crime Commissioner, *Proof Transcript of Evidence*, 19 February 2021, p. 77. [↑](#footnote-ref-221)
222. ACT Inspector of Correctional Services, Annual Report 2019-20, p. 3 <https://www.ics.act.gov.au/__data/assets/pdf_file/0010/1677529/200954-OCIS-AR-Body-Copy_converted-V3.pdf> [↑](#footnote-ref-222)
223. *Proof Transcript of Evidence*, 19 February 2021, p. 80. [↑](#footnote-ref-223)
224. *Proof Transcript of Evidence*, 19 February 2021, p. 81. [↑](#footnote-ref-224)
225. *Proof Transcript of Evidence*, 19 February 2021, p. 82. [↑](#footnote-ref-225)
226. *Proof Transcript of Evidence*, 19 February 2021, p. 82. [↑](#footnote-ref-226)
227. *Proof Transcript of Evidence*, 19 February 2021, p. 83. [↑](#footnote-ref-227)
228. *Proof Transcript of Evidence*, 19 February 2021, p. 84. [↑](#footnote-ref-228)
229. *Proof Transcript of Evidence*, 19 February 2021, p. 85. [↑](#footnote-ref-229)
230. Legal Aid Commission Statement of Intent, published in ACT Government Budget 2020-21, *Budget Paper D*, p. 54 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-230)
231. *Proof Transcript of Evidence*, 19 February 2021, p. 61. [↑](#footnote-ref-231)
232. *Proof Transcript of Evidence*, 19 February 2021, p. 62. [↑](#footnote-ref-232)
233. *Proof Transcript of Evidence*, 19 February 2021, p. 62. [↑](#footnote-ref-233)
234. *Proof Transcript of Evidence*, 19 February 2021, p. 63. [↑](#footnote-ref-234)
235. *Proof Transcript of Evidence*, 19 February 2021, p. 63. [↑](#footnote-ref-235)
236. *Proof Transcript of Evidence*, 19 February 2021, p. 64. [↑](#footnote-ref-236)
237. *Proof Transcript of Evidence*, 19 February 2021, p. 65. [↑](#footnote-ref-237)
238. Attorney General, *Proof Transcript of Evidence*, 19 February 2021, pp. 12-13. [↑](#footnote-ref-238)
239. Executive Group Manager, Legislation Policy and Programs, JACS Directorate, *Proof Transcript of Evidence*, 19 February 2021, p. 13 [↑](#footnote-ref-239)
240. Chief Executive Officer, Legal Aid ACT, *Proof Transcript of Evidence*, 19 February 2021, p. 62. [↑](#footnote-ref-240)
241. Public Trustee and Guardian Statement of Intent, published in ACT Government Budget 2020-21, *Budget Paper D*, p. 81 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0005/1698935/2020-21-Budget-Statements-D.pdf> [↑](#footnote-ref-241)
242. *Proof Transcript of Evidence*, 19 February 2021, p. 87. [↑](#footnote-ref-242)
243. *Proof Transcript of Evidence*, 19 February 2021, p. 88. [↑](#footnote-ref-243)
244. *Proof Transcript of Evidence*, 19 February 2021, p. 88. [↑](#footnote-ref-244)
245. *Proof Transcript of Evidence*, 19 February 2021, p. 88. [↑](#footnote-ref-245)
246. Public Trustee and Guardian, *Proof Transcript of Evidence*, 19 February 2021, p. 245. [↑](#footnote-ref-246)
247. *Proof Transcript of Evidence*, 19 February 2021, p. 66. [↑](#footnote-ref-247)
248. *Proof Transcript of Evidence*, 19 February 2021, p. 67. [↑](#footnote-ref-248)
249. *Proof Transcript of Evidence*, 19 February 2021, p. 68. [↑](#footnote-ref-249)
250. *Proof Transcript of Evidence*, 19 February 2021, p. 70. [↑](#footnote-ref-250)
251. ACT Government Budget 2020-21, *Budget Paper A*, p. 29 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0011/1698932/2020-21-Budget-Statements-A.pdf> [↑](#footnote-ref-251)
252. *Proof Transcript of Evidence*, 19 February 2021, p. 48. [↑](#footnote-ref-252)
253. *Proof Transcript of Evidence*, 19 February 2021, p. 49. [↑](#footnote-ref-253)
254. *Proof Transcript of Evidence*, 19 February 2021, p. 51. [↑](#footnote-ref-254)
255. *Proof Transcript of Evidence*, 19 February 2021, p. 52. [↑](#footnote-ref-255)
256. *Proof Transcript of Evidence*, 19 February 2021, p. 53. [↑](#footnote-ref-256)
257. ACT Government Budget 2020-21, *Budget Paper A*, p. 9 <https://apps.treasury.act.gov.au/__data/assets/pdf_file/0011/1698932/2020-21-Budget-Statements-A.pdf> [↑](#footnote-ref-257)
258. *Proof Transcript of Evidence*, 25 February 2021, p. 91. [↑](#footnote-ref-258)
259. *Proof Transcript of Evidence*, 25 February 2021, p. 92. [↑](#footnote-ref-259)
260. *Proof Transcript of Evidence*, 25 February 2021, p. 92. [↑](#footnote-ref-260)
261. *Proof Transcript of Evidence*, 25 February 2021, p. 93. [↑](#footnote-ref-261)
262. *Proof Transcript of Evidence*, 25 February 2021, p. 94. [↑](#footnote-ref-262)
263. *Proof Transcript of Evidence*, 25 February 2021, p. 95. [↑](#footnote-ref-263)
264. *Proof Transcript of Evidence*, 25 February 2021, p. 96. [↑](#footnote-ref-264)
265. *Proof Transcript of Evidence*, 25 February 2021, p. 96. [↑](#footnote-ref-265)
266. *Proof Transcript of Evidence*, 25 February 2021, p. 97. [↑](#footnote-ref-266)
267. *Proof Transcript of Evidence*, 25 February 2021, p. 111. [↑](#footnote-ref-267)
268. Productivity Commission, *Report on Government Services 2021*, Part C, Section 6, <https://www.pc.gov.au/research/ongoing/report-on-government-services/2021/justice/police-services> [↑](#footnote-ref-268)