



LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

**STANDING COMMITTEE ON JUSTICE
AND COMMUNITY SAFETY**

(Reference: [Inquiry into Auditor-General's report on rehabilitation of male detainees at the Alexander Maconochie Centre](#))

Members:

**MR S DOSZPOT (Chair)
MR J HINDER (Deputy Chair)
MS J BURCH
MRS G JONES**

TRANSCRIPT OF EVIDENCE

CANBERRA

MONDAY, 18 JULY 2016

**Secretary to the committee:
Dr B Lloyd (Ph: 620 50137)**

By authority of the Legislative Assembly for the Australian Capital Territory

Submissions, answers to questions on notice and other documents, including requests for clarification of the transcript of evidence, relevant to this inquiry that have been authorised for publication by the committee may be obtained from the Legislative Assembly website.

WITNESSES

RATTENBURY, MR SHANE, Minister for Corrections, Minister for Education,
Minister for Justice and Consumer Affairs and Minister for Road Safety **67**

PRYCE, MR DAVID, Acting Executive Director, Justice and Community Safety **67**

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Amended 20 May 2013

The committee met at 3.38 pm.

RATTENBURY, MR SHANE, Minister for Corrections, Minister for Education, Minister for Justice and Consumer Affairs and Minister for Road Safety

PRYCE, MR DAVID Acting Executive Director, Justice and Community Safety Directorate

THE CHAIR: Good afternoon, minister and Mr Pryce. Thank you for coming along. Welcome to the meeting this afternoon. Obviously there were some matters of concern that we relayed to the minister, and that is the reason we are having the discussion. Would you like to open the proceedings from that point?

Mr Rattenbury: If you are happy, Mr Chair, both Mr Pryce and I have a couple of minutes each of brief remarks to make, and then we are happy to take questions.

THE CHAIR: Before we do, to make sure that we are on the right track, has everyone read the privilege statement?

Mr Rattenbury: Yes, thank you.

Mr Pryce: Yes.

THE CHAIR: This is a formal, open hearing. Everything is being recorded as normal. Thank you, minister.

Mr Rattenbury: I would like at the outset to acknowledge the seriousness of the issues before us and to reiterate my sentiments contained in the letter I wrote to you as the chair of the committee and to your colleagues when I became aware of the matter.

I and my office were made aware on 22 June via the committee of a letter that had been sent from senior ACT Corrective Services staff to Prisoners Aid dated 6 June 2016. Once I had been apprised of the content of this correspondence I wrote to the committee outlining my views on the tone and nature of the correspondence and indicated that I would write to Prisoners Aid. That letter, dated 24 June and addressed to Mr Brian Turner in his role as President of Prisoners Aid, apologised on behalf of Corrective Services for the generally aggressive and accusatorial tone of the correspondence they had received.

I sought to assure them that as the Minister for Corrections I personally place great store in having respectful, robust professional relationships with the community sector and that the recent interactions would not have any adverse impacts on Prisoners Aid contracts, service delivery or attempts to present evidence to any future committee or through other normal interactions with members of the Assembly.

I further wrote to the Acting Director-General of the JACS Directorate, Mr David Pryce, asking him to communicate my views directly to the officials responsible for the correspondence Prisoners Aid received and consider what management responses—possibly including undertaking training in dealing with the Legislative Assembly and its committees—may be appropriate. Mr Pryce will speak to that in a

moment.

As I have communicated to the committee and to both Prisoners Aid and the directorate, while acknowledging that government officials and directorates may hold differing views from those presented by members of the community during inquiries of this nature, it is clearly inappropriate for Corrective Services to have raised concerns with Prisoners Aid in the manner that they did.

In relation to the opportunity to correct the record regarding the evidence presented by Prisoners Aid to this committee on 16 May, I understand that the proper process for resolving any divergent views of any factual evidence provided is to formally advise the chair of the matters in contention. My office was advised on Tuesday, 24 June that this had occurred and that correspondence to the committee was in accordance with the standing conventions for correcting the record when there are disputed views on the evidence that has been presented.

In response to the purpose of this committee's hearing as outlined by Mr Doszpot in his letter to me, I share the views outlined by the committee on the rules and boundaries which apply in relation to witnesses and submitters to inquiries conducted by committees of the Assembly and have taken a number of deliberate steps to reinforce that with my directorate.

Mr Pryce might add a few comments, if you are agreeable.

THE CHAIR: Thank you, yes.

Mr Pryce: Firstly, Mr Chair and committee members, I understand the gravity and seriousness of this today. Thank you for letting me make a statement. On behalf of the Justice and Community Safety Directorate I sincerely apologise to the whole committee for our actions and how they have caused significant angst and concern not only to this committee but to members of Prisoners Aid and, no doubt, other community sector groups. As Acting Director-General, I deeply regret how our actions could be seen to undermine the processes of the standing committee and also the confidence of witnesses to appear before it.

I have spoken with the staff involved in this matter and they deeply regret their actions and did not sufficiently consider the issues around standing committee processes and obligations. While this was never our intention, we have clearly overstepped the boundaries on this occasion. In addition, the nature and tone of the correspondence was not appropriate in any event.

My directorate has taken immediate steps to try to rectify the situation and to rebuild our partnership and relationship with Prisoners Aid, and even this morning the Executive Director of Corrective Services has written to the President of Prisoners Aid and will be meeting with him soon to ensure that our partnership and our relationship continue to build. As the directorate, we fully acknowledge the importance of the community sector, especially organisations such as Prisoners Aid, as vital partners for Corrective Services to be able to achieve our outcomes and to deliver our services.

I can advise this committee that I am taking steps through the directorate for my directorate and members of ACT Corrective Services to undergo specific training on standing committee obligations, parliamentary privilege, code of conduct when attending committee hearings and the social compact, which is an overview of the framework that the former Chief Minister, Katy Gallagher, had signed in relation to relationships between ACT government and the community sector.

Again, I apologise sincerely and hope that the steps that we have taken and that the minister has outlined go some way to resolving this.

THE CHAIR: Obviously members of the committee have some questions they wish to ask. I have a question to start with. We will see where that takes us. Minister, you alluded to the fact that there may be some misunderstanding on the intent or—did I understand you correctly?—there was another point of view that the department wanted to present regarding this?

Mr Rattenbury: Only the fact that Corrective Services disagreed with factual accounts of a number of pieces of evidence that Prisoners Aid gave when they appeared before the committee.

THE CHAIR: So this is the original evidence that was given?

Mr Rattenbury: Yes. I guess my view is that there should be the capacity to have that debate. I think the issue that is before us is how that discussion is conducted. I understand that that is the concern of the committee, and that is where both my view and the view of the directorate are: the tone of the letter was not right. But I think there must be scope to debate the content. It is how it occurs that is the issue at play.

THE CHAIR: There is scope and obviously, as you pointed out, the proper course of action, if there is an issue with regards to that, is to come and approach the committee about evidence that was given and then we could consider those facts. We are talking about two separate things here: one is the evidence. If that is in dispute, we are happy to discuss that, if that is what you want to do. But also I think it is important for us to understand and to satisfy ourselves that the gravity of the situation is understood. I take both your points. But it is not simply a matter of the committee itself; it is the Assembly itself that has apparently been breached.

Mr Rattenbury: Of course. And you will see that I have made public remarks that it is reinforced publicly and also that the community sector understands that the government's attitude towards NGOs is that they should be free to speak their views. In terms of correcting the record, a formal letter has been sent to the committee, and I am happy to leave it at that, unless there are any further questions about that.

THE CHAIR: I will pass on to the committee for any other questions that they may wish to ask.

MR HINDER: Minister, that letter of 6 June was not the only letter we have seen with a similar sort of tone. We also had one from earlier this year that discussed—you might have seen it reported in the newspaper—the fact that the department was going to treat Prisoners Aid as an agency of last resort. The line that followed means that

Prisoners Aid is not receiving as many referrals for assistance as has been the case in previous years. It has a similar sort of tone to the statement in the 6 June letter. They were written by two different people, I might add. This suggests that it may not be as isolated as we would hope it is. Neither of those people is here, I note. That makes it difficult to—

THE CHAIR: Don Taylor is here.

MR HINDER: Sorry. Probably more for your benefit than for ours, it might not be the only incident of poor communication skills, if that is what it was. I do not really have a question. You have addressed fairly well the reasons that we thought we would get you here. I think the letter we sent to your office suggested that we would make clear to you and to your officers what we thought was reasonable. I assume we have done that just by today's exercise.

MRS JONES: I have a supplementary on what Jayson was saying.

Mr Rattenbury: Before you do, I might quickly say two things. I would point out that Corrective Services has partnerships with over 100 NGOs through the throughcare program, and that brings me to that reference to "NGO of last resort". The point there is that we do have the throughcare program—it is not like the old days in the *Blues Brothers* where they open the front gate and you pile out and good luck to you. The throughcare program very much carries people through in terms of accommodation and a range of service provisions.

Prisoners Aid are not a throughcare provider in that sense; they are for the people who do not go into the throughcare program, and there are some. Throughcare is not compulsory. There are some people who actually do not go into throughcare. That is the reference to the partner of last resort. That is not meant to be the language of a threat, and I do not think it was in that letter. But I am happy to look more closely at it.

MRS JONES: You may want to have a look at that.

MS BURCH: You may, because it goes:

The incidents outlined ... are of concern to ACT CS and have affected the working relationship and service engagement of Prisoners Aid ACT.

This letter, under the pen of the executive director, is clearly saying, "We don't like you and we're not going to use your services."

Mr Rattenbury: I will have a closer look at that one.

THE CHAIR: That is the implication of the letter.

MRS JONES: On that point that Mr Hinder was making, from our perspective, having listened to the concerns of Prisoners Aid, we are more than aware that sometimes the same incident can look quite different from two different groups' perspectives or two different people in the system's perspective. You could even potentially have a situation where the prison's view is fairly reasonable of what happened in certain incidents and Prisoners Aid's view is what they have been told.

We understand the complexity of that.

The concern that remains still—and thank you to the acting head of the directorate and also to the minister for taking responsibility for this matter—and what fills me with fear is the fact that it even got to this and that there would be a culture alive in which it would seem okay to deal with it like this with one of our NGOs full of volunteers. I am asking the minister what he is going to do to. I know you are doing training with people about dealing with committees but dealing with committees is almost the last problem. We can stick up for ourselves essentially because we are not vulnerable to government grants here.

How can we be assured that the culture within the management of the facility and similar organisations in JACS and across government is going to be acceptable into the future? Volunteerism is on the down in our society. People are not as available as they once were. I think most of us realise that people who volunteer for things like Prisoners Aid passionately want to help people. What can we do, what can be done or what are you doing to address an issue which probably goes to a cultural issue that created a letter like this?

Mr Rattenbury: As I said, I have outlined a number of steps I have already taken, including proactively going public on this so that—

MRS JONES: As a signal, yes.

Mr Rattenbury: Yes, as a clear signal. To be honest, I think this is one of those times where—and there are difficult times and there are contested events—this is probably an example of a letter that should not have been sent. You have all had those moments in your life where you write a letter or an email and then you put it to one side and you write the better version the next day. I think the first version got sent, and I think the second version would have been a truer reflection of the nature of the relationship. That does not diminish the fact that this one was sent but I think that is the context for it. As I say, Corrective Services has an enormous range of partners, and this is the only organisation where this has arisen.

MRS JONES: It is the only organisation where it has become a big hoo-ha. We do not know—

Mr Rattenbury: That is true. At the same time, I was at Prisoners Aid a couple of weeks before I got the letter from the committee. I went to one of their meetings. About 6 June—I forgot to check the diary before I came—I went to one of their meetings for an hour and had a really good conversation with them. We went back and forth on some issues. At the time I was unaware that this had happened, but it had happened before that. That personal experience is interesting for me. There was no sense that no-one said, “Oh, we’re feeling intimidated,” or anything like that.

MRS JONES: They may have seen you as slightly separate to departmental officials.

Mr Rattenbury: As you will all know as members of the Assembly, people are pretty frank with us, and they are usually the first people to say to us there is a problem. Again, I seek not to diminish—and I think we have taken responsibility for the

situation—but I feel that we can move on from this in a pretty productive manner with the organisation involved, as we have done for many years.

THE CHAIR: A supplementary, Mrs Jones.

MRS JONES: I wondered if Mr Pryce had anything to add, if the minister is okay with that.

Mr Rattenbury: Yes, sure.

THE CHAIR: Have you finished your question?

MRS JONES: Mr Pryce was going to make a comment about the culture that created this letter and what has been done about it.

Mr Pryce: Part of the training is not just around the processes because, as you rightly point out, that is one side. The other part is around the social compact, which goes to mutual and respectful relationships and understanding the rights of groups such as Prisoners Aid and other NGOs or community sector groups to have a voice and to express their view, whether it is a view that we share or not, and to do that in a way that is appropriate and for us to still deal with them because, as I said in my statement at the start, we could not deliver our outcomes and services without the support of those community groups.

You heard from the minister that we have over 100 partners with throughcare, a fantastic program. There is no way we could do that by ourselves. At times there are rub points, but while I deeply regret the way this has played out I am hoping that this will at least enable us to start a fresh conversation with Prisoners Aid and build that relationship and strengthen how we have those conversations, because I think part of the different points of view is that we probably were not maintaining that relationship as well as we should have, and that has led to misunderstandings about things that may or may not have occurred or people's perceptions of them. We will be working very hard to do that.

Through the training, I anticipate that when we talk about the social compact—and that is all around mutual obligations, respect, open communication, how we engage with the community sector—that will bring out perhaps some actions for us as a directorate and how we strengthen our community engagement with those partnership arrangements we have.

MRS JONES: My question then is: could it be that there are other organisations that have had experiences that were less than fantastic and that have not got to a boiling point or a public point, and is there any work being done to just check in with those people?

Mr Pryce: I do not think this is culturally right across CS and is a significant problem. However, I know the individuals involved in this case have deeply reflected on their relationship with Prisoners Aid specifically. More broadly we as a directorate are now looking at obviously how we are engaging with all our partners here and how we communicate because, as we have seen from this, if you get it wrong there are very

serious ramifications.

THE CHAIR: A supplementary, Mr Hinder.

MR HINDER: I agree with everything you have both said about all of this today. Our concern, of course, is that this is version 2 of the letter and that the other one might have been worse. We just do not know. I also appreciate you do not have a copy of this one I am referring to. The one I am referring to actually talks about some specific things that they say that Prisoners Aid have done that have annoyed them and led to them drafting this letter in the first place.

The first part of that paragraph that I referred to before says:

The incidents outlined in this letter are of concern to ACT CS and have affected the working relationship and service engagement of Prisoners Aid ACT. They collectively demonstrate a lack of understanding and regard for AMC protocols.

If we go to the standing orders—and this is the other aspect that we really have not dealt with—the fact is that whilst it may have been done in the heat of the moment it leads them into a potential conflict with the rules of the parliament. The standing orders state:

A person shall not inflict any penalty or injury upon, or deprive of any benefit, another person on account of any evidence given or to be given before the Assembly or a committee.

That is not necessarily in this context but people writing these sorts of letters need to be aware of this type of documentation existing in the world and be mindful of the language used. It is the same as a lawyer who is writing a letter needs to be mindful of the fact that a judge is going to read that and needs to interpret it the way you want the judge to interpret it later. That is exactly the context we are in here.

You are right: there is no context around these little quotes that we are throwing across the table here, and it is third-hand, hearsay stuff for us anyway. But it is something that they need to be mindful of in terms of their own protection and protecting the directorate from this kind of allegation, notwithstanding the common courtesy of the choice of language, I suppose.

Mr Rattenbury: I accept all of that. The other observation we would make on that first paragraph is that there needs to be a means for government directorates to also raise issues of conflict with NGOs. If you took that first paragraph you just read out in a charitable light, it could be framed as, “There are some points of tension here we need to deal with.” I think we need to have that capacity as well so that things do not reach boiling point.

Certainly in an environment like the AMC it is critically important that there can be times where Corrective Services draws boundaries. That is the challenge—getting that right. I guess that is the conversation we are working through.

MRS JONES: And we get a power relationship essentially.

MR HINDER: Yes.

MRS JONES: Given the context of a relationship where the department has a lot more power in general terms than the NGO does.

Mr Rattenbury: It is not feeling like it today, but yes. You are exactly right.

MRS JONES: I know that, but at the heart of that relationship is the differential.

Mr Rattenbury: Yes, absolutely.

MR HINDER: In fairness, can I quote how the letter ends, and this is more what you are saying there:

I reiterate my appreciation of the value of organisations such as Prisoners Aid ACT. I hope that future efforts to minimise incidents of this nature are effective and that ACT CS and Prisoners Aid ACT can continue to strengthen our working relationship.

That is how it ends. It is not all stick. But it does say, “We are hopeful that this has corrected the record,” and away we go again. I understand that. For fullness, I would have to put that on the record as well.

Mr Rattenbury: Thank you.

MS BURCH: There is a letter of 4 February to the chair. It is to you, Mr Doszpot. It goes to the point of clarification that there are different views of the world, as Mrs Jones has said. The letter has come to us providing clarity. Have you also spoken to Prisoners Aid ACT about this? It goes to that final statement. Given that you have reached a bit of a point in building the relationship, it is one thing to correct the record for the committee but then how do you engage with Prisoners Aid ACT to make sure that they understand the view of the world and what actually happened in those incidents that they are aware of?

Mr Rattenbury: The original letter of—what is it—16 June?

MS BURCH: This is the one from—

Mr Rattenbury: From the directorate to Prisoners Aid?

MS BURCH: No.

MRS JONES: To us.

MS BURCH: This is a letter—

MR HINDER: This is about the actual hearings, on the 16th.

MS BURCH: There is a correction of information provided to the standing committee. This was sent to the chair on 16 June. It goes to the point of clarification. I am

thinking then: have you used this as a way of re-engaging with Prisoners Aid and saying, “Well, there are different views. There are tensions. How do we work through?”

Mr Rattenbury: Sure. There are a couple of things. The original letter to Prisoners Aid, which is the source of this hearing, in many ways set out the same facts as are contained in the letter to the committee via Mr Doszpot, unfortunately with the couching around what we are discussing. Subsequently I wrote to Mr Turner saying that, whilst there were some disagreements, this is my view on things. But subsequent to that Corrective Services has again written to Mr Turner saying, “We’d like to meet. We’d like to keep talking.” In many ways, it has kind of been business as usual with this going to one side. From that point of view, I think those moments of dialogue and opportunities will continue.

MRS JONES: My question as a supplementary to that is simply: perhaps it would be worth considering making sure that at the end of this process Prisoners Aid fully understands what was happening on the days that were being discussed in the hearing. There is no harm in them fully understanding what the processes and protocols are from your perspective. I can understand how they might deal with a situation differently to what you might, based on your knowledge and their knowledge of the individuals involved et cetera. I do not think there would be any harm in making sure that that conversation actually happens. The NGOs who help you do not have the training in corrections necessarily that you have inside your department or the understanding of the individuals involved or the protocols.

My question is, simply put: minister, can you reassure the committee that—as I am sure you have publicly but I have not been reading every single statement you have made publicly just to clarify that—it is not acceptable to use a tone which is in any way threatening or demeaning in relation to material given to committees and that NGOs that work in your area are free to come to committees and to say freely what they think is happening? Can I seek that assurance from you?

Mr Rattenbury: Yes you have my assurance on that.

MRS JONES: Thank you.

THE CHAIR: I would like to highlight a couple of points which I think explain our concerns. I understand your answer to our concerns so far but, just for the record, I think it is important to realise that, as Mr Hinder has indicated, the letter that was forwarded to the committee by Prisoners Aid provoked serious concern due to the perceptions that it sought to have a chilling effect on a witness to an inquiry of an Assembly committee. This is quoting from a letter dated 6 June, the second-last paragraph on the second page:

When such statements are made by your members it undermines this Agency’s confidence in your organisation and raises questions about the appropriateness of our working arrangements with Prisoners Aid.

Take that in context of its letter to the minister of 23 June:

The Committee noted that Section 24 of the Australian Capital Territory (Self-Government) Act 1988 provides that the Parliamentary Privileges Act 1987 applies in such matters, relevantly Section 12-(2) of the Parliamentary Privileges Act, provides that the person shall not inflict any penalty or injury upon or deprive of any benefit another person on account of:

- (a) the giving or proposed giving of any evidence; or
- (b) any evidence given or to be given before a House Committee.

Those two points highlight the issues and the reason that we are here discussing this. The implications of that statement and perhaps inferences in some of the others have obviously led the Prisoners Aid people to feel that they were under pressure to give that sort of information directly to Corrective Services and that they are being chastised for giving it to our committee.

That covers it from our point of view, unless there is anything else anyone wants to add. We do want to satisfy ourselves that, while you have pointed out that you recognise that, we would like to know what steps can be taken, what steps are appropriate to be taken, to ensure that this understanding of the parliamentary privileges act is understood and acted upon by all ACT public servants. We are talking about your particular area at the moment.

Mr Rattenbury: I would like to assure the committee that I do believe this is an isolated incident within the directorate. I do not believe this reflects the culture of Corrective Services. I believe it may reflect one point of rub with one organisation but, with more than 100 partners, I think Corrective Services has a proud record of partnering with community organisations, having strong and respectful relations with them.

We would be happy for the committee, when you report on this, to spell out, given your strong views on this, any advice the committee wishes to offer on how directorates deal with situations where witnesses come before committees and provide information that is, in some cases, incorrect and, in other cases, at least in dispute, and how best to deal with that. There are some protocols in place, and I believe we have followed those subsequently. Given the significant discussion today, I think that, if the committee is to report on this matter, that might be something to reflect on as well.

In terms of also sending broader signals, which I have certainly sought to do, and I think the committee might have as well, I have no doubt that there will be people watching this closely.

MRS JONES: Yes, indeed.

THE CHAIR: Any other points?

MRS JONES: As a final comment, I hope that all the officials who deal with our committees, the committees that we are involved in here, understand how open we are to receiving information. We always have been, from my experience on committees. It has never been odd to receive out-of-session-type submissions and to publish them or to take them on board or, in fact, to have in-camera hearings if people request them.

Mr Rattenbury: I appreciate that.

THE CHAIR: To answer your request, the committee will take on board your request and have a look at how we can provide you some advice, after we look into standing orders and so forth, that could give more guidance. But to the best of my recollection, I do not think any committee has rejected any opportunity or any request made by any witnesses to either elaborate on evidence that was given or to correct evidence that was given.

MRS JONES: After this hearing we can supply to the minister a copy of the letter that we were referring to so that he has a copy of what has been referred to.

MR HINDER: It was not provided in confidence, was it?

THE CHAIR: I will have to check.

MRS JONES: It has been agreed to publish it.

Mr Rattenbury: It is our letter. I have it. I can access it.

THE CHAIR: And I am very happy to provide it to you.

MS BURCH: It is dated 4 February 2015, I think.

THE CHAIR: So long as we are not breaching confidence.

MRS JONES: I think we agreed to publish it anyway.

Mr Rattenbury: I will access it out of the directorate files.

MR HINDER: We have agreed to publish it anyway.

Mr Rattenbury: I just note that there is a whole lot of correspondence between Prisoners Aid and the directorate. I have not gone back through all of it, but I will have a look at that one specifically.

MR HINDER: Just for clarity, we are dealing with two letters from the directorate to Prisoners Aid. That was the subject of our hearing today. We have also received from the directorate a correction to the record of evidence given during this inquiry by Prisoners Aid. That is a slightly different issue, not the subject of what we wanted to talk to you about today. Here is a perfect example of the appropriate way to deal with what is perceived by the directorate as misinformation, and we have taken due note of that correspondence. Just for *Hansard* purposes I think we ended up talking about it in different—

MRS JONES: And thanks for agreeing to come.

THE CHAIR: Unless there is anything else from the committee, everyone is satisfied with their questions?

MRS JONES: Again, if there is anything additional that you want added to this information, write to us and we will consider it as well in any recommendations.

THE CHAIR: I make the same offer to you. Is there anything else at the moment? If not, we will conclude. Minister and Mr Pryce, is there anything else that you want to add?

Mr Rattenbury: I will take the opportunity, now that I have seen this letter, to note by way of context that the letter actually references a number of occasions on which Corrective Services had concerns about the fact that Prisoners Aid staff had dealt with prisoners in a way that was contrary to orders that prisoners were facing. It comes to a sentence that says:

The incidents outlined in this letter are of concern to ACT CS and have affected the working relationship and service engagement of Prisoners Aid.

In the context, that is actually quite an important statement. That assertion needs to be made because if we have incidents where Corrective Services believe prisoners Aid were dealing with detainees not in accord with the way they were supposed to be dealt with, I think we have a duty to challenge Prisoners Aid on that as well. If they cannot rectify those situations or give reasonable explanations, as the minister, I would contemplate cancelling the arrangement in those circumstances.

You need to have the ability to also test those matters, because we also have a duty to ensure that public money is being spent appropriately and that service organisations are delivering the service they are contracted to do and in accordance with bail conditions and the like. That is actually the context of that letter of 4 February, now that I have just reflected on it.

MR HINDER: I did mention that in my question, and I mentioned that they were being written to in the context of having not done the right thing by the directorate. I understand that.

THE CHAIR: Perhaps, finally, there may be some rationale in having a discussion, perhaps a three-way discussion, between the minister, the department and this organisation if you see that that may clear up some of the misunderstandings both ways, without any threat being perceived by either organisation.

MS BURCH: That is what happens if you get into an exchange of letters and not the conversation. It is difficult.

Mr Rattenbury: Yes. It is always better to pick up the phone.

MRS JONES: That is right.

THE CHAIR: I will leave that as a comment. We thank you for your contribution to this hearing today.

The committee adjourned at 4.15 pm.