



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL  
TERRITORY**

**STANDING COMMITTEE ON JUSTICE AND COMMUNITY  
SAFETY**

**(Reference: Annual and financial reports 2007-08)**

**Members:**

**MRS V DUNNE (The Chair)  
MS M PORTER (The Deputy Chair)  
MS M HUNTER**

**TRANSCRIPT OF EVIDENCE**

**CANBERRA**

**FRIDAY, 27 FEBRUARY 2009**

**Secretary to the committee:  
Mr H Finlay (Ph: 6205 0136)**

**By authority of the Legislative Assembly for the Australian Capital Territory**

Submissions, answers to questions on notice and other documents relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Committee Office of the Legislative Assembly (Ph: 6205 0127).

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*Amended 21 January 2009*

## **The committee met at 3:21pm.**

Appearances:

Hargreaves, Mr John, Minister for Disability and Housing, Minister for Ageing, Minister for Multicultural Affairs, Minister for Industrial Relations and Minister for Corrections

Department of Justice and Community Safety  
Leon, Ms Renée, Chief Executive  
Ryan, Mr James, Executive Director, ACT Corrective Services

**THE CHAIR:** Welcome to the hearing of the justice and community safety committee inquiry into the annual report relating to Corrective Services. I think the riot act has already been read to everybody present in this room, so we can take it as read.

**Mr Hargreaves:** Indeed, it has.

**THE CHAIR:** Thank you, minister.

**Mr Hargreaves:** I would like to make an opening statement, if I may.

**THE CHAIR:** Sorry. I do apologise, minister.

**Mr Hargreaves:** Thank you very much, Madam Chair.

**THE CHAIR:** Seeing as this is your first gig as the minister for corrective services in the annual reports hearing.

**Mr Hargreaves:** It is, and I think it is cause for celebration, quite frankly. I need to let everybody know that I asked for this portfolio from the Chief Minister and it was with some delight that he concurred with my request.

**THE CHAIR:** I am aware of your ongoing interest in this subject.

**Mr Hargreaves:** I have to tell you that since taking over as minister I have not had an unhappy day yet.

Thank you for the opportunity to appear today. I would like to take this opportunity to discuss some of this portfolio's achievements and highlights during the 2007-08 financial year and beyond. Significant achievements and highlights through the 2007-08 financial year included the enactment of new legislation, the Corrections Management Act 2007; continued work on the review and implementation of human rights principles in ACT custodial facilities, including responding to an independent report into the then-existing ACT remand facilities by the ACT Human Rights Commission; and significant work in preparation for the opening of the ACT's first prison, the Alexander Maconochie Centre, AMC, particularly in terms of community engagement, staff training and the development of offender programs, inter-agency agreements and policies and procedures.

Financial year 2007-08 saw the enactment on 18 December 2007 of the Corrections Management Act 2007, paving the way for the ACT's first prison, the Alexander Maconochie Centre. The Corrections Management Act 2007 completes the suite of new legislation about sentences and imprisonment in the ACT. It provides the law that governs the treatment and management of prisons in the ACT. This act is informed by human rights principles and jurisprudence and was drafted to reflect contemporary methods of prison management.

In 2007, ACT Corrective Services conducted an internal review of all standing orders and procedures in order to implement the commencement of the new legislation. Since the enactment of the Corrections Management Act 2007, over 200 policies, procedures and forms have been reviewed or drafted, a process that continues currently in preparation for the final commissioning and receipt of prisoners at the AMC.

In August 2006 the ACT Human Rights Commission commenced an audit of ACT remand facilities that was completed in August 2007. ACT Corrective Services welcomed the opportunity to have an independent audit of its remand centres during preparation for the commissioning of the AMC.

On 12 February 2008 the government released its response to the HRC audit report, agreeing in whole or in part to 84 of 98 recommendations. The majority of issues addressed in the report had been previously recognised by ACT Corrective Services and included in the planning and construction of the AMC. The HRC report provided an important analysis of the state of our remand facilities and highlighted many inadequacies, including in terms of infrastructure and space—inadequacies that had been long recognised by this government.

The AMC will be Australia's first prison to be operated and designed on human rights principles. The HRC report provided further endorsement of the government's decision to proceed with building the AMC, despite some protests, particularly from the Liberal Party. It also provided ACT Corrective Services with a check list to ensure compliance with human rights principles for the AMC.

Training and development activities in preparation for the opening of the AMC were a particular focus throughout the period 2007-08 to the present day. Financial year 2007-08 began an intensive training effort by ACT CS to enable the operational capacity of the AMC, with some 180 custodial staff completing approximately 5,000 training hours to date. The focus of training has been the operating philosophy of the AMC, human rights principles and changes in legislation. Training included units on issues specific to Aboriginal and Torres Strait Islander people and female prisoners and training in the cognitive behavioural model that underpins case management programs and through-care of prisoners at the AMC.

During 2007-08, staff enrolments in both certificates III and IV in correctional practice increased significantly to include more than 130 staff. This reflected the large increase in recruitment of staff for the AMC and the alignment of certificate IV in correctional practice with pay increments at CO2 level through the enterprise agreement. In addition, throughout 2007-08 more than 20 staff enrolled in diploma,

advanced diploma or Australian correctional leadership programs.

The operating philosophy of the AMC emphasises prisoner rehabilitation through participation in a structured day of criminogenic programs, vocational education and training, visits and pro-social recreational activities. Throughout 2007-08 and beyond, significant work was undertaken in the development of programs for the AMC. And the emphasis at the AMC will be directed at through-care, which supports an integrated and seamless approach of delivery of service for offenders as they move between prison, community corrections and the community. Through-care processes also ensure the continuity of knowledge about the progress of individual offenders and detailed information about the availability of programs and related services.

The menu of programs to be provided at the AMC and in the community and the design of individual programs will be based on this through-care model. This model engages family and close associates in the behavioural change process while the prisoner is incarcerated and ensures support for the prisoner as he or she re-enters society. The programs and activities offered to each prisoner will be targeted towards positive change in the prisoner's habits, beliefs, attitudes and expectations—that is, a cognitive change approach. The menu of programs will cover family and other relationships, health and education promotion, remedial education, cognitive skills, substance abuse treatment and education, sex offender treatment, vocational training, positive recreational habits, skills for living and working, victim awareness and violent offender treatment.

An important aspect of the success of the rehabilitative programs at the AMC will remain the ongoing participation of community groups. The advice, assistance and cooperation of community agencies are considered invaluable in the successful reintegration of prisoners into the Canberra community. The community sector has been active in providing services and support in conjunction with ACT CS. Many groups receive funding from the ACT government to offer their services, and their input has resulted in significant resources for clients of ACT CS.

The services currently offered by community groups form a significant component of the rehabilitation options that help reintegrate offenders into their families and our community. Community groups have been active in assisting ACT clients, including sentenced prisoners returning to the ACT upon their release, remandees in ACT correctional facilities, and a significant proportion of the 1,340 offenders who are subject to supervision by probation and parole staff.

In acknowledgement of significant community interest, many community organisations participated in two significant seminars in 2008, one organised by the ACT CS and the other organised under the auspices of the Community Inclusion Board of the Chief Minister's Department. These seminars, one in April and the other in July 2008, allowed ACT CS to detail rehabilitation and through-care plans for offenders, with the latter seminar focusing particularly on issues for the families of offenders. In addition to ACT CS staff, invited participants at these seminars were from non-government organisations, religious organisations and government departments, with the attendance exceeding 100 persons at each seminar.

As a consequence of these seminars, a number of smaller lunch time meetings were

held later in 2008, where representatives from agencies such as Prisoners Aid, Canberra Rape Crisis Centre and the Canberra Men's Centre discussed their involvement and potential role. The resultant feedback from the community organisations was very positive. We look forward to our continued collaboration with the community sector in achieving positive outcomes for our clients.

Finally, the department is committed to building on the achievements of 2007-08 by continuing to monitor and review implementation of the Corrections Management Act 2007. This, I can assure the committee, will be undertaken within a well-developed policy framework, as articulated by the government. I am happy to take questions.

**THE CHAIR:** Thank you. Ms Porter will start.

**MS PORTER:** You talked about the cognitive change program in your presentation. On page 41, it talks about a cognitive change program that was conducted on weekends for detainees assessed as being suitable for undertaking the program. I was wondering if you could give us an indication of how that went and whether the learning from that is what is going to be incorporated into the future program?

**Mr Hargreaves:** One of the interesting developments in corrections philosophy these days is that we have abandoned the warehouse model where people are sent to jail to be flogged, to be sent to jail for punishment. Now we treat the incarceration and removal of liberty as the punishment. But the rehabilitation and the restorative justice model cannot work unless we have behavioural change. In some people, it just means a change in direction and a bit of help, but for some people it really means that they need to be de-socialised and then resocialised with another set of norms which conform with what we would normally expect in our society.

Hitherto we have relied on New South Wales and other places to provide those sorts of programs to people who are incarcerated. We have done it for community corrections, but it has always been our frustration that we have not been able to influence these programs in the New South Wales corrective services system, so people are released backwards and we have no confidence that what they have done is what we would want them to do.

So we have had developed these programs that I just mentioned to you. The cognitive behaviour program is one of those programs. I thank you very much for that question, I will ask Mr Ryan to give you some details about the question against that general background.

**Mr Ryan:** The cog skills programs that we are now running at the periodic detention centre are really just an extension of what we have planned to do at the AMC and what we do with our offenders in the community. It is a straightforward approach to getting offenders to address their offending behaviour and to develop the necessary skills to think their way through situations when in future they are faced with the prospect of reoffending. It is widely used and at this stage has certainly some credibility. We do not yet have the stats, and we are not big enough to have the stats, to say that it is necessarily doing anything or working, but others do, and much of the literature that exists today can attest to the fact that this cog skills approach is as good as perhaps you can get. The point I am trying to make is that we will not be able to,

from our stats in the future, say, “It is working because,” because our sample is so small.

At the PDC at the weekend we have tried to make the weekend something that is at once addressing their offending behaviour through a program of some kind but also giving something back to the community through some amount of time during the two days devoted to community work. I think we are getting better at doing that.

The courses that are run at the weekend most recently in cog skills we have tried to run on a mixed basis in that men and women can take part in those. We have found this to be particularly successful—indeed, more successful than running them separately, particularly for the women. We are not getting excited about it yet but we will take that on board and see how it goes.

We also have had a considerable amount of feedback from the participants about what they feel about it. The drop-out level is low, their feedback about what they think about it is good and we note that, whilst they are participating in a cog skills program, they appear to be—and this is only anecdotal at this stage—less likely to reoffend while they are in the community, which they are from Monday to Friday every week.

**MS HUNTER:** I have a question related to the opening statement. It is to do with the training. In your opening statement, minister, you mentioned the number of hours of training that have been undertaken and so forth. There has obviously been large recruitment and training associated with that as well. I was just wondering if you could break that down a little bit. The new staff have had significant human rights training; is that correct?

**Mr Hargreaves:** Yes.

**Mr Ryan:** Yes.

**MS HUNTER:** And have all custodial officers across the system had that same human rights training?

**Mr Hargreaves:** They will have.

**MS HUNTER:** Are we now to 100 per cent of staff who have had that training?

**Mr Ryan:** We could never say 100 per cent. In fact, looking at the readout on—

**MS HUNTER:** As close as you can get, considering that people might leave and another one join the next day?

**Mr Ryan:** We checked that just this morning and in our total number of officers, which amount to close on 300, the numbers in most areas of training were down to four yet to do it, 20 yet to do it and so on. I would have to come back to you with respect to specifically what the shortfall is in relation to human rights related training.

**MS HUNTER:** There is a commitment for everybody to do that human—

**Mr Hargreaves:** Every single one.

**MS HUNTER:** I do not want to go into particular cases, but there was an incident recently involving custodial officers or correction officers—it was at BRC with a certain case that has been in the media recently—and a very vulnerable detainee. The manner in which this person was dealt with was quite unsympathetic and inappropriate. So I want to ensure that steps are being taken so that everybody is undertaking this training and also that a situation like that does not occur again. What sort of steps are in place to correct those mistakes and therefore improve the culture, that ongoing culture improvement?

**Mr Ryan:** I am not quite sure I am aware of the specific incident that you are talking about, but all of them when they relate to human rights are treated very seriously. On training we intend to, in the very near future, gather together our senior officers, again over a period of a day or two, to address those things that relate to culture and those things that relate to changes in the way we operate arising out of human rights. Some of those have been fairly significant, including things like the opportunity and the appropriateness of strip searching and the records that need to be kept—all of those things. We feel as though we are doing well in that regard, but we are not perfect, and we intend to continue to address it.

**Mr Hargreaves:** I would like to make a couple of comments for the benefit of the committee. We have got to also appreciate that it is very difficult for people to be involved as officers. This is no walk in the park job. It is really tough and people are often challenged. So, whilst we can walk around our jobs from time to time and observe ordinary human rights principles, we not often have them tested. Sometimes these officers get tested quite a lot. It is our job to make sure that they do things human rights compliant instinctively.

What has happened in the past with any correctional facility is that the officers can often come to the job with cultures that they brought with them from somewhere else. It depends on which institution they have come from. We were very conscious that we wanted to have the culture, from day one, here—not from somewhere else. So we had that as a target. That is the first point.

I was advised back in about 1999 by a former Queensland corrective service minister that if you are going to open a new prison the best thing you can do is to have a 70-30 split with 70 per cent experienced and 30 per cent greenfield officers. I think we are going fifty-fifty?

**Mr Ryan:** Yes.

**Mr Hargreaves:** What we want to do is to not have that importation of practices that we do not want to have in our prisons, and with intensive training and intensive follow-up, where somebody has had a slip because they were used to a certain way of life, now they do it. We are trying to change them. We have got to understand that we are trying to change a behaviour and an approach that people have been using for 10, 15 or 20 years.

**THE CHAIR:** So cognitive training for the officers as well?

**Mr Hargreaves:** Pretty much. We need to sort of help them over that process. All of our language has been about the AMC being human rights compliant because we want it to be, not because it is being forced on anybody. We talk that part of the process up continually, and I am confident that over time the culture at the AMC will be one which respects human rights, not one which says, “The people are coming in here for punishment.” I am confident that we will go forward with that. But I would beg the community’s indulgence, to give us a bit of time to pull it off.

**THE CHAIR:** Just following on from that, my recollection is that the previous minister said that he did not want to see people going into the AMC who had been previously employed, especially, in New South Wales, and there was a move to have a much higher proportion of people who had not previously been custodial officers.

**Mr Hargreaves:** And that is the bit I was just talking about—the fifty-fifty split.

**THE CHAIR:** Yes, but my understanding of what the previous minister, your immediate predecessor, said on a number of occasions was that he wanted an even bigger split; he wanted fewer people who had previous custodial experience. I accept that that has to have some reasonable parameters on it. But what was the original aim?

**Mr Hargreaves:** There was never an actual figure put on it. We just wanted to make sure that we had as big a number as we could get. We did not want to say, “There is a quota and we have reached it” or “There is a quota but we have not got to it.” Our recruitment process and policies were around recruiting greenfield and training them and imbuing them with this sort of approach. That is against the background, though, that people are coming to us from interstate and we need to have a certain level of experience, not only in the senior ranks but in the junior ranks, so that we get this blend and this mixture.

It is an interesting thing to see where the recruits come from. We have got a married couple who came to us, deliberately wanting to do that, from New Zealand, I think, if my memory serves me correctly. We have got a mixture of people who have got all sorts of qualifications that they are bringing to it. I also need to emphasise that the screening process of people coming to us who were not already in our system was significantly serious. I know a couple of people who asked me how they could get a job in the prison because they had been on a low-paid job for some time, wanted another career change and wanted to go into it. They applied, were screened and were found unsuitable for the job. These people are quite nice and all that sort of stuff, but the screening they had to go through in terms of aptitude, approach and all that sort of thing, as well as qualifications and what they had done, was not such that they could get through.

**THE CHAIR:** Did that screening include checking if they came from another correctional system or checking on their character—

**Mr Hargreaves:** Yes, they had to apply. You have to put in a full-on application and therefore it tells you.

**THE CHAIR:** Yes, but it did mean checking on their character?

**Mr Hargreaves:** The person would say, “I used to work in Junee correction facility,” or “I used to work at Long Bay,” or something like that. We would know that.

**Ms Leon:** I should say, of course, that we did not apply some kind of blanket exclusion to people who had been in other correctional facilities, and I would not want you to think that we would tar every person with experience with the same brush.

**THE CHAIR:** No.

**Ms Leon:** Obviously, there are many people within our current Corrective Services staff who have been in other institutions and there is no suggestion that they are not perfectly up to and eager to embrace the human rights compliant culture.

**THE CHAIR:** That particular question was: for people who have applied to come here, in addition to their aptitude and things like this, were they checked, if they came from another jurisdiction where they had worked in corrections, as to whether they had been—

**Mr Hargreaves:** Well, there is a reference—

**THE CHAIR:** —high-quality officers as well?

**Mr Hargreaves:** There are references required.

**Mr Ryan:** Certainly, as far as attitudes are concerned, we pursue those fairly closely through the psychological testing. There have been quite a few that have come with a good background and with good references that we have not accepted because we do not like their attitude.

**THE CHAIR:** Is there anyone that has been employed and then you have thought, “Uh-oh, not quite sure about him or her”?

**Mr Ryan:** Yes, and we have opportunities to weed them out during the course. The other thing is that we ask them all, regardless of what they have done before, to do the full 10-week course before they join. So never mind what they have done before. There is an opportunity to weed them out there, and there is also an opportunity during the probation period to weed them out again. Not too many fail, and I think that is a tribute to the selection process. But as Ms Leon mentioned, we do not exclude them. We have to be careful, too, to close off the risk of the inevitable events that happen shortly after a prison is commissioned, and we will face the same. If we go in there with a bunch of officers who are without experience, they will be found wanting, as happened at Port Phillip, as happened at Junee and as happened at many other places when they were first opened.

**THE CHAIR:** I am glad that you are cognisant of that, Mr Ryan. The minister referred in his opening remarks to certificates in correctional practice. Where—

**Mr Hargreaves:** Cert III and IV.

**THE CHAIR:** Yes. Where are those certificate programs taught from? Are they local courses?

**Mr Hargreaves:** What is the accrediting authority in all of that?

**Mr Ryan:** We do one—

**THE CHAIR:** You are an RTO for the purposes of—

**Mr Ryan:** Yes, we are an RTO. We do some of it internally and some of it externally, with CIT. We also have arrangements to articulate those at the diploma level, which we have arranged with CIT as well, articulating that through to the Catholic University, to a degree course. This month we had 15 or 16—I am not sure exactly—students start on the degree course, at the degree level.

**THE CHAIR:** Is that a sort of trend, to do cert I, II, III, IV and then you can transition into the—

**Mr Ryan:** Yes.

**THE CHAIR:** So that you get some—

**Mr Ryan:** RPL.

**THE CHAIR:** Yes.

**Mr Ryan:** Yes, there is a certain amount of RPL in there as well. The good thing too is that there is a realisation now with our officers, and they have been told quite clearly, “We can’t say that you won’t be promoted yet if you don’t have this particular qualification, but if you want to aspire to be the superintendent, you will probably need to have this sort of background,” and going down the levels through to the level where it is now tied, where, for a CO2, which is the first rank up above the base level, to get an increment to your pay, you will have to have done some sort of extra training through frontline management. That is another line that we take. So there has been a huge investment in training. I would assert that, pretty soon, if not already, the level of tertiary training in ACT Corrective Services would surpass that in any other jurisdiction.

**THE CHAIR:** Do you absorb the HECS debt for these people, if there is a HECS debt? If they are going to ACU, there would be a HECS debt.

**Mr Ryan:** No.

**THE CHAIR:** So people pay their own—

**Mr Hargreaves:** The number, at this stage of the game, is 15. It is significant across the country. It is not a lot. But I think what we are seeing is a paradigm shift here. Once upon a time a person brought other skills. They might be taxi drivers, police officers, army people or whatever you like, who would come along and then become correctional officers. Then we went to the stage where people were getting cert III,

cert IV and those sorts of things. That was okay, and that was where people stopped. Now we are talking about diplomas, advanced diplomas and degree courses. We would hope that over the course of our lifetime we would see people having these advanced diplomas and university degrees as the minimum. That is where we are heading.

**THE CHAIR:** My question, minister, is this: for those people who are going into a degree course, if it is not their first degree they will have to pay up-front HECS charges.

**Mr Hargreaves:** Yes. I will have to check that for you.

**THE CHAIR:** What do you do in relation to their HECS liability?

**Mr Ryan:** I have just had a note handed to me saying that study bank is available, and that provides assistance, but the officers are not paying the bill for their tertiary training at all. We have been funding it out of our—

**THE CHAIR:** No, I am actually asking about the HECS liability.

**Ms Leon:** Madam Chair, I think there is only a HECS debt if you do not pay the up-front fee, and for people within the department, not only in Corrective Services, who apply to study and are accepted for studies assistance, the department will pay the up-front fee.

**THE CHAIR:** Okay, that was the question I was getting at. Thank you.

**MS HUNTER:** In your opening statement also, minister, you talked about the community organisations; there were a few forums and so on.

**Mr Hargreaves:** There was a sample, yes.

**MS HUNTER:** Also, there have been about 27 community organisations that have been approved to be working within AMC and delivering services within AMC. Which community organisations have been allocated new and dedicated funding in order to provide services to the AMC population, and how much funding has been allocated?

**Mr Hargreaves:** Nobody.

**THE CHAIR:** So the chaplaincy services, the legal aid services—

**Mr Hargreaves:** Not that I am aware. You are talking about new funding, over and above what they already provide to the government. Nothing as far as I am aware, as in dedicated to the AMC.

**MS HUNTER:** So these community organisations have identified that they can take on these extra activities, we are assuming. You can't answer that, anyway.

**Ms Leon:** I should say that they are funded primarily through the Department of

Disability, Housing and Community Services. So if they have made application for an increase in their funding based on future responsibilities, that would be a matter for that department.

**MS HUNTER:** Thank you.

**Mr Hargreaves:** In a lot of the cases people are and have been providing the sort of services for people returning, say, from Goulburn, or to families. It is my view that as a society we need to start looking particularly at the post-release support services in the community to make sure that the restorative principles about families, offenders and communities actually are carried through.

To do that instantly is impossible because we have not been able to quantify the actual costs and the direction in which we would like to have the thing stitched together. So there is an academic challenge afoot at the moment, which I want to start thinking about, about the extent to which we measure the opportunity cost lost by putting someone in jail against the cost of directly funding non-government support services out there.

We know, for example, that we get family supports; we get victim support from VOCAL; we know that housing providers are throwing themselves into it. We have got all sorts of supports going out there. We need to quantify what those supports are at the moment in a total package, and then we need to see where the holes are, as measured against the outcomes that we want to achieve, and start quantifying that and netting it off against what is already there. That is a very large academic task.

**MS HUNTER:** That is about mapping those services, minister.

**Mr Hargreaves:** It is.

**MS HUNTER:** You are saying that DHCS will have the—because they are coming from all over, aren't they?

**Mr Hargreaves:** No.

**Ms Leon:** I discussed the whole issue of services for post-release prisoners with a range of agencies. I do not think it is paraphrasing too much to attribute this to those involved, but there was a general realisation that these are clients of theirs in any event, even if they are not noted—

**Mr Hargreaves:** That is right.

**Ms Leon:** —and are not categorised as persons returning from Goulburn. They are people who would come back into the ACT system with a range of needs, whether that is around mental health, drug and alcohol, housing or other kinds of issues that a range of existing agencies currently provide support for. In many ways it is simply that we will now be better able to know that they are post-AMC people, but they are not a new category of people.

**MS HUNTER:** No, I totally agree with you. They are not a new category and in fact

there are also those exiting Quamby, or Bimberi now.

**Mr Hargreaves:** But where it gets complicated is that Corrective Services have a responsibility which ceases at a certain point in time when people are re-integrated into the community. But that does not mean that the supports for those returning offenders should cease and that they should not continue because we want to make sure they never get back into the system.

**MS HUNTER:** That is actually a really critical question.

**Mr Hargreaves:** Yes, but there is more to it.

**MS HUNTER:** Where do Corrective Services see that their job stops—at what point?

**Ms Leon:** When their sentence finishes; not just their incarceration, their sentence.

**Mr Hargreaves:** That is right.

**MS HUNTER:** What is going to be happening at AMC around exit planning for prisoners?

**Mr Hargreaves:** The whole program at AMC is on the through-care model. There is in fact an exit plan developed for a person when they first arrive. What will happen is they will go through their sentence and they will progress through their various classifications and then, as they improve their literacy, their numeracy, their skills, their workplaces and that sort of stuff, they will eventually go through a transitional release program where they will go to work. Then they will be released on parole out into the community. But the ending of that parole is the end of the sentence, and that is the time when Corrective Services have to walk away.

**MS HUNTER:** So that exit plan will identify the needs, the ongoing needs, and linking up with the community organisations who will be stepping in from there, and then a handover, a transition?

**Mr Hargreaves:** Yes.

**Ms Leon:** And not only at the end of their sentence will there be that link-up with community organisations—

**MS HUNTER:** No, it would have to be earlier.

**Ms Leon:** —because during the parole period, because of opening the prison, we will have that continuous care from prison through parole, and then off into the community.

**Mr Hargreaves:** What complicates the matter here, though, is that when you try to restore an offender into a community you have to restore that offender into a restored community, having regard to the damage that has been done to it. We also need to restore the victim and the victim's family in the same package. Additionally—and I would refer the committee to the community services social equity report, from a

committee which I chaired, on the forgotten victims of crime, which are the families of offenders.

We are starting to get a little bit on the complex side, because we can try to provide programs, support programs and other services to help people when they get out of jail. It may be continued drug and alcohol treatment, continued numeracy and literacy, self-esteem and all of that. But if we do not look at the whole thing as a total environment, as a community, we are going to be less than successful right from the beginning.

Mapping that is a very complex exercise. What we need to do to start it off—and I have only just started thinking about this—is to look at the outcomes we want and see what we need to do to achieve those outcomes, then do some studies, and perhaps even some longitudinal work. I think we are well placed in the ACT to go down that track. There are some overseas experiences that we can draw on, but I think the problem for us at the moment, and the way in which we look at these services across the ACT, is that different parts of the departmental structure have responsibilities here and there. So child support has a role to play, for example, with regard to the children of an offender. We need to stitch that with health and all these things. Then we have got the plethora of non-government organisations which are providing supreme services out there, and we need to knit that together and see where everybody meshes. To me, it is a massive community challenge to then work out who is best placed to provide it, what is the cost if we are going to have to do it, and then go forward like that.

Because we have not got large numbers, as Mr Ryan was alluding to the other day, we have got problems about economies of scale. If you take as an example the women—

**THE CHAIR:** This is very interesting but I am conscious of the time.

**Mr Hargreaves:** But it applies to our role in where we are going forward, though.

**THE CHAIR:** I know that this committee has an ongoing interest in these issues and from time to time I suspect that we will be seeking briefings on some of these matters.

**Mr Hargreaves:** I have to tell you right now—I take your point and we will cease it here—I have not got much to brief you on but when I have I will knock on your door, very quickly.

**THE CHAIR:** That will be wonderful. Thank you. In the few minutes we have got left—and we might seek indulgence and go over time a little because other members may have questions—can I ask: in relation to community coming into the AMC, there are chaplaincy services but there is no chapel. What is the future of the chapel and where will chaplaincy services be provided in the interim?

**Mr Hargreaves:** The view that I have is that at some stage in the future, funding allowable—and we will be putting various processes forward to try to get some money for that in the next couple of years—we have to develop our thinking about what chaplaincy services will be provided at any facility contained therein. We know that the standard stuff is the Catholics, the Anglicans. We know that we have got to

provide services, though, for the Buddhists, for the Hindus and specifically for the Indigenous people. We have got to get a bit of a handle on that. Then of course there are people that have none.

For the first part, we have got the community rooms in the centre, the educational rooms; we can actually use those for an interim. I would also be wanting to hear from the community committee we have got involved in the process of assisting in management of the prison. We would like to hear from them about the possibility, for example, of prisoners building their own. I would like to talk about this. I do not want to be prescriptive about putting up bricks and mortar which are not going to provide the services. Ultimately we will have a facility which is for the practice of a faith, whatever that faith may be.

**THE CHAIR:** Yes, but what are the interim measures?

**Ms Leon:** Perhaps I can say there are interim arrangements for using some of the many multipurpose spaces that exist in the AMC while that chapel is being constructed. There is funding already allocated for the chapel and that procurement process is expected to commence shortly and the completion would be expected to be late 2009, early 2010.

**Mr Hargreaves:** But we do not know at this stage of the game. We have got to do feasibilities and stuff like that on it to work it out and design it. For example, in your electorate, Madam Chair—I am not sure whether it is in Florey or up around there—there is a hall as part of a, I think it is, a closed school or something. This is going back some time ago but there is a hall up there which has in it a Hindu temple. Also in the same institution is a Buddhist shrine, in the same hall. It is, therefore, in that sense, a multi-faith exercise that we do have precedent that we can call on.

**THE CHAIR:** I notice that the *Catholic Voice* had an article the other day about the chaplaincy services there. The people who are providing chaplaincy services will be able to bring in the materials that they need.

**Mr Ryan:** We already have a chaplain on the ground now, across the road, and his task will be to coordinate just that.

**MS HUNTER:** On page 39 of the annual report, volume 1, it talks about daily cost per prisoner.

**THE CHAIR:** That was my next question—good on you—the last paragraph, 239.

**MS HUNTER:** In the 2007-08 financial year it amounted to \$239 per day. I guess my question is: is this how much we paid the New South Wales government per prisoner per day and is it the same amount that the New South Wales government pays for the costs of a prisoner?

**Mr Ryan:** Yes.

**MS HUNTER:** Is theirs less? Is it the same?

**Mr Ryan:** Yes.

**MS HUNTER:** We are not paying more than New South Wales?

**Mr Ryan:** Yes and no. Yes, it is what we pay. It is not exactly what it costs them because all of their costings are not reflected in what they do for us; so the figures are not the same.

**MS HUNTER:** What extra services—

**Mr Ryan:** They do not charge us for transport and escort, for example, when we do it. Essentially, we believe that we pay for what we get. In other words, if we have, say, a large number of prisoners in Goulburn, we would be paying the price that attends a prisoner in Goulburn, which is not necessarily the price that is the average price for prisoners in New South Wales; so it reflects whether a—

**Ms Leon:** I could also add the figures from the Productivity Commission's report on government services, and this is for the previous year, 2006-07 because they are always a year behind. New South Wales reports its total cost per prisoner per day, although it is not an exact scale, it looks like it is about \$260. They report their own total costs per prisoner per day as quite a bit more than what they are actually charging us.

**MS HUNTER:** So we are getting value for money.

**Mr Hargreaves:** Yes.

**MS HUNTER:** Except if it is Goulburn.

**Mr Hargreaves:** Except that it could include that, if there is a cost, they do it. I have had a suspicion over the years, since I first spoke to them and Senator Humphries about this, that there might be a capital cost inclusion in there.

**Ms Leon:** There is a capital cost included in that.

**Mr Hargreaves:** When you compare it with what we would be paying, we have to include a capital cost, which is different.

**MS HUNTER:** That makes sense.

**Ms Leon:** They do not charge us for their ongoing building program.

**MS PORTER:** My question was not something that I want to ask at this stage, just to pre-empt that I would really like to hear from you, minister, when you come back from this conference that you are going to. I believe that some of the issues that you have been touching on as we have gone through this last hour or so are going to be dealt with in that conference. I really look forward to hearing the results of that conference and what you have learned from that.

**Mr Hargreaves:** Sure. I will set up a chat, yes.

**MS PORTER:** That would be really good. Thank you very much.

**MS HUNTER:** I have one more which I think you might be able to answer briefly and then I have got another question which is a bit lengthy and I can put it on notice for you.

**Mr Hargreaves:** If it is a lengthy one, could we put it on notice, please.

**MS HUNTER:** I will put it on notice. We had some discussions today that we cannot send prisoners to New South Wales at the moment; there is an issue there; we are keeping them here and so on. We did have some overcrowding in BRC. The government then made the decision to reopen Quamby to take that overflow. I am just wondering, minister, why it was that you waited until the human rights commissioner made public comment on that.

**Mr Hargreaves:** It is a reasonable question and I thank you for it. There were a couple of things. Firstly, one of the reasons we do not have a comptroller bid on this, by the way, is that a person may very well be a sentenced prisoner in Belconnen Remand Centre but their status in fact is a remandee because they may be appealing a sentence; they may have been found guilty at court and are awaiting sentence et cetera. If there was somebody who had actually been sentenced and sent to Goulburn and then lodged an appeal, we allow them to come back to the ACT so that they have proximity to their legal counsel et cetera; so there is that kind of movement.

When I made my pronouncements about the possibility of Quamby being opened, I was advised at that particular time that the imminence of the opening of the AMC was such that the overcrowding would diminish fairly quickly and that we had such a small amount of time as to not warrant a couple of hundred thousand dollars worth of expenditure on it. I was not able to predict the heatwave that actually happened and I was not able to predict the continuation of the overcrowding but I kept that open as an option.

When I was away, Minister Corbell, in my absence, received an update on the same information. Can I say, for the record, that I would have made the decision Mr Corbell made with the same amount of speed. It was the correct decision to make at that time and it continues to be. It was not about waiting for someone to report on that sort of stuff. It was, in fact, to receive information that the imminence of the opening of the AMC had disintegrated.

**THE CHAIR:** Because of the catastrophic system failures?

**Mr Hargreaves:** No, because of the failure to deliver on item 2.6. There was nothing catastrophic about it. There was nothing catastrophic about it at all that I have been advised of.

**MR HANSON:** Nothing to do with the prisoners on the roof then?

**Mr Hargreaves:** Absolutely nothing to do with that at all. You might notice that I made no sensational comments about it.

**Ms Leon:** Could I correct something I said a moment ago. I said I thought that the chapel would be completed in late 2009 to early 2010. I have been advised that the completion date is expected to be closer to mid 2010.

**THE CHAIR:** And it would seem that, the longer it takes to get the prisoners in there, the less likelihood you are going to have for consultation with the prisoners about what might need be in there.

**Ms Leon:** That is right; so our original expectation, when we had thought the AMC would be occupied by now, was for that kind of timeframe. But we have now had to just push it out a little.

**THE CHAIR:** What logistical problems does it create for you, going in and building a building like a chapel or a gym or something after—

**MR HANSON:** It adds to the cost considerably.

**Mr Hargreaves:** It considerably adds to the cost.

**THE CHAIR:** Because you have to security-screen everyone who comes in to pour concrete.

**Mr Hargreaves:** And we have to put a fence around the actual construction site to make sure that those people doing the building inside are actually safe also.

**MS HUNTER:** Was any thought put into the design? At some stage, you thought, “I cannot do these things.” Were there any changes to the siting of buildings to take into account that you might have to come back in and build and it would be costly?

**Mr Hargreaves:** The footprint that the facility is sitting on can quite happily accommodate that within the original site

**Ms Leon:** When we scaled down the design but went ahead with building the prison, we put in all of the footprint for the buildings that are still in the original design. We put all of the core services in so that they will be able to just plug into the network and so on without us having to re-jig the whole design of the prison because it is our hope that over time we will expand it to its original design.

**MS HUNTER:** But there was not a conversation, “It might be better if we placed the chapel quite close,” or whatever, “in this area”?

**Ms Leon:** It would have made it better for building it but it would not have made it better for using it because the place where it is located is sited for optimum suitability for use.

**THE CHAIR:** Thank you. I think we had better close the annual reports hearing. I know the minister wants to say something in a minute. If members have questions on notice, can you get them to us—I know the other day I said “five days from now”—five days from when the transcript arrives? It took a while for the last

transcript to arrive. Minister?

**Mr Hargreaves:** Thank you very much, Madam Chair, and I thank the committee for the opportunity of appearing before them and talking about the annual report. Can I please record, for Hansard and for the record, my appreciation to the officers of Justice and Community Safety and, of course, ACT Corrective Services. They are a bunch of people for whom corrective services is not a job; it is a vocation; and it comes out in the quality of the services they deliver.

**THE CHAIR:** That almost sounds like a valedictory rather than a thanks.

**MR HANSON:** May I take this opportunity to echo the minister's sentiments and, although we will from time to time have disagreements, I would certainly echo his sentiment.

**Mr Hargreaves:** Thank you.

**THE CHAIR:** Thank you.

**The committee adjourned at 4.10 pm.**