



**LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL
TERRITORY**

**STANDING COMMITTEE ON JUSTICE
AND COMMUNITY SAFETY**

(Reference: [Inquiry into ACT Budget 2021-22](#))

Members:

**MR J HANSON (Chair)
DR M PATERSON (Deputy Chair)
MS J CLAY**

PROOF TRANSCRIPT OF EVIDENCE

CANBERRA

WEDNESDAY, 27 OCTOBER 2021

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**Secretary to the committee:
Ms B McGill (Ph: 620 70524)**

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.

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Amended 20 May 2013

The committee met at 9.30 am.

Appearances:

Office of Inspector of Correctional Services

McAllister, Mr Neil, Inspector of Correctional Services

Minty, Ms Rebecca, Deputy Inspector of Correctional Services

THE CHAIR: Good morning, and welcome to the fifth of six public hearings of the Standing Committee on Justice and Community Safety inquiry into the budget 2021-22. We will hear first from the Inspector of Correctional Services.

We are being recorded, broadcast and webstreamed by Hansard. If you take a question on notice, please indicate that you have taken the question on notice. Can you both confirm for me that you have the privilege statement, you understand it, have read it and agree with it?

Mr McAllister: Yes.

Ms Minty: I have read it and agree to it.

THE CHAIR: We are not having opening statements because we are a little short of time. My first question is about the Optional Protocol to the Convention against Torture—OPCAT, as it is known. Australia has signed up to that. It is ratified, and by January 2022 we should be compliant. In the context of the AMC, in your view, will we be compliant with OPCAT?

Mr McAllister: Thank you for that question. I will defer in detail on OPCAT to Rebecca Minty, who is the expert. In terms of the AMC, the Corrections Management Act was written with OPCAT in mind, and it refers in a number of places to human rights conventions which are consistent with OPCAT.

In terms of the Office of Inspector of Correctional Services' approach to the AMC and OPCAT, the Inspector of Correctional Services Act was clearly written with OPCAT in mind and the inspector has all the powers envisaged by OPCAT. Rebecca will correct me if I go off track.

In terms of our powers in relation to exercising OPCAT functions if we are nominated as a national preventive mechanism, NPM, we essentially had those. There are some issues around possibility of legislation which Rebecca might speak to if she has a mind to. But unlike some of the other jurisdictions, our piece of legislation, the ICS Act, was written around OPCAT, and OPCAT provisions feature strongly in the Corrections Management Act. Rebecca, do you want to add anything to that?

Ms Minty: Just going on from what Neil was saying, yes, our office stands ready to take on preventive monitoring functions if we are nominated as an NPM. As you say, Mr Hanson, the deadline for nominating NPMs is January next year. That is quite soon. We certainly have all of the required powers and guarantees that the treaty requires: as Neil said, ability to visit at any time, to speak to staff, to speak to detainees. There are no impediments to nominating us tomorrow.

Obviously, we only cover adult and youth justice facilities. OPCAT covers additional facilities: any place where someone is not free to leave. That would include secure mental health facilities, potentially disability accommodation where there are limits on people's ability to come and go, secure aged-care facilities. So it is broader than simply adult and youth justice. But yes, we do have the powers.

There are probably a number of areas where small adjustments could be made to support our function if we were to take on that role. Firstly, in relation to legislative function, as the committee is most likely aware, we have a very specific mandate in terms of doing examination-and-refuse, whether they are at whole-of-centre or critical incident reviews. There could be additional reasons to give us the power to monitor on a more ongoing basis rather than just doing it specifically around reviews that we report publicly on. But that is a relatively minor issue.

The other area would be in relation to funding. The treaty does explicitly say that preventive mechanisms need to be adequately funded. Our office has raised over the last two to three years that we were initially set up just to cover adult corrections; we were not funded to monitor Bimberi. That was added fairly late in the piece. Additional funding to assist in that regard would go a long way to supporting that.

THE CHAIR: Can you quantify that amount?

Ms Minty: Probably having just an additional staff member FTE to focus on youth justice would be very helpful. I do not know if Neil has any more to say on that.

Mr McAllister: We are funded for two FTEs, although one of those FTEs is a little vague. We have taken that we are funded for two FTEs, the inspector and the deputy inspector. We have been employing a third person in either a part-time or a full-time position to focus predominantly on Bimberi initially, but now we have the OPCAT function. We have been funding that out of our operational budget and that has worked for us. We have been able to make savings in other places to do that.

The concern is that while we have temporary, ongoing rolling contracts it is difficult, understandably, for people to commit long term to that role because with six-month contracts, by the time they start, they are already thinking, "Is my contract going to be renewed?" It just creates a bit of uncertainty in the staffing because it is quite a specialist area and it is unlikely we are going to find somebody just off the street who can step into the role. So by the time we go through, if you like, the training and orientation process, several months have already passed before that person becomes fully functional. That is not a reflection on the individual; that is just a matter of fact. So while we have this uncertainty of temporary rolling contracts, it is a bit of a concern to both Rebecca and me.

DR PATERSON: Inspector, in the past year there has been a change of minister in corrections and a new ACT Corrective Services Commissioner. Can you reflect on your observations of the change in leadership and the current direction?

Mr McAllister: I would say that we have developed a very professional relationship with the Acting Commissioner, Ray Johnson. We have found him to be very open and

willing to talk constructively about issues. He frequently contacts me, and Rebecca and I talk to him regularly. We have a very good working, professional relationship. We are not always going to agree on things—and that is fine—but he is very open to discussing issues and we accommodate his views when we can.

As you know, we go through a process where our draft reports are referred to Acting Commissioner Johnson and the Minister for Corrections. We go through a process—that is, a six-week time frame—where they have to comment on our draft reports. We have taken to talking to the commissioner during that six-week period and we are speaking to him this week—tomorrow, in fact—about one of our draft reports. It has been a useful process.

MS CLAY: The *Healthy prison review* identified a few failings, particularly in health care—in mental health and preventive health care—and access to exercise and gyms and a few issues like that. Do you feel that the budget has adequately resourced our corrections centres to deal with those needs, and what have you observed about those needs?

Mr McAllister: We do not do budget analysis in terms of delivery of services. We look at whether the service has been delivered, whether Health or any other services are meeting the needs of detainees. We highlight those areas where we think there could be improvements. For example in the 2019 *Healthy prison review* we talked about the sparsity of psychological services for detainees. We are not talking about forensic psychological services; we are talking about clinical services. At that stage there was, I think, one resident psychologist for something like 450 detainees. So we draw those sorts of conclusions about the services.

We do not do budget analysis. That is something for the Auditor-General to do, but we look at delivery of services and whether we believe they are adequate. That sounds a little vague but does that answer your question?

MS CLAY: Do you think the needs that you identified in 2019 are now being met?

Mr McAllister: We go through a process—and this is not required under the act—where we have been trying to follow up on recommendations that have been endorsed by government. Not all recommendations are endorsed but, with those that are endorsed by government, there is an expectation, I think, on the public's part, and the Legislative Assembly's part, that they will in fact be implemented as required by the government.

We have been going through a process where we have been trying to track the performance, if you want to call it that, against those recommendations—in other words, compliance with those recommendations. We have been doing that with the *Healthy prison review* and we were expecting a further report from ACT Corrective Services today or very shortly. This will be about the third or fourth report we have had from them on implementation.

Where we have had difficulty is that, given you are looking at two-thirds of the inspectorate here, it is quite difficult for us to keep track of implementation of recommendations. For example, at the moment—I will refer to a piece of paper—in

total we have made 127 recommendations concerning ACT Corrective Services. That is across all of the reviews that we have done. We have made 27 recommendations concerning the Bimberi review. That is 154 recommendations. They are the recommendations that have been endorsed by government. Sorry, I will correct myself. We have made 127 recommendations, 101 of which were agreed by government. It is quite a complex task to keep track of and physically verify that those recommendations have been implemented.

We have been in discussion with JACS about another process to achieve that end and that is still ongoing at the moment. We simply do not have the staff to go out and check that something is being done: a door is being fixed or something is being done, or a program is being implemented or whatever it might be.

MS CLAY: What system do we have? Do we need a system in place to follow up on the implementation of those recommendations?

Mr McAllister: I think we do, and that is what we have been attempting to do from our office. We have been in discussion with JACS at senior levels about them taking responsibility for checking—validating, if you like—that recommendations have been implemented. It is not only that they have been implemented but that they continue to be implemented. I have had experience in other jurisdictions where something has apparently been implemented, then six months later it has fallen off the table again. It is an ongoing process.

Even looking at something once—for example, that a process or something is being delivered—you have to ensure that it is still being delivered 12 months later or whatever the case may be. It is an ongoing process; it is not something where we can look at something once and say, “Okay, that is good,” because they might stop doing it for some reason. I have had that experience in the past.

Ms Minty: If I may add to what Neil has said, because we are mandated to do a review cycle—every three years it is a review of the AMC—we are coming up to our next review in the coming year. Whilst we are not categorically going through every single previous recommendation to follow it up, it is an opportunity to assess how previous recommendations have been implemented, as well as new issues arising. So there is that built somewhat into the legislation.

THE CHAIR: The committee has looked at all of the various reports that have been done, yours and others, over the last decade or more, and there are hundreds of recommendations. Obviously, you have your own to follow up, but have you looked at those recommendations from other reports—the Burnet Institute, the Hamburger report and all of those?

Mr McAllister: We do, in the context of the history of the AMC, if you like. I was nearly involved in the 2011 Hamburger review but could not, for other reasons. I think the Hamburger review made over 200-and-something recommendations. There have been subsequent reviews: the Burnet review, the Morison review of the escape and so on.

Some of those reviews are now quite dated. We have had discussions before with the

previous commissioner about the value of trying to track and validate recommendations that were, in some cases, made 10 years ago. As you would appreciate, some of those recommendations overlap from time to time. A recommendation made in 2011 might be superseded by another recommendation made in some other review. I was told—and I have never bothered to verify it—there have been something like 1,000 recommendations made about the AMC.

I guess the short answer is no, we do not go backwards and look at those, but we do look at them in the context of current reviews—for example, within the HPR, the *Healthy prison review* 2019. We found that a recommendation made in the Hamburger report, and apparently agreed, had never been implemented. We only found that out because we happened, by chance, to use the same reviewer, Dr Gavan Palk, who made the original recommendation and was surprised to find 10 years later that it had not been implemented. Those sorts of situations occur, but we do not backtrack.

We are aware that the Auditor-General has made recommendations. There have been numerous recommendations made over those years.

DR PATERSON: While we are on enacting recommendations, I want to clarify whether justice health is delivering on health care for detainees and whether those recommendations have been enacted.

Mr McAllister: I cannot give a clear answer on that. When we follow up on recommendations, for example in the *Healthy prison review*, we address those, in effect, to the Corrective Services Commissioner. We acknowledge that some of the recommendations in those reports cross over to other directorates.

In the case of the *Healthy prison review*, I think there were two recommendations that were accepted by the Human Rights Commission. When the commissioner reports back to us or JACS reports back to us on the implementation of recommendations, they include—second-hand advice is not correct. But we assume that they liaise with the relevant agency or agencies and provide a consolidated response. In other words, we do not go separately to justice health or any of the other possible players in reports and get their direct feedback. We do it through one channel.

MRS KIKKERT: My question is about the Nelson Mandela rules, the international minimum standards for the treatment of prisoners. Despite being adopted by the UN General Assembly, I do not believe they are legally binding in Australia. Even though they are called rules, they are actually just standards. That being said, there are good guidelines for our prisons. The Australian Standards for Adult Correctional Services were made with consideration of the Nelson Mandela rules. In your opinion, to what degree should the ACT seek to meet the minimum standards as laid out in the Nelson Mandela rules, particularly when it comes to the AMC?

Mr McAllister: I will defer to Rebecca Minty on this because Rebecca was the prime mover, I guess, in developing our office's ACT standards for adult corrections which are published on our website. Rebecca, you might like to explain how the Mandela rules, the Bangkok rules and other things fit into our framework.

Ms Minty: As you all know, the Human Rights Act in the ACT sets out many of the rights in the International Covenant on Civil and Political Rights; so we do have the Human Rights Act as a legally binding instrument in the ACT. Rules such as the Mandela rules are very important in providing a lot of flesh or detail as to the content of those rights. I think they are really important. We drew on them heavily when we developed our standards. As Neil said, we were doing our whole-of-centre reviews. We have standards that are on our website that we use.

As you would see, the courts also draw on instruments like the Mandela rules to flesh out the content of a particular right. Yes, whilst they are not legislation in the same way as the Human Rights Act is, I think they do very much influence the ACT's standards.

MRS KIKKERT: Ms Minty, are you aware of any of the standards that the ACT is not meeting and, if so, which standards as outlined in the Nelson Mandela rules is the ACT not meeting at all?

Ms Minty: That is a very big question. The standards are very extensive. There are some that I know the committee has talked about before around separation of remandees and sentenced detainees. There are various things in terms of access to fresh air and exercise that I know the courts have looked at. So there is a range of different areas. It is probably a short answer to a very big question.

MRS KIKKERT: No, that is quite understandable. Are you aware of other standards for people in detention which you think the AMC should be adhering to when you are doing your reviews and your investigations that highlight the fact that the AMC is failing in?

Ms Minty: I am sorry, could you clarify the question? Do you mean: are there additional standards you think should be—

MRS KIKKERT: Yes.

Ms Minty: I do not know. I do not think there is a need for more standards. Certainly, the Human Rights Act and the Mandela rules are like what is called a soft law instrument and provide enough guidance as to what we should be aspiring to meet. As the inspectorate, we understand that sometimes these standards can be broad or vague. For that reason we developed our monitoring standards to provide a bit more tangible guidance. I think, as an inspectorate, we have all the tools we need to provide guidance on what we should be looking for.

MRS KIKKERT: The most important part is all about implementing it now; is that right?

Ms Minty: Yes, absolutely, and being mindful that in some cases it is situational dependent. It is hard to have a concrete rule. It is about discretion and applying a proportionate response in the circumstances.

MR BRADDOCK: Has the inspectorate done an assessment of the workplace culture within ACT Corrective Services and whether that culture supports the application of

human rights consideration in all aspects of their work?

Mr McAllister: We have not specifically done a culture review. I know other jurisdictions have from time to time in various places, various prisons. We have not done that specifically but in our healthy prison reviews—we are close to starting the next review now—we include quite comprehensive surveys for both detainees and staff.

Obviously, we are talking about the staff in this case. But they are quite extensive surveys and we ask a number of questions that might reflect on the culture of the correctional centre, as well as general working conditions around whether staff feel safe and, if they do not feel safe, why that is the case. It is quite comprehensive. It is an anonymous survey.

We draw on that data when we address what we call the four pillars of the *Healthy prison review*. Healthy prison reviews are not just about detainees because staff have to work in those environments. I guess the analogy is that, if you have a lot of bad teachers, you end up with poor students. We do focus quite a bit on staff perceptions of their workplace, and areas where they might see improvement.

Just from a personal perspective, I have not seen any bad examples of staff culture. There will be staff who should not be working there, the same way there are staff who should not be working in schools, hospitals or whatever.

Leaving that aside, overall my impression has been staff are quite respectful to detainees; detainees in general are respectful towards staff. Yes, there will be the odd incidents, but overall I think there are a lot of very positive messages that come out of the AMC in terms of staff culture. But there is always room for improvement in every workplace.

When we conduct the next survey of staff, we will be able to compare what staff told us back in 2019 and see if things in various areas have improved or got worse, and draw some conclusions from that. Sorry, does this answer your question?

MR BRADDOCK: I suppose to clarify a bit, I come from a former workplace health and safety representative background where culture is a key aspect of ensuring the safety of a workplace in terms of how much they value safety and so forth. I suppose I am not just referring in terms of aspects of bad behaviour or inappropriate people. I totally agree with you: there will be bad apples in every bunch. I am also referring to the value that a workplace puts on a particular issue—in this case, human rights—where the management are seen as walking the walk, as they do, and ensuring that the entire system is working towards that goal.

Mr McAllister: Yes, as part of that survey we do explore quite a bit the issue about whether staff feel supported in the workplace, whether they have an opportunity to contribute to decisions, whether they feel valued, whether their opinions are taken into account. We do ask staff a number of questions about that and we also provide them with a free tech space and we receive quite significant written comments. Some are good, some are supportive, some are not. We do try and explore that culture issue as best we can.

The point I was making before is that we did that in 2019 and we got a broad range of responses. When we do it again, we will then have a comparison that we can look at. Obviously, staff change, and we are mindful that certainly in the last 18 months COVID-19 has impacted on staff as well as detainees. Detainees being locked in cells for longer than usual, for various reasons, impacts on staff and so on. We will get a bit of that out of the current survey as well. Yes, we do look beyond the working conditions when trying to get some understanding of how staff feel about their workplace, whether they feel safe, whether they feel valued and matters around those sorts of topics. We do publish those surveys. You can read them on our website.

DR PATERSON: In the last annual report you talked about how you ceased all non-essential visits to the centres during COVID. What was your response to COVID during the lockdown this time, and when, or if, your normal inspections will occur again, or visits to the centre.

Mr McAllister: As Rebecca Minty mentioned before, we do not have a daily-type visit function to the AMC or to Bimberi, mainly because we do not deal with detainee complaints. We are not in there walking around like the official visitors do or the Ombudsman's office do, and sometimes the Human Rights Commission. We tend to visit the AMC when we have a review in progress.

The reference we made in the annual report to COVID-19 was simply that we were not making any non-essential visits to the AMC. That did not delay our work at the time because we were not needing to make those visits.

In the last lockdown, again, we did not have an active review at the AMC which required us to attend there. We were working on a number of critical incident reports but we were doing interviews with staff online and we were relying on our documentation.

We do not really visit the AMC in the way that some of those other oversights do because our function is different. We do receive emails from detainees. We have had a flurry of emails recently from various detainees and they can contact us. Generally, that is in the context of us referring them to other agencies. We will ask the detainee, "Unfortunately, we cannot help you with this but would you like us to refer it to the Ombudsman, an official visitor or the Human Rights Commission?" We act as a bit of a conduit rather than a direct contact in those matters.

THE CHAIR: We have run out of time. Thank you very much, both of you, for attending today. We really appreciate it. You did take a couple of questions on notice, so please make sure that you get the answers back within five days. Thank you very much, Inspector.

Appearances:

Gentleman, Mr Mick, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

Justice and Community Safety Directorate

Glenn, Mr Richard, Director-General

Doran, Ms Karen, Deputy Director-General, Community Safety

Johnson, Mr Ray, Commissioner, ACT Corrective Services

Pamplin, Ms Narelle, Assistant Commissioner, Offender Reintegration, ACT Corrective Services

THE CHAIR: Welcome. We are being broadcast, reported and webstreamed, as you would be aware. Can I confirm that you have all received the privilege statement, you understand its implications, and you agree with those? A thumbs-up from everybody will be fine. That is great; everyone put their thumbs up.

There are no opening statements today. I will kick off by asking questions about the riots that have occurred at the AMC over the last couple of years. My understanding is that there was a riot in November 2020 and one in May 2021. I will go firstly to the 2020 riots. Do you have a final figure for the damage that was caused in the AMC? What was the cost of that, and was it covered by insurance? Where does the money come from to pay for it?

Mr Gentleman: Yes, we have figures for the cost of those repairs; we are working through that at the moment. I will pass to our acting commissioner, Ray Johnson, to give you the fine details of those figures.

Mr Johnson: The estimated cost of the damage to what we call AU North as a result of last November's events was in the order of \$5.3 million. We were handed back the unit a couple of weeks ago, so it is back in service. The final costs are still being settled; I would expect the vast majority of that cost, all but the premium, to be covered by insurance.

THE CHAIR: And the May 2021 riot? What were the costs for that and what is the status of the repairs?

Mr Johnson: That impacted on what we call remand unit 1. The estimate for the cost was in the order of \$3 million; on top of that there will be some operational costs of about \$700,000. So it is possibly \$3.7 million. Work will soon commence on that; it is difficult to run two sites of work on the facility at the same time.

At the point at which we finished AU North, the new contractors came in and commenced work to prepare for work on RU1. The cost for that is yet to be determined, because, whilst we have a quote going back to AU North, we think it will cost us a bit less than the original costing, for one reason or another.

I could not put my hand on my heart and say how much that is going to cost. We are just going on what would be a reasonably rough estimate of the likely costs, and some

of that will be dependent on what they find behind roof spaces and so forth. They may be less damaged than we assumed when we were making the quotes, just in case.

THE CHAIR: When do you expect RU1 to be back online? Do you have an estimate of when that will be back online?

Mr Johnson: At this point, we are hoping to have the work finished and the unit back online by May or June next year.

THE CHAIR: Has this had an impact on insurance premiums?

Mr Johnson: That question might be best taken by somebody in JACS, but I would expect that it has an impact somewhere.

THE CHAIR: Is there anyone in JACS who wants to take that? Mr Glenn?

Mr Glenn: Just to answer your questions around insurance premiums, we are seeing an increase in insurance premiums across the board as a result of market changes, but we would expect, also, that the fact that we have had some claims will impact premiums as well.

THE CHAIR: Could you quantify that? Separating out other market forces, what is the amount of additional insurance that is being paid as a result of the riots?

Mr Glenn: I do not think I can separate those two elements. We are still waiting on confirmation of final premiums for the coming year. I can see if I can find out a bit more through the course of the hearing; otherwise I will need to take that on notice.

THE CHAIR: Could you take that on notice and get back to the committee?

Mr Glenn: Sure.

Mr Gentleman: Chair, there are some other considerations, too, including insurance claims for the hail damage that occurred. There was quite a bit of damage to the AMC, and that would also be part of any consideration for costs into the future.

THE CHAIR: Thank you, Minister. I am trying to separate out the CPI increase, the hail damage, and what element of the increase is a result of the riots.

In terms of lessons learned from those riots, have you got new procedures and policies in place to try and prevent it from happening in the first place?

Mr Gentleman: We are always updating procedures, and particularly after these sorts of incidents. There is normally an inquiry by the inspector, and we follow the recommendations from the inspector's report. And there are lessons learned. We see how we could avoid those issues in the future and then go through our policy and procedures to see what we can update. Safety is paramount for detainees and staff at AMC.

DR PATERSON: Minister, we have just heard from the inspector regarding

challenges around him monitoring and keeping on top of what recommendations from his reports and other reports have been enacted. What have you done since becoming minister a year ago in terms of what actions meet the recommendations from these reports by the inspector?

Mr Gentleman: There have been quite a lot of changes at the AMC due to our responses to the inspector's reports over a number of years, and there have been, as you have heard from the inspector, many recommendations over many years.

Acting Commissioner Ray Johnson has been integral in establishing a change process at AMC to ensure that we can have better outcomes, particularly for staff, but also for detainees at AMC. I might ask him to go through some of the changes that he has initiated in a moment, but one of the key things we have seen has been about staff numbers. We have done a number of recruitment courses since I have taken the reins at AMC and corrections. Four recruit courses have been completed. That results in 54 new corrections officers joining ACT Corrective Services and 16 joining the Court Transport Unit. So 38 have joined the AMC out of that group.

I have had the pleasure of meeting and welcoming many of those staff personally, and I have attended the graduation ceremony. I look forward to them working through and ensuring that we can have better outcomes for the staff and detainees at AMC. We will continue those processes, but I think that staffing was a key thing we saw come out of many of the recommendations that the inspector made.

We also have the Blueprint for Change Oversight Committee, which is being chaired by Ms Christine Nixon. That was established earlier, drawing on the recommendations of recent reviews. Some of the key areas of focus for the committee include engagement, leadership, strategy and training, and operational services delivery. Those have been key responses to the inspector's reports over the years.

Mr Johnson: I am happy to tell the committee about a couple of things that have progressed, some before my time and some since.

There has been a concerted effort in improving the training, particularly the mandatory training, which was one of the things that was pointed out as an issue in the inspector's earlier review. Particularly around use of force, the training requirement has been reinforced over recent times. We are up to about where we were: COVID has put a bit of a spanner in the works, but we are up to 94 per cent compliance on that. Fire awareness was about 86 per cent and breathing apparatus use was up. They were all relevant to both events. Training is well compliant at this point.

We have enacted a process to ensure that staff are engaged in the policy review process. Out of a number of inspector's reports, and other things we have worked out ourselves, we have needed to update some policy. Now we have gone into a process of negotiating and working with staff and the unions, as well as other stakeholders, to make those policies as fit for purpose as we possibly can. That process is underway and we have good feedback from staff on that front.

As the minister said, we are working pretty hard to ensure that we have the right number of custodial officers and other staff in and around the AMC to provide

services that we need to provide. As the minister said, we have run a number of recruit courses. We have one on at the moment, which will see another 17, should they all pass. We keep our fingers crossed for them. That will again boost the numbers of uniformed staff at the AMC.

DR PATERSON: On the recruitment you have just conducted, what is the gender breakdown of the new recruits?

Mr Johnson: We are working hard to try and increase the percentage of women applicants. I came from a policing background; we tried really hard in that environment as well and it was a difficult process. We had a course that was going fifty-fifty earlier in the year; this course is not quite so close.

At the AMC, for custodial officers our ratio is about 25 or 26 per cent female and 75 per cent male, so we have a bit of work to do to increase the number of female staff. Across the whole of corrections, that ratio has improved quite a bit. There are a number of female staff who work in and around the AMC—not necessarily as corrections officers, but in sentence management or other roles, including supporting the health services. In the broad, it is better than it is just in the uniform—

MS CLAY: Minister, we have around \$22 million earmarked for the AMC. I would love to know the details of this. I am particularly keen to know whether this money is going to fund the creation of separate facilities for women on remand.

Mr Gentleman: I will start by responding on the issue of women in the AMC. We are trying to do our best to keep women in the best possible accommodation for AMC. You would be aware that recently we were able to move women back to the appropriate women's accommodation from their previous accommodations at AMC.

The response we have had from detainees has been incredibly positive. Minister Berry and I visited there just a few months ago, to visit women detainees and see the response in person. They were overwhelmingly thankful that they could return to those accommodations. There were some issues that detainees raised which we are looking at, particularly in regard to some courses they could do at AMC.

In regard to accommodation for remandees as against prisoners, there is more work that needs to be done. We know that we have a situation where people on remand are in the same accommodations as those that are detained for criminal sentences. We know that does not sit well within our legislation. Indeed the issue has been raised by the Inspector of Correctional Services in his *Care and management of remandees* report back in 2018. There is quite a bit of work to be done to ensure that we can get the best for remandees in their accommodation. At this time there are no set plans for those accommodations; to say that it is still a work in progress would be the best explanation I can give at this time.

MS CLAY: How many women remandees are there? The scale of the problem is probably smaller for the women remandees.

Mr Gentleman: Commissioner Johnson should have the details of that.

PROOF

Mr Johnson: It is just a bit dated, because the numbers of women and the ratios change. At the end of September, we had 33 women. Of those, a bit more than 50 per cent were in remand versus those who were sentenced. That is the sort of ratio we have had for a while. I will double-check the numbers and come back to you before the end of the session and confirm those.

MS CLAY: It sounds as though separate accommodation for women remandees would be separate accommodation for 15 or 20 people?

Mr Johnson: Yes, it would be. If that was to be approached, that would be the sort of order, I imagine, although one has to allow for a potential increase in numbers over time. If you were to do it now, you would have to think about the future.

MS CLAY: Thank you. I would like to have those figures on notice, if you cannot find them today.

Mr Gentleman: We have allocated some funds in this year's budget to look through that. Whilst I said there is further work to come, we have allocated \$350,000 to do that detailed work.

MR BRADDOCK: I have a question about the transitional release program and how many detainees went through that program in the 2020-21 year. What was the capacity and what was the gender break-up of the people who attended that program?

Mr Johnson: I am sorry; would you mind repeating that question? The technology beat me a bit there.

MR BRADDOCK: Sure. I am interested in the details of the transitional release program in terms of how many detainees went through the program in the last financial year, what the gender break-up was, and what you are doing to encourage people to utilise that program to reduce the recidivism rate.

Mr Johnson: I can say a couple of things about the transitional release program. COVID has put a bit of a spanner in the works again with the use of the centre, but we are looking to get that up and running again as soon as we can so that we can use it for its intended purpose.

I will have to get the figures for the last 12 months on notice. I know that at this point we have one qualified individual ready to go once we get the systems and processes back online, and we have a number in the pipeline. It is an area of work we are really pushing on. Even prior to my time, there were some staff recruited to increase the work rate for the transitional release program, and that is the business we are in at the moment. I will need to take the figures on notice for the last 12 months. If I can do them before the end of the hearing, I shall.

I can give an update on the previous question. On the date I mentioned before, 18 of 33 were on remand and the remaining were sentenced.

Mr Gentleman: I can also advise that there is quite a bit of work going on in the programs in the reintegration division of corrections to expand on the eligibility for

the transitional release program and the transitional release centre. Hopefully, that will mean that more detainees will be able to access the program. I am pleased that corrections are able to start doing that work.

MR BRADDOCK: What is happening in the justice reinvestment space? With that program not being accessed at the moment and with the transitional release centre expansion on hold as a project, what is the directorate doing to support detainees, ensuring they do not come straight back into the AMC?

Mr Gentleman: I might pass over to the director-general to give you some information on how that is progressing.

Mr Glenn: Mr Braddock, let me talk through a couple of the broader justice reinvestment programs that are operating. We have the work that goes into the reintegration program; as the minister has mentioned, there is a body of work going on there and some further investment in this budget for that.

More broadly in the justice reinvestment program, there are a range of other matters, including the operation of the Drug and Alcohol Court, which seeks to divert people from custodial sentences into highly intensive drug and alcohol treatment. There is the work that has gone on around the justice housing program, which provides opportunities for people to find secure housing in order to assist in either not entering the correctional facility or exiting the correctional facility.

There are a range of other programs, many of which are in the Attorney-General's space, which go to the wraparound services that can be put around particular individuals and families. There is a program called Yarrabi Bamirr, which provides intensive case support to 10 or 15 Aboriginal and Torres Strait Islander families who are at risk of a range of vulnerabilities, some of which would lead to contact with the criminal justice system.

There is a large body of justice reinvestment work going on. Corrections components link to each of those. Corrections has a very big role to play in the Drug and Alcohol Court, for example, and the justice housing program.

Mr Gentleman: We are also looking to expand the throughcare program, to ensure that we can get more detainees in a better position before they are released from AMC.

MRS KIKKERT: You have briefly touched on the justice housing program. I want to elaborate on that a bit more. In the 2020-21 budget, under the line item "Providing alternatives to jail through the Justice Housing Program", the financial year 2020-21 has negative \$1.4 million, 2021-22 has negative \$1 million, 2022-23 has \$1.5 million, and 2023-24 has another \$1.5 million budgeted.

Despite the justice housing program being funded over the forward estimates in the 2020-21 budget, the 2021-22 budget has no funding listed at all for the justice housing program. In budget statements G, there is a line item under the subheading "Statement of Changes in Equity". The line item is the conclusion of other initiatives, including the justice housing program.

Can the minister explain the paragraph found on page 61 of statements G where it seems that the justice housing program initiative has been concluded? If this program has been concluded, why, and what has happened to the properties that made up the program?

Mr Gentleman: I think this relates to the way it is reported in the budget papers. The program continues. It has not been concluded. Indeed it is a very important part of the initiative that started off as Building Communities, Not Prisons. That has been running since May last year, and it will be evaluated and expanded as necessary.

The government is committed to expanding our transitional accommodation option for detainees leaving the AMC. We are listening to feedback from stakeholders and working to ensure that we get the best outcomes for those people. The program is designed to help reduce recidivism by keeping people who enter the criminal justice system out of the AMC. That is the key thought behind that. I might go to our staff to see if they can identify why it has been reported in the budget papers in this way.

Mr Glenn: Sorry, Mrs Kikkert; I am having trouble finding that line of figures that you were describing.

MRS KIKKERT: Budget statements G, page 61.

Mr Gentleman: Mrs Kikkert, would you mind if we take that part of the question on notice? We will see if we can find it in the papers and come back to you.

MRS KIKKERT: Yes. It would be great if you could take that on notice. I was also wondering how many beds there are in each property. Also, you mentioned possibly looking at procuring more properties. Is that still something the government is considering, and how many properties are you looking forward to increasing in the justice housing program?

Mr Gentleman: My understanding is that there are three beds in each property. There is a total of 10 properties across the ACT. There are also beds identified as bail beds. Seven houses are allocated for men; two houses are allocated for women; one is allocated for transgender and intersex people. They are operated by a local NGO on behalf of the ACT government.

I think we have a total of 44 occupants being accommodated who are either current or have exited the justice housing program. Each week the justice housing property team is processing new applications. There are minimal vacancies in the program, which is good; that means it is being taken up well. We will look to the detail of the expansion of that into the program when we get the opportunity.

MRS KIKKERT: Are you aware of whether there is any current waiting list for the use of the justice housing program?

Mr Gentleman: Yes, there is a waiting list.

MRS KIKKERT: Do you have an estimate of how many detainees?

Mr Gentleman: We will take that on notice.

MRS KIKKERT: Are any of these homes available for housing people sentenced by the Drug and Alcohol Court?

Mr Gentleman: Again, we will take that on notice. I think that is separate housing, but we will take it on notice.

MR CAIN: Minister, my question relates to the Sentence Administration Board. I make reference to page 444 of the 2019-20 JACS annual report. On that page, it identified a decrease in board sitting days—63, down 12.5 per cent from the previous year, in part due to a decrease in resources. Has the reduction in resources continued for this financial year?

Mr Gentleman: That would be a question for the Attorney General; so I would ask you to put that to him.

MR CAIN: No, I believe it belongs under your purview, Minister.

Mr Gentleman: SAB sits under me in the corrections space but that question would be for the Attorney General.

THE CHAIR: The Attorney General should be appearing tomorrow; so that might be one that you can put to him tomorrow. He will flick it back to Mr Gentleman, perhaps, but we will see how we go.

Moving to the next question, Minister, in the budget papers—and it is for JACS in its entirety; so Mr Glenn might have better information—it looks like there is a decrease of 66 FTEs. That is from budget statements D, page 4, estimated employment levels. Does any of that relate to JACS in the corrections space? What are the employment levels at the AMC, and has there been an increase in staff in this budget?

Mr Gentleman: My understanding is there has been an increase in staff for corrections throughout each budget operation. I have identified our intake courses that we have been doing most recently, but I will pass back to Director-General Richard Glenn to give you some more information there.

Mr Glenn: Those figures reflect a change from the 2019-20 and the 2020-21 interim outcomes, partly as some staff come off where we had additional staffing as a result of COVID-19. There were some temporary staff brought on for that. Some of that comes out. There were also some ceasing measures where temporary staff come out.

Additionally, there are a range of staff that are funded through revenue which may not be reflected in that total staffing FTE number because that will be determined by the business that generates that revenue and employs those staff over the course of the year. To the extent that it looks like a 66 FTE increase, it is less than that and it is mostly explained by additional staffing coming off post-COVID.

In terms of staffing within AMC and corrections, I think that is essentially a growth trajectory there with the additional recruitment that the minister and Commissioner

Johnson have already talked about.

THE CHAIR: It might be a question that I need to take to another area. Can you break down for me, perhaps on notice, these ceasing measures and staff that are not continuing with their employment from ceasing measures, I think you said? These are programs that are being cancelled. Can you break down for me what those programs are and who is no longer being employed?

With COVID, could you please outline how many people are no longer being employed who were previously employed under Jobs for Canberrans and specific COVID measures? The third category you talked about was revenue. I assume that is own-source revenue? Is that what you are talking about, Mr Glenn?

Mr Glenn: Indeed, mostly in the Government Solicitor's Office.

THE CHAIR: I suppose, regardless of what those measures were, there is a bunch of people—66 in net terms, but in gross terms it would be significantly more than that—and I am after that gross number in those three categories of people who are losing their jobs: not being continued through contracts or whatever it might be. Could you break that down, and tell us what functional areas they come from? You can take that on notice, because I accept that it goes beyond just the corrections remit. There might be some of that within corrections, perhaps, but it is a broader question.

Mr Glenn: I can certainly do my best to break that down. Some of it will simply be temporary positions coming off. If we can identify precisely where they are, we will do so. There are ons and offs in all of these; so it becomes challenging to work out the precise areas. But we can do that and we can certainly talk more about that own-source revenue that will support positions that are not necessarily reflected in that 2021-22 budget figure.

THE CHAIR: What happens—and we have seen this in other portfolios—is that the net figure in this case is a net decrease of 66 but the gross figure in terms of job reductions is actually quite significant, because there is obviously growth in other areas. I am just trying to get a figure for those jobs that are ending.

Mr Glenn: It will probably look different from that but, we will get you that on notice. That is fine.

Mr Gentleman: In response to that question, in my other portfolio of industrial relations, I can advise that the government is going through an insourcing program, a very strong insourcing program across government. We will see allocation of funding for positions that were previously temporary or casual positions that now are going to be insourced, full-time positions. We will try and allocate that, I think, in future budget papers so that you can see the work that has been done and what is being planned for the future. You will see quite a few changes where we had temporary positions or perhaps even contracted positions that the government is now working through to insource and put them into permanent positions right across the service.

THE CHAIR: It is just that that is not reflected in the budget papers, because it is the reverse of that, in fact. You have a reduction across the entirety of JACS, a reduction

of 66 FTEs. That would indicate the opposite, to be frank. Anyway, enough of that.

Mr Gentleman: As I said, we will try and reflect that as best we can.

DR PATERSON: Minister, my question is around what work is being done at AMC regarding fetal alcohol spectrum disorder and detainees.

Mr Gentleman: Thanks very much for the question. It is an important one. We have noticed, of course, that the spectrum does affect the way that people interact in society and indeed can sometimes provide the avenues that mean they end up in AMC. Whatever we can do to study those people that are available and that have indicated they would like to take part in this study would provide further knowledge for us in being able to deal with people with the syndrome.

We have some expert work happening with justice health as well, looking at how we can study those people and provide some outcomes for them. We also look to the future and how to deal with such social issues that are occurring in our community and therefore pushing people into the justice system in the first place. I might ask Commissioner Johnson to provide some more details on how those courses are going.

Mr Johnson: The committee might find it useful. In recent times our reintegration team have commenced a new alcohol and drugs program within the AMC. It has been a challenge to run programs, of course, as a result of COVID, but the program is best practice and has had really positive feedback from those detainees who have undertaken it. It is not necessarily focused directly on matters of fetal alcohol syndrome but generally on the use of alcohol and drugs in the centre, and it has had really positive feedback. We are hoping that pilot program will continue, and it certainly will.

Within our Corrective Services capability, we have a number of social workers, psychologists and staff that can support individual detainees on matters relating to alcohol and drug use. I think we have one vacancy, but that team is all but fully staffed. That work continues now, obviously with the challenge of COVID, but will ramp up once we can get everyone back into normal business, whatever that might look like.

With your indulgence, Chair, I can probably answer a couple of the questions asked earlier and fill in some gaps, particularly relating to the question about the transitional release program. Since the policy commenced in December 2020 there have been 13 applications. Of the 13, to date one has been approved, one declined and three not progressed. The remaining eight are in various stages of progression. They are progressing towards, hopefully, success in the pathway.

The declined TRP application was based on outstanding New South Wales matters coming to light after the process started; so that made that one difficult. The three applications not progressed were as a result of the detainees wishing to withdraw their applications for various reasons. When the policy started in 2020 three detainees—one female, two male—were already involved in the program. Hopefully, that helps to answer the member's question.

PROOF

On the subject of justice housing, there are 43 people under assessment now to go into the justice housing program. The assessments have not finished, and the need is not immediate for them to get into the justice housing program. I can say, though, as the minister indicated, that it is pretty much fully utilised at this point in time.

DR PATERSON: Going back to the fetal alcohol spectrum disorder program, just to clarify, is that a diagnostic assessment of detainees that will occur? What are the time lines for this?

Mr Johnson: Just to be clear, the program I spoke of is a more generalist program. We are not screening for fetal alcohol in that context. It is a program that people can access in order to improve their outcomes in terms of their own drug and alcohol use. I do not mean to mislead you on that subject. It was not necessarily that it was screened for in that program. It was more reflecting on the success of the program for those who were part of it in terms of their own alcohol and drug use.

DR PATERSON: Can you detail a bit more about what that alcohol and drug program entails and what sort of measurement outcomes there might be for that program?

Mr Johnson: Narelle Pamplin, the Assistant Commissioner, Offender Reintegration, will be more across the detail of that. I will step aside briefly and let Narelle fill you in a little more on the details of that particular program.

Ms Pamplin: We currently have a pilot program, as the commissioner has mentioned. That is a dialectical behavioural therapy-based program that we are trialling as a pilot. It has been in commencement for six weeks now.

We do not have any actual evaluation. We have very rough data on efficacy. Obviously, without completing the program for the 12 weeks, we do not have that. We still continue our partnership through therapeutic communities, with the Karralika drug and alcohol experts in the community. That is ongoing, although it has been paused for COVID.

We are endeavouring to look at alcohol and drug treatment across the AMC both from an assessment and an early intervention perspective as well as from a treatment program perspective, as part of the pre-release spectrum of programs that we are offering.

MS CLAY: It is great to hear about the drug and alcohol program but fetal alcohol syndrome disorder is more about a health condition that somebody has from the foetus, from before they were born. I would be interested in knowing if you have figures on how many detainees have fetal alcohol syndrome disorder compared to the ordinary population.

Mr Gentleman: I might pass that to Karen to see whether she can provide us with an update on that. I do not think we have any figures in the ACT.

Ms Doran: Thank you for the question. This is a very important area and, as the minister has said, it is an area that we are considering some work on going forward,

together with justice health and across the broader system, not just in corrections.

Fetal alcohol spectrum disorder is best identified at an early stage, so identifying people at an earlier age is of the highest benefit in this process. We are looking for options, not only once people are in the corrections system but possibly earlier in the process, perhaps through the court processes or even with policing. We have also been looking at a broader process, not just limited to FASD but considering other forms of functional disability and cognitive impairment.

We have been looking at the FASD screening system, which is one that can be adopted, at least in a preliminary stage, by, let's say, non-professional people. For instance, we could train people within the court system or within the corrections system to be able to undertake an easy preliminary screening of individuals to then identify those who might move on to a more detailed screening.

As I said, a lot of work is being done looking at the potential for this, probably moving towards a pilot program in 2022 to take this forward. We are really conscious, in commencing something like this, of ensuring that there are adequate resources within the broader system to then support any findings that we have and, if we do identify people, to then be able to provide the on-support services for them as well. It really is a whole piece of work that we are trying to progress in a holistic way.

MS CLAY: I am wondering how many detainees we have who are in there because they have breached a public health order, a public health direction.

Mr Gentleman: I would have to look at sentencing aspects of court decisions to understand that. I can advise, though, from recent briefs from ACT Policing, that there are none solely for a public health order. In the briefs that Policing have given to us, generally in regard to breaches of a public health order where they have enacted an arrest or a charge, it has normally been concurrent with another offence. They may have arrested someone for a particular offence that has occurred in the ACT and then found at the same time that they are breaching a health order, and those additional charges have been added. That is the recent brief from ACT Policing.

MS CLAY: When ACT Policing arrest someone, are they in the first instance targeting somebody who has committed some other offence or are they in the first instance targeting somebody who has breached a public health direction? What is the initial trigger point for the involvement of the police?

Mr Gentleman: The initial trigger point is the one you mentioned first. It is normally where a breach of law has occurred in another circumstance, whether it is the Crimes Act or some other infringement or offence against an act in the ACT, and then in the investigation process they find that the offender has also breached a public health order and additional charges have been added.

MR CAIN: I would like to explore what the minister's responsibilities are with respect to the Sentence Administration Board; and the more particular he can be, the better.

Mr Gentleman: The SAB sit under me in a corrections space. They report to me in

the sense of sentences that are provided by the board to those that are interned in AMC, or those that will be interned, and the operation between the SAB and those interned at AMC that need to perhaps report to the SAB for a sentence, for example.

It is the relationship in an operational sense of how people in detention at the Alexander Maconochie Centre appear before the SAB, whether it is in person or via telecommunications, which is more or less happening now with COVID restrictions. It is how that operational, if you like, fixture works between those that are in the AMC and those that need to go before the board.

Mr Glenn: If you look at the administrative arrangements, you will see that the part of the legislation that deals with the operation of the Sentence Administration Board—and that is high-level administration—is allocated to the attorney, essentially as a tribunal within the broader justice system. As the minister says, within the corrections portfolio, the responsibility is around some of the operational delivery aspects of the board’s work, including making sure people are getting to hearings and so forth and being able to deal with the decisions that the board makes. Corrections provide secretariat support to the board, but beyond that, essentially, it is an Attorney-General’s function.

MR CAIN: What role does the minister have in terms of ensuring the board is adequately resourced?

Mr Gentleman: That is the role of the Attorney-General.

MR CAIN: What role do you have in the protocols and governance arrangements—for example, ensuring the privacy of those that appear before the board?

Mr Gentleman: I have that role in the sense, as I mentioned earlier, of the operational capability between those detainees at AMC and their attendance at SAB. I do not have an overarching policy role in how that occurs, though. I guess, as a minister in government, I have a role in how government policy rolls out.

MR CAIN: In terms of the privacy of attendees, do you have a role at all operationally and/or policy-wise?

Mr Gentleman: Yes, operationally, in that sense of their privacy whilst they are at the AMC.

MR CAIN: How do you ensure that privacy is secure?

Mr Gentleman: Through our operational procedures that occur under the Corrections Management Act and the directions from the acting commissioner down to staff at AMC and the court transport unit.

MRS KIKKERT: My question is in regard to the reintegration centre. Last budget \$30 million was allocated for the centre, but then it was put on hold. Minister, can you tell us the current status of the reintegration centre? Is it still on hold? When does the government intend to begin the process of its development?

Mr Gentleman: It is on hold just at the moment while we do some other work around the AMC. We want to make sure we can fund the facilitation of some critical repairs and improvements to the AMC following the storm damage and the damage, as you heard, as a result of incidents that occurred earlier on, in addition to a strategic assessment of the long-term future accommodation needs of the facility. The reintegration centre has been deferred to allow that work to occur.

During this period, ACT Corrective Services will work to optimise the utilisation of the existing transitional release centre. That work is being done to modernise and improve programs and services available to detainees as well. Investment, of course, in these areas will assist in reducing recidivism and will better support detainees transitioning back into the community from their custodial setting. The budget includes an allocation of funds for improved reintegration and wellbeing initiatives, and that will enhance services and support available to detainees at the AMC.

MRS KIKKERT: Can I clarify, Minister, that the reason it is on hold is that the \$30 million that was budgeted for the reintegration centre is being put towards repairing the damage caused by the riots and the hailstorm at AMC?

Mr Gentleman: Some of those funds, yes.

MRS KIKKERT: Where are the rest of the funds going?

Mr Gentleman: Sorry, no. Those funds are being allocated from our insurance costs. The funds still sit there at the moment. It is just a deferral of the integration centre. The reason for the deferral is so we can focus on the other work.

MRS KIKKERT: With the transitioning centre, are you in the process of expanding it, as well as improving the programs that are in the transitioning centre?

Mr Gentleman: That will be some further work. At the moment it is on hold while we look at what we can do into the future.

MRS KIKKERT: So the reintegration centre is on hold and the transitioning centre is on hold?

Mr Gentleman: No, we are using a transitional release centre. It has 20 beds at the moment.

MRS KIKKERT: It has 20 beds. But the expansion of that is also on hold?

Mr Gentleman: Of the?

MRS KIKKERT: The expansion of the transitioning centre, the release centre.

Mr Gentleman: The transitional release centre?

MRS KIKKERT: Yes.

Mr Gentleman: We have 20 beds there at the moment. If we need more, we can

certainly expand on that.

MRS KIKKERT: No. You were saying before that the expansion of that is being put on hold.

Mr Gentleman: It is the reintegration centre that is on hold.

MRS KIKKERT: Okay. Thank you for clarifying that. When the reintegration centre was first announced it was stated that it had 80 beds. Does it still have 80 beds? I heard that it was going to be cut down to 60 beds.

Mr Gentleman: I might ask the commissioner to give you some more detail on that.

Mr Johnson: Noting that the reintegration centre was also part of the transitional release process, as I understand it, there is no plan to change what was originally proposed in the reintegration centre. I would have to take on notice whether it was 60 or 80 beds, but whatever it was originally proposed to be would still be in the current version of the plans.

MRS KIKKERT: My understanding of a reintegration centre is that it is basically built to help detainees build skills such as woodworking, metalworking and whatnot. Is the idea of the reintegration centre to build up skills for detainees in that sort of environment?

Mr Gentleman: Overarchingly, it is to build detainees' resilience in preparation to re-enter the normal community. It is more of a wraparound service. It does include skills-based activities as well, but there are a lot more services to support them and provide them with an entree, if you like, to move back into functioning in the community.

MRS KIKKERT: Was there a design for the reintegration centre?

Mr Gentleman: There certainly was, yes. A great deal of work occurred prior to its announcement and, indeed, the funding options were well reported.

MRS KIKKERT: Is that available to the public?

Mr Gentleman: Yes. If you look at previous budget papers you will see what was involved in that. I would imagine there would be some documents available that would show you the announcements at the time. We can certainly point you towards those.

MRS KIKKERT: I understand about the announcement. I am more interested in what will be the contents, what will be inside the reintegration centre, and the design of it. If that is available, it would be great if you could table it for the committee or take it as a question on notice.

Mr Gentleman: I do not think those plans have been finalised. As I mentioned, it is on hold at the moment. There is still some work to be done.

MRS KIKKERT: When do you think you will begin the process of developing or designing the reintegration centre after it has been on hold?

Mr Gentleman: We have not organised a time line yet. It is still in progress.

MRS KIKKERT: What is stopping it—

Mr Gentleman: Further work—

MRS KIKKERT: except for the damage that needs to be repaired?

Mr Gentleman: Yes, that is the key component of that aspect of when it would be delivered and the plans for it.

MRS KIKKERT: Are you saying that, once the repairs at AMC have been completed, you will have a rough idea of when the reintegration centre will be developed?

Mr Gentleman: There is quite a bit of work to do, as well as the repair work at AMC. We will look at staffing and the programs that will be available for the integration centre.

MRS KIKKERT: Can you take it as a question on notice, Minister, as to what sort of work needs to be done to make sure that the reintegration centre is developed, besides repairing the damage at AMC?

Mr Gentleman: It is still in plan. There is quite a lot of work to be done. I do not know how much detail we can give you on notice, but we will see what we can do for you.

MRS KIKKERT: Thank you.

MR BRADDOCK: Coming back to the transitional release centre, with its 20 beds, how many of those are occupied? Is it being filled only by detainees who are on a transitional release program or are there more of the general prison population in those beds?

Mr Gentleman: I think there are two applications in process at the moment. I will go to the commissioner.

Mr Johnson: As I indicated, part of our issue at the moment is that the transitional release centre is physically outside the fence. At this point we do not have anyone occupying it, primarily driven by the fact that we are COVID-restricted. We hope to get people back to the transitional release centre itself once we get people through the pipeline. There are no detainees as such in it. It is not built for normal detainees to be housed.

One of the requirements to transition into the transitional release centre physically is a low security classification, which is part of the assessment process. As I said, there are 13-odd people moving through that process. We are working through the glitches and

we are getting as many people into that as we can. Once we have got ourselves through the current COVID challenges and the plans that go with it, we will have the TRC up and running with the 20 beds. It is not being used for any other purpose. It could be, if we were pushed, but it is generally not fit for the purposes of normal detainees under normal circumstances.

MR BRADDOCK: Why are we not pushing for more usage of the TRC, given the crowded population at AMC? Should we not be doing everything we can to encourage applications and support people towards that centre?

Mr Gentleman: We would like to see that. As I said—

Mr Johnson: Absolutely.

Mr Gentleman: there are a couple of applications. Once we get past the COVID restrictions that we are on at the moment, we will do our best to see what we can do for those detainees that want to move into TRC. Of course, as the commissioner said, that will depend on the security classifications and the availability of staff as well.

MR BRADDOCK: I have received feedback from detainees that the bar for prisoners to be able to enter the TRC is too high; hence there is only a limited number of applications. I am trying to understand what the government is doing to ensure it can get detainees to the point where they are suitable to be in the TRC, relieve some of the accommodation pressures in the AMC and help people reintegrate back into the Canberra community.

Mr Gentleman: As I have said, we are trying, as best we can, to get staff to support those people that need to go through that process. I have said many times that part of deferring the reintegration centre was to allow us to enhance the utilisation of TRC. I have also said that we are doing work to expand the eligibility. That is a process that is ongoing.

THE CHAIR: Minister, there is an expenditure line in the budget “contraband detection and intelligence solution”. I assume that is the body scanner. If it is not, can you tell me what it is? But if it is the body scanner, can you give me an update on the procurement process for a new body scanner?

Mr Gentleman: It is a very important investment for AMC. We have seen the inspector’s report most recently and previous reports in regard to searches across the AMC and, of course, the impact of human rights in that process as well. We want to make sure that the AMC is as safe as possible for both detainees and staff. That is the basic reason that we have searches in AMC.

If we are able to operate a body scanner, it will mean a much less intrusive application of searching. There may still be some searching that will occur if there is evidence found once a body scan has been done. We see that it will dramatically reduce the need for personal searches. I will pass to the commissioner for the time line of when the scanner will go into place and how we are going through appropriating that.

Mr Johnson: We had funding for a body scanner in earlier budgets and we are in the

process of procuring for that. The second body scanner that the government has made available will be picked up in that procurement process. The last update I had was that we are at the point of evaluating applicants. The plan is to have preferably both but at least one in play and working by the end of the financial year. I am hoping to have it done sooner than that if we can.

THE CHAIR: Can you take it on notice and give me any further updates? I am just keen to know when we are going to have a body scanner there. It seems strange that you are not sure whether it is one or two, as I read it. The more detail you can give me on notice, the better, if you can, Commissioner.

Mr Gentleman: I think 22 August is the time line and indeed we are moving to two. One was already funded and is waiting on installation and the other one has been announced in the budget.

DR PATERSON: I am aware of a Caring for Country program that was working with detainees, Indigenous detainees, a few years ago. Is there any current work like the Caring for Country program working with Indigenous detainees at AMC?

Mr Johnson: There are a number of programs being run at AMC to support Indigenous detainees. I think that particular program was being run out of legal and policy in JACS. We have a number of programs running that support Indigenous detainees. I might check with Richard or Karen where that has been run out of. But it is being run; that is my understanding. The point to be made is that at this stage, because of COVID and the restrictions on accessing detainees, it has been difficult to run programs unless we can run them online. Most of these programs have their best effect if they are done in person. Again, once we can work out the next stages of COVID-normal, we will return to action and will be delivering those programs which have had to be paused.

Mr Glenn: I might need to take on notice the details of that program. We can come back to you on that. As Commissioner Johnson says, the COVID environment has made that difficult for the moment. We can provide you with more information.

DR PATERSON: Thank you very much.

Mr Johnson: I can give you a list of the programs that are being run, if that is useful?

DR PATERSON: Yes, please.

Mr Johnson: These are the programs, once we can get clear of COVID. We hope to recommence the elders healing program. We are going to try and do that by Zoom and see how successful we are. The elders visitation program, which was a regular program—again, there is much nervousness among some of the elders in terms of interaction with detainees—is just holding at the moment. We do elders one-on-one trauma counselling twice weekly. There is the songlines program; culture and land management; the Indigenous chapel; the artefact therapy program; the cultural art program; the elders family engagement program, which is a quarterly program; the elders strong fathers program, which again is quarterly; the elders community and cultural program; and the mothers of Aboriginal and Torres Strait Islander children,

which is, again, a quarterly program. Where any of those can be run online we try to, but for most of those we really need people in contact directly.

DR PATERSON: Thank you.

MS CLAY: I was hoping, Minister, for an update on our needle exchange program.

Mr Gentleman: Thanks very much for the question. I might pass straight to the commissioner for that detail.

Mr Johnson: I understand the needle exchange program was something that was contemplated some time ago but ultimately was voted against by staff. As I understand it, that program has not progressed—I might be corrected by people who have been around longer than me—since even as far back as 2010 or 2011.

MS CLAY: Can I get some more detail about that? I thought it was government policy.

Mr Gentleman: We will take that on notice. It may have been for a previous government, but we will take it on notice and come back to you.

MS CLAY: Thank you. If it has been abandoned then I guess we need to have an update that that is no longer government policy, and perhaps the reasons why. That would be helpful.

Mr Gentleman: Yes.

THE CHAIR: Sadly, I know the answers to those questions. I was doing the shadow corrections job back in 2008, but I will not bore the committee with it. I will leave it to the minister.

MRS KIKKERT: I go back to the transitional release centre. Is it still available for men detainees only?

Mr Johnson: At this stage men only.

MRS KIKKERT: From my understanding, there are criteria to enter the transitional release centre and that is why a lot of the detainees are not in the transitional centre, because they are not aware of the criteria to get there. Minister, you mentioned before that you are doing your best in there. What can you do in this area that will improve how detainees access the criteria so they know exactly what they need to do to enter the transitional release centre?

Mr Gentleman: My understanding is that those that have expressed an interest are aware of what is needed to access the centre. I think I mentioned that we have two in waiting at the moment. There are some issues around the security of the centre, as the commissioner detailed earlier. We are trying to work through those processes to ensure we can support those people that want to move to TRC.

MR BRADDOCK: How do we ensure that we are engendering a culture in the ACT

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corrections service staff of being respectful of human rights and ensuring those are maintained within the AMC?

Mr Gentleman: There is the cultural awareness process that staff go through, particularly in their training process, to understand what is appropriate for the way that AMC operates and how to be aware of cultural differences across the AMC and, indeed, human rights conditions for AMC as well. It is part of that induction process, but it does not stop there. There is ongoing training for AMC staff. We have talked about that training in respect of the safe application of other aspects of their operations. Generally, there is quite a bit of work that occurs between operational supervisors and staff in AMC on how they should be culturally appropriate when dealing with those detainees at the AMC.

THE CHAIR: Minister, thank you very much for attending with your staff today and, Commissioner, thank you.

Mr Gentleman: Chair, just before you close, Mrs Kikkert asked a question with regard to the budget reference on justice housing. We cannot find the page that she indicated. We did take it on notice, but we would ask Mrs Kikkert to put it on notice from the committee so that we have the detail of that.

MRS KIKKERT: Yes.

THE CHAIR: She has acknowledged that she will put that as a formal question on notice. Thank you, Mrs Kikkert.

Hearing suspended from 11.16 to 11.31 am.

Appearances:

Gentleman, Mr Mick, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

ACT Policing

Crozier, Mr Peter, Acting Chief Police Officer

Heldon, Ms Corey, Acting Commander, Operations

THE CHAIR: I welcome the minister and ACT Policing. I remind you that we are being livestreamed, webcast and recorded. Can you all give me a thumbs-up or otherwise confirm that you have received the privilege statement, you understand it and you will comply with it? Does anyone have a problem? No? I take it that we are all good.

As I understand it, the Deputy Chief Police Officer is acting in the role of Chief Police Officer today. I believe you would like to make a brief opening statement.

Mr Crozier: Thank you, and good morning to you all. I am the Acting Chief Police Officer, but my substantive position is Deputy Chief Police Officer of the ACT.

Chair, thank you for the opportunity to appear before you today and for allowing me to provide you with a short opening statement. In the current environment, I believe it is important to start off our appearance today by providing you with an update of ACT Policing's response to the COVID-19 pandemic and the recent lockdown, noting that I am sure you have a number of questions for us.

ACT Policing's uppermost priority is always the safety and security of our community and our workforce. This has not changed but has become increasingly important since March 2020. Our actions and responses to COVID-19 have contributed to limiting the spread of the virus in the community and reducing the impact on our members and their families.

A dedicated COVID-19 task force was established in July 2020 to ensure a centralised, coordinated response to both business continuity and enforcement action. The composition is aligned to the risk to public health and to police operations. Accordingly, its resources were bolstered in response to the lockdown.

As we all know, Delta was a game changer. At its peak, 110 staff were attached to the task force. This included our compliance teams, administrative support and liaison roles with our government partners. But I would point out that all members of ACT Policing continued to have COVID responsibilities. A dedicated commander was appointed to lead ACT Policing's COVID-19 task force under our business continuity arrangements. I would like to acknowledge the AFP Commissioner for his support in this appointment and his commitment of other AFP resources to keep our community safe.

ACT Policing's response was undertaken in accordance with the Public Health Act and the public health directions. Delta has not gone away, and we will continue to

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work closely with the ACT government and ACT Health to protect our community and ensure compliance with the public health directions. In this regard, whilst I fear excluding the efforts of others, I do wish to acknowledge the contribution of the Chief Health Officer, her deputy and her teams for their outstanding commitment to this response, for which there was no blueprint.

From the time the ACT-wide lockdown began through to 25 October, ACT Policing has undertaken nearly 50,000 traffic compliance stops, 6,114 personal checks and 2,360 business compliance checks. We have also issued 622 directions to leave the ACT. In this regard, the contribution of our partners, the Australian Defence Force, Access Canberra and Transport Canberra, cannot be understated. ACT Policing has made six arrests for alleged breaches of the health directions when no other offence has been involved and 48 arrests for breaches of the health directions attached to other offences. We have issued 74 infringements, 122 cautions for alleged breach of the health directions, and 826 move-on directions.

ACT Policing has received 2,438 compliance complaints and we have probably engaged with hundreds of thousands of people during this time. At all times, our strategy has reflected the “engage, educate and enforce” approach in line with the broader ACT government COVID-19 response. It has been pleasing, therefore, that, for the most part, our ACT community has followed the restrictions and understood and accepted their compliance requirements after conversations with police. This has been an incredible demonstration of our community-minded spirit.

As noted previously, the majority of arrests for COVID-19 breaches arose in our response to more serious related or related alleged offences such as property or person crimes. I believe my officers have been reasonable and accountable in their actions, engaging and educating in the first instance, and shifting to a stronger enforcement posture where it was warranted.

The Chief Police Officer and I are proud of the work of ACT Policing. Our women and men constantly face a challenging and dangerous work environment. Our people go towards the difficult. That is an inherent feature of policing. However, the past two years have undoubtedly tested their resilience, professionalism and dedication in new ways. They have met the challenges they have faced and have at all times continued to keep the community safe. I thank them and the families and friends who support them to serve our community.

As with all agencies, it has been a busy time for ACT Policing, with members required to pivot from non-critical time priorities to the immediate safety concern at hand. This has seen some capabilities paused, but these decisions have been considered on a risk basis, with police resources always available to support and protect our community. We do look forward to resuming our broader in-person community engagement over the coming months as restrictions ease and with the festive season upon us. But we were agile and ready to respond to the COVID-19 pandemic as required. We want to keep our community safe.

Thank you again for your time today. I and my team are happy to answer any further questions.

THE CHAIR: Thank you. These are interesting times, and I am sure that the committee passes on its thanks to your members.

We heard from the Australian Federal Police Association on our community day. The president said, “We do not have the bodies or the depth to be able to support an ongoing crime team or investigation team in the pandemic or anything else that may flow out of it, whether it is another bushfire because we are coming into that season,” et cetera. The AFPA have been making the point that they are short on numbers. They have been using the figure of 150 publicly. Can you confirm that police have been taken off criminal investigations and other tasks and outline to me what is the nature of those investigations? What are the tasks where police are being taken off normal duties to be put into the COVID task force and perform COVID tasks?

Mr Gentleman: Chair, could I just give an overview first? I thank the AFPA for their advocacy for ACT Policing—indeed, the AFP as a whole. They do a very good job. They do pinpoint some areas we need to take heed of, particularly into the future as we look at numbers for the ACT.

I am very confident that the Acting CPO and the team have made the right decisions in ensuring that staff can be moved across different parts of the ACT to provide safety for the ACT, particularly in times of the COVID pandemic. I think they have done quite a phenomenal job in doing that. If we need to look for more resources into the future—as we have in every budget when I have been a minister, ensuring that we can provide the appropriate resources and, indeed, more resourcing for Policing—we will do that as well.

Mr Crozier: We will always prioritise our resources to the issue that we are dealing with. That is always a focus on the safety and security of the community. Throughout this period, the safety and security issues that were pressing as a result of COVID did mean that we had to redirect some of our resources, and we did that effectively. It did not mean that we were not continuing with our other priority investigations. But they are based on priority, and they are based on what risks we are experiencing.

They are supported as well by ongoing processes, including what we have developed through the police services model. That puts a focus on how we develop our intelligence products to make sure that we are aware of issues and where crime might be creating some challenges for us. It is about us being mobile in relation to deployment of our resources. Whether they are crime resources, response resources or resources at the back end of assisting our people to deliver their services, we will always do that on the basis of priority, or do it based on risk and what we have seen from an intelligence perspective.

The focus of our response was COVID. That was the pressing need. We have been able to respond to that very effectively. We will need to continue to do that, because, as I mentioned, our sense is that Delta has not gone away and the challenges that exist will continue. But what we have looked to do, post the end of the lockdown, is start to reduce our focus on compliance with COVID and move our focus more back to a business-as-usual sort of posture.

It is also about phasing out of that team. I spoke about us having about 110 people

attached to the task force at its peak. That ensured that we were able to undertake significant compliance requirements. We were redirecting those resources because some of the activities that would otherwise be undertaken—such as patrols of community areas, public gatherings and the like—were not required because of what was occurring within the restrictions placed by the lockdown or the public health directions.

That gave us the opportunity to redirect our resources. But as we move into the next phase, we will start to consider how we phase our people back into those areas based on priority.

THE CHAIR: Thanks for that. Obviously, taking 110 officers off other tasks has implications. If you cannot give it to me now, can you, on notice, give me a breakdown of what matters you had to either suspend or cancel in that diversion?

The AFPA also made a point about the shortage of police numbers. They said that we are quite thin and that members are suffering mentally and physically because of it. If your members are stretched very thin and they are very busy, how are they coping?

Mr Crozier: Chair, I would suggest to you that they are coping much like the rest of the community are. This has been a very challenging time. It is not just about what we have dealt with since the lockdown; this has been ongoing from the aftermath of the bushfires. Then we moved into the hail; then we moved into COVID. It is really important to acknowledge the support that comes from people's families and close friends to support individuals to undertake their service to the community. There is pressure that has been there.

One of the things that we have introduced through the last few years is broader assistance to our people in terms of both physical and mental health. You might be aware of the introduction of the SHIELD program, which is a broader AFP program, to complement some processes we had previously, including an early engagement process.

If there are people who may be feeling some challenges—they may be feeling under stress; they may be experiencing other issues that are happening outside their professional environment—they are able to get early access to some of the services that are available. Rather than getting to situations where it gets to crisis point for individuals, if we can be in front of those matters, we can start to work with people and encourage them to take up those services and that support.

Again, I would acknowledge the important role that the AFPA play in that. They can assist people to do that but also identify that people might be coming forward to them about any issues that they have, to bring that to us. We can assist, and we can direct them to services.

As we move into the introduction of SHIELD more broadly, which we expect to be in place fully in the next six months within the ACT, we will see a range of different physical and mental health services across a range of activities. Again, this is about us encouraging people to come forward and acknowledging some of the stresses and strains that they are dealing with, whether they are professional or they are personal,

and us being able to provide that support and those services.

What we do not want people to do is feel that if they do come forward, there might be some sort of sense that they are not as effective as they once were. We need to assist them. The community has invested heavily in people being able to undertake policing, and it is incumbent on us, as leaders in the organisation, to make sure that people are provided with and encouraged to undertake those services.

DR PATERSON: My question is in respect of a very localised problem, the intersection of Uriarra Road and Mountain Creek Road. The Uriarra community are very disturbed about the level of dangerous driving on the doorstep of their community. A young constituent, Hugh Hagan, has been collecting data on the number of nights per week that people meet out there to do burnouts at this particular intersection. It is so stark that there was a complete drop during the COVID lockdown, and now it has started up again. It is so regular. I want to know what police are doing to stop this dangerous driving at this particular intersection.

Mr Crozier: I will make some opening comments in response to your question but then I will pass to Commander Heldon, who leads our road policing response. She can give you a bit of an overview of not only what we do in particular locations but, more broadly, some of our targeting around road behaviour and trying to change that.

It is obviously a significant concern. But it also provides us with opportunities. One of the things reflected in your question is that a local constituent is looking to be able to provide some data we can work with, rather than just making a complaint and not having anything behind it. That is a very good thing for us—to be able to use it and then develop some strategies. But I will not hold you up too much. I will direct you to someone who understands this process more than I do.

Ms Heldon: My current position is Acting Commander, Operations, for ACT Policing. My normal role is superintendent in charge of road policing in the ACT, so I am very happy to take this question.

We have been provided with some footage from this constituent in recent months, prior to lockdown. There has been an active operation on our part to assess the footage, see if we could identify some of the offending vehicles, registrations et cetera, and then work out effective targeting strategies.

What we have done in the past with others that have provided similar footage is had a look at those, identified the offences that were taking place, identified the vehicles and then the owners of those vehicles, and proceeded with prosecutions in relation to that. It is our expectation that we will do as much as we can, as I say, using that footage—having a look at the times of day, and then developing some targeting strategies to address that issue. As I am sure you can appreciate, we have similar issues in various parts of the ACT.

The other thing I would like to say is that we have worked very well with the ACT government in identifying ways to minimise some of this. For example, during last year's bushfire season, we were made aware of some burnouts down around Tidbinbilla. We worked with the ACT government not to police it per se, but to

change the road surface to make burnouts difficult, if not impossible. That prevented those occurrences from happening. We are working very closely with the ACT government to identify strategies that are not just about enforcement, but also about trying to eliminate the behaviours.

Mr Gentleman: Thanks, Ms Heldon, for your work there. As you heard, there is quite a bit of work occurring across government with ACT Policing, resulting in the change of the bitumen surface at Tidbinbilla and Paddys River Road, which moved people away from doing burnouts in that location. It basically made the bitumen surface much coarser, so that a burnout, if it occurred, would deflate the tyre and cease the purpose of the burnout.

Also, we have been working with ACT Policing on the placement of solar-powered CCTV, so that we can identify not only the people that are committing the offences but the spectators that are going to have a look at the offences. I think there is a view amongst the community that if they have fewer people watching it, there will be less incentive to do the burnout in the first place. So there is a bit of a wraparound service that is occurring with ACT Policing and across the ACT government.

DR PATERSON: Thank you. Are there any plans to put a CCTV camera at this particular intersection?

Mr Gentleman: Those are mobile services, and we are able to relocate them where needed. We take advice from ACT Policing—and, indeed, JACS—on the best position for those. We move them around quite a bit during bushfire season sometimes, to locate people who deliberately light fires. But they can also be very useful in this sense. I think at the moment there are four cameras in place on those rural roads.

Mr Crozier: It also reflects some of our strategies in the social media space and the like in trying to deter people from thinking that this is the sort of activity they should be undertaking. You do not do these things unless you have an audience. It is a very dangerous practice and one we try to discourage wherever we can. We hope that through that engagement, and through those different platforms, we might be able to deter that activity. It is one of those challenges.

There is not a single panacea for fixing the problem. As both Corey and the minister mentioned, there are many ways to address the issues. One way is to withdraw the opportunity by other innovations, including infrastructure, like changing the road services. But on top of that, there is new messaging, different ways of thinking. It becomes a real job lot for us.

MS CLAY: Thank you for your opening statement, in which you outlined that you have been operating in a state of emergency for a couple of years now. That is certainly not lost on me. We had the bushfires, and some apocalypse, and hail, and then we rolled straight into COVID.

I think climate change means that we are going to be operating in a state of emergency a lot. We are going to have a lot more risks that we will need to manage. Do you feel that you have the training and the tech resources to deal with that, moving

ahead, noting that we are moving into another fire season right now?

Mr Crozier: We certainly have the capability. One of the strengths, from my perspective, in the ACT is the strength of partnerships. And the fact that we are answering all under one portfolio works very well for us. It enables us to address issues as a collective.

We look at the intelligence. We look at what we are foreseeing. We have already had briefings from the ESA about what we might be facing into the next 12 months. And there are experts who are able, as well as they can, to predict or give us some indication of what we might be facing. That assists us to start thinking about what our posture might be—what sort of requirements there might be, what sort of specialist capabilities might be required, and how we would be able to respond.

Importantly, we know that there are certain peak periods when we may need to make sure that we have a heightened level of capability. If we can predict those, and use the data that is available, we can use the expertise that comes from our partners to be able to develop those plans.

There are always opportunities. And we are always looking for different innovation. There are things that are available not only from our partners in the ACT but across the spectrum, both nationally and internationally—the things that law enforcement can do to respond to some of those issues and then use that expertise. But often in these situations you are talking about, we are complementing the response processes of our partners. They might have a lead in relation to such things as bushfires, but we might fall in behind that to provide what services we need to make sure that the community stays safe.

The other thing is active media—engaging and making sure that people understand some of the risks, and, where we can, being able to identify any of those risks and being in front of them as much as possible.

MS CLAY: I note that we are using the ADF now. Last time we were in estimates here, we were talking about the ADF and their role in the Orroral Valley bushfires. They are quite different scenarios, admittedly. But I am wondering whether we are using an official call-out for that use of defence forces. How are the police using those officers? How is that integrated? What sorts of conditions do we have in place to make sure that that is good use of a resource and a good use of the people who are trained in force?

Mr Gentleman: We make a request of the ADF for resources. We did it during the bushfires and again during COVID. The Acting CPO will be able to give you the detail of how those resources are managed on the ground.

Mr Crozier: In my opening statement, I mentioned the success of a number of the response frameworks that we put in play. One of those was some of our traffic requirements and traffic compliance that was happening at 11 different locations on the border that we identified. The ADF provided some incredible assistance to us as far as pre-screening was concerned. We would not have been able to sustain that level of coverage and ensure that level of compliance otherwise—or, importantly, provide

that level of safety so that where there were concerns about individuals who may be coming into the territory without the necessary exemptions or requirements, they could be turned around.

It was not a case of, “Stop and then turn around.” There was an education process that was happening throughout that to ensure that people understood what the requirements were. Yes, they were getting frustrated. Some of them would come in and they would say, “We are a bit confused.” But I think there was value in us being able to ensure there was clarity. The clarity was always there; then they knew what they were required to do the next time they came in.

The ADF, in that regard, were very professional. They provided us with a lot of assistance. As I said, we would not have been able to undertake the amount of compliance that we did without their assistance.

Importantly, we also need to reflect on the assistance provided by the ADF earlier, in relation to our quarantining processes in the earlier part of the response in 2020. That assistance—and you saw it across the country—was high level. It ensured that law enforcement agencies across the country could continue to do their business-as-usual work; they were able to be supplemented by our ADF partners.

MS CLAY: And it was always local police with the ADF?

Mr Crozier: Yes, it was. We did a number of activities on the New South Wales and ACT border with our New South Wales colleagues. That is what we do in the normal course of events, anyway. It was mutually beneficial for us. Again, it built on that strong relationship we have with our close regional partners.

As reflected in the responses of all law enforcement to work together and pick through some of these challenges—many, as I said, that had no blueprint previously—we have learnt a lot from those things and we will continue to look at new ways of doing business.

We will need to transition back into our normal business as usual as people come back into the office for work. People are back on the road. We have all seen more traffic. It is disappointing for me; I used to be able to drive to Belconnen a lot more quickly than I can now. But it is something we have looked at to ensure that what we have done with our transition back into business as usual is reflected in the movement and the reduction in restrictions across the board.

MR BRADDOCK: I want to ask about the charges for breaching the public health directions, which appear to have predominantly been placed against individuals who are being charged with another offence. I would like to understand how that is proportionate to the level of COVID risk. Was it a case where the individuals who had committed another offence were a far greater COVID risk or was it a case where you were already charging them, so why not add the additional charge for the breach of a public health direction?

Mr Crozier: There are two aspects to that. As we mentioned, there are two figures, importantly. There is the figure of the six who were arrested and charged for primary

breaches of the public health direction. Then there are those that come to our notice as a result of other activity that is more serious, often at a higher level of crime.

Importantly, it is to reflect that individuals knew what their responsibilities were under the public health direction. Whilst they might have been undertaking other activity which led to the offences, they were also aware that they had breached the public health order. That is something that we would do in the normal course of events. It is reflective of the fact that they had committed that breach.

Reflecting on the six who were directly charged, as you would understand, across Policing, it is not something where we make a straight-up decision. This was individuals who more than likely have been advised that they are COVID-positive or have been required to quarantine. Their expectations have been set out for them, and then they have breached. That creates a public safety issue for us.

If they are out in the public and they have COVID, they are a problem. And they are a challenge for the community more broadly. Let me use the analogy of a person driving in a manner which is dangerous. We need to ensure that we do not impact on the public safety where we can. That is primarily what the strategy was.

In terms of where we were attending other matters, we would be asking questions. We would find out whether they were aware of the public health directions, whether they were aware that they may have been in breach. If they were and they were deliberate, they would be charged.

MR BRADDOCK: It is just interesting how the “engage, educate, enforce” model applies up to the point where someone has been charged with another offence and come to your notice and then, suddenly, the first two steps are skipped and you go straight for the enforce model at that point.

Mr Crozier: If we were dealing with someone who may have been committing an offence but were not in breach of the public health order, we would not be charging them with that. But often you have a situation where they may be out on the street. They may have committed an assault. They are also in breach of the public health direction. They know they should not be out on the street. They should not be involved in that behaviour. Therefore, they will be asked questions. But if they know they are willingly in breach then they will be charged.

MR BRADDOCK: So long as you are not a criminal, you will be quite fine to breach the public health directions and know you will probably get off with just a warning; is that the case?

Mr Crozier: We have certainly used our discretion in a number of matters, I think reflected in the number of cautions that were provided to people. If we are looking at the circumstances, I must say that every situation we deal with is on a case-by-case basis. We were mindful of the challenges that people were experiencing—how difficult this was and how unusual the situation was that people found themselves in. It was difficult for all of us. It is a challenge, and it will remain and continue to be a challenge in some regard.

But where people were out, where they were in breach, and where they were aware of it, then yes, they were being charged with those matters. As I say, we need to look at each matter on its merits. We have to consider each matter case by case, and that is what we did.

THE CHAIR: I want to turn to the Molonglo area of Canberra—suburbs like Wright, Denman Prospect and Coombs. Anecdotally, I am getting quite a few constituents concerned about the level of property crime and other crime in that area. I am wondering if that is reflected in your call-outs and what you are doing in response.

Mr Gentleman: Chair, could I say first that the government and ACT Policing are committed to tackling all criminal behaviour in our community. When discussing crime across the city, it is important to remember that advice from successive CPOs is that Canberra is a very safe city. The ACT experiences low crime rates compared to other jurisdictions. On average, I think crime rates in the ACT are lower than they were 10 years ago, with about an 11 per cent decrease in the number of offences reported to police in the last decade.

While there is a perception in some quarters, as you have mentioned, that crime is rising in perhaps Weston Creek and Molonglo, this part of Canberra is no different from any other. Some crime types have increased, but most have decreased over the years. The government is committed to working with and investing in ACT Policing to ensure that incidents of crime remain low and that they are responded to as quickly as they occur. But I will ask the Acting CPO to give us some more detail on their operations in that area.

Mr Crozier: As we have seen, as areas like Molonglo continue to grow, the unfortunate flow-on effect of an increase in population in an area is the likelihood of some criminal activity. That is international experience. But what we find very important—this is through the police services model and the approach that ACT Policing has across the board—is looking to be intelligence-led, making sure we know those areas of concern.

If they are hotspots, if we are seeing areas of all crime—including property, persons offences and other related matters, where those areas are becoming a priority or starting to cause some issues—it is creating a rich picture for us to understand what that might be and consider a range of options that may be available, such as increased patrols, including whether we choose to use something which is more covert, including people with our surveillance teams and the like. It is about throwing up a whole range of options to try and address the issue.

Importantly—you made the point earlier—yes, there may be increases in crime in the location. For us to be able to get that reporting and be able to manage it and understand the data is fundamental. One of the things that has been very successful for us, coming out of the police services model, has been the operational intelligence team. That has created a real-time capacity for us to understand what the intelligence looks like and be able to direct our patrols across a range of crime types in a very timely manner but one where people are highly aware of the issues they are going into.

If it is a location of concern, if it is a position or something where there have been a

number of occasions when police have gone to the same location and we are responding to it, it might be that we need to look not just at the actual location but at issues in and around that—some other concerns that we may have, some other individuals who may be in the area that raise a challenge for us—and look at ways to address those issues in a more innovative and more effective manner.

The real-time intelligence-led processes, the mobile patrol processes and the capacity for us to increase the amount of time that patrols are visible are certainly one of the strategies that we have in place.

DR PATERSON: Yesterday, we heard from the DPP around sexual offence matters getting to the courts. He expressed quiet concern that there had been a substantial decrease in the numbers of matters appearing before the court. He said he was working closely with you on this, to work out why. I am interested in ACT Policing's view on what the challenges are here and how we may work to create an environment where people feel supported to come forward with their experiences of sexual assault.

Mr Crozier: I am aware of the DPP's comments yesterday, and I am aware that he mentioned that we are working together on this to understand what the challenges may be and how we go forward in the future. That process is ongoing.

We are reviewing quite an amount of material to understand if there are any trends and how we are actually engaging. Very importantly for us, it is about us being victim-focused—ensuring that we assist people through the process and working with a range of support agencies about how we might do things differently, how we can work better in the future.

You are probably aware of the steering committee that is being led by Renee Leon to pull a range of agencies together to understand what opportunities exist to do things differently in the future. It is not just about our response; it is about a range of reforms that may be available.

It is about working with both the ATSI and CALD communities to understand the challenges that this may present to them as both a cultural and a systemic issue. This is about what the future can look like for us and how we work with those agencies, but ensuring that we do the reviews of the matters we have undertaken to understand the trend, understand what may have been the reasons for that occurring, and make sure that our decision and our accountability are sound.

I do not want to create expectations that all matters are going to be reopened. The decision-making on many of these matters has been sound. It is victim-focused. We do not want to take away the capacity of the victim to be able to determine how they want matters to proceed.

But to do that, you need to have plenty of support around them, and they need to understand all the different issues leading through what has been the most harrowing time for an individual, something that many of us would not be able to imagine.

DR PATERSON: Do you collect data on the numbers of people that present in comparison to the numbers of people who make a formal statement?

Mr Crozier: Yes, we do.

DR PATERSON: Is there a substantial difference between those numbers?

Mr Crozier: In terms of a substantial difference, you need to look at the data across the board and look at each of the different elements of it. You could say that one number is fundamentally different from the other, and that may be the case, but there are plenty of things along that continuum and plenty of data points that may paint a more accurate picture of what actually is occurring. What is really important is along each phase of the situation so that we understand it better. Importantly, for each phase, that provides us with opportunities to know how we can engage and support a victim in more effective ways.

DR PATERSON: Is it possible to get that data on notice?

Mr Crozier: Yes, we can take that on notice.

DR PATERSON: Thank you very much. I really appreciate it.

MS CLAY: We heard a couple of other interesting things from the DPP yesterday. We heard that domestic violence matters were up, which makes good but sad sense to me. We also heard that proceeds of crime matters were up, which I would imagine is about white-collar crime and about intelligence. I was wondering if I could get your reflections on those two figures.

Mr Crozier: Over the COVID period, in terms of domestic and family violence, there was not a significant change in our statistics. There would be certain matters within that. It might be assaults that are non-DV related and the like. I do not have the exact stats in front of me, but I can provide them to you on notice.

We have not seen an enormous spike in the reporting to us, but we were aware of broader reporting to other agencies. I think that reflects a very unfortunate situation, but some level of positivity is that at least people are reporting that. We do say, "Please, don't stay somewhere you do not feel safe." If we can, in these situations, we try to encourage people to extract themselves, or their children or whomever, from those situations. That is obviously something that we want to do. And if they do not feel comfortable in coming to the police, at least they are comfortable in going to somebody who might be able to provide them with support.

That is important, and it is across the board. There are a number of initiatives that you may be aware of with cross-agency processes that we are undertaking to provide holistic support and understand family violence better and then develop our strategies moving forward on that.

In relation to the proceeds of crime, there have been a number of major forfeitures with the restraints matters we have undertaken. That is encouraging in terms of our capacity to respond to organised crime. I know of one matter where we restrained in excess of \$10 million worth of assets.

PROOF

One of the key elements of any sort of proceeds of crime action is to have a hard workover and reduce the capacity of organised crime to continue to function. That does not mean interdicting at a criminal level. It also ensures that we take away their profit from crime and restrict their capacity to continue to impact on the community through organised crime.

That has been a very effective use of the power that we were provided with and it is part of an overall strategy in relation to our response to organised crime across the territory, also working very closely with our national and international partners in that space.

THE CHAIR: Thank you very much for attending today. Can you work on your answers to questions on notice as quickly as you can, because we are all working under time constraints?

On behalf of the committee, I would like to pass on our thanks for the extraordinary work that your members have been doing, not just ongoing, but particularly over the last couple of years that have been so difficult.

Mr Crozier: Thank you for your support.

Short suspension.

Appearances:

Gentleman, Mr Mick, Minister for Corrections, Minister for Industrial Relations and Workplace Safety, Minister for Planning and Land Management and Minister for Police and Emergency Services

Justice and Community Safety Directorate

Glenn, Mr Richard, Director-General

Whelan, Ms Georgeina, Commissioner, ACT Emergency Services Agency

White, Mr Robyn, Executive Branch Manager, Finance, ACT Emergency Services Agency

Wren, Mr Howard, Chief Officer, ACT Ambulance Service

Scott, Mr Rohan, Chief Officer, ACT Rural Fire Service

Doran, Ms Karen, Deputy Director-General, Community Safety

Environment, Planning and Sustainable Development Directorate

Rutledge, Mr Geoffrey, Deputy Director-General, Sustainability and the Built Environment

THE CHAIR: Welcome. We are being webcast, lives streamed and recorded for Hansard. Can I just confirm that staff have read and understand the privilege statement? Great.

In the interests of time, we are not having any opening statements. I will crack off and ask about the area of Molonglo. We were just talking about that with ACT Policing. Obviously, it is a new and growing area. What are the plans, if there are any, for a new ESA fire and ambulance station there? When will we see one delivered? And what are the workarounds in the interim until they have their own station?

Mr Gentleman: Thank you, Chair. I can say the government is working to deliver a joint fire and ambulance station in the city as well as the Molonglo Valley. We have announced \$939,000 funding in the 2019-20 budget to progress due diligence and the forward design for future joint stations in Acton and Molonglo. In August 2020, the government announced funding of \$45 million for the design and construction of the joint fire and ambulance station at Acton, and the forward design for the Acton station is currently underway. So there is quite a bit of work to be done with key stakeholders in that concept design process.

The significant consultation and user requirements for the Acton station of course will inform and expedite the Molonglo station feasibility phase as well. Part of the work that you would be aware of that we are doing for Acton is to ensure space for electric vehicles, and our first ever electric fire truck for the ACT. The commissioner and staff will give you some more detail on that purchase a little bit later, but that work is well underway. Aspects for the Molonglo station, including the block allocation, response times, features and residential growth considerations, are well underway. Following that feasibility stage it is anticipated that a business case will be submitted in the 2022-23 financial year, and that will outline the forward design and construction for the new Molonglo station and for the proposed completion date, which we see as 2025-26.

THE CHAIR: That is great. In the interim, will they be managed from Woden or Belconnen or whichever is the nearest station?

Mr Crozier: We find the responses across ACT Fire and Rescue, ACTAS and ESA are mixed, depending on where the resource is at the time. You might see, for example, that an ACTAS resource might be freed up after finishing a job at the Canberra Hospital, and it might be dispatched from that location. So it will depend on where the resource and the available people are at the time of need, but I think it is probably timely for me to pass on to the commissioner and the staff to give us some more detail on how that would occur for Molonglo.

Ms Whelan: Thank you very much, Minister. Good afternoon, my name is Georgeina Whelan. I am the Commissioner, ACT Emergency Services Agency. The network of emergency response from a fire and rescue and ACTAS perspective is managed through our triple-0 communication centre, and vehicles are dispatched from the most appropriate location to the area of need, In the event that a station within a region is already committed a secondary network of fire and rescue and ambulance vehicles are available to be redirected. At this point in time, our resources to address the needs of the community are sound as referenced in our ROGS reports. The Molonglo station is aligned to the growth in the community in the time frame in which the stations will be opened, and that will meet what we anticipate to be the increased need in that region at the time.

DR PATERSON: Minister, there is a \$15 million investment over four years, which will be spent to boost the capability of the ACT's ambulance service. Could you outline where that money will go?

Mr Crozier: Yes, we are working with ACTAS staff, the TWU and the ESA to transform the ambulance service to ensure it continues to meet the needs of the growing city and I think the service has done an amazing job of reform over the last number of years. That has been shown in our response times recorded in the ROGS, as well. So that funding will see improvements in the emergency triple-0 triage process and procedures to ensure efficient and safe triage dispatch and referral.

We have taken some lessons learnt in other jurisdictions where we have seen different ways of approaching triage. Victoria is a very good example of how they manage the triage system and dispatch system. We want to see the introduction of specialised response capabilities as well, such as infections control, and the introduction of five new low-emissions vehicles for the ACT Ambulance Service fleet. So this is an initial investment in the transformation of ACTAS, and that builds on the substantial improvements made, as I said, over the last term. I look forward to the ongoing work with ACTAS staff, the TWU and ESA through future budget and bargaining processes to modernise and sustain the service into the future. Having said that, though, it is probably appropriate to go to the commissioner and chief officer to give you some more detail.

Ms Whelan: I will break down the detail of the funding we have secured. That is, as the minister has stated, the secondary triage system, which will include three paramedics to support that triage system, and four FTE into our communication centre to increase the workforce, both from a call-taker perspective and clinicians in our

communication centre. That is aligned with the forecast increase in demand over the next three years.

We are also introducing two additional duty officers into the ACTAS system to provide additional supervision for our paramedics on road, and to be emergency incident controllers as required in the event of a major incident occurring. The introduction of the infection control officer will also enhance the processes and steps ACTAS are taking to achieve full accreditation of the ACT Ambulance Service in the next couple of years. As we continue to enhance and roll out the recommendations from Blueprint for Change, we have three additional staff who will be driving the trading and development program for the ACT Ambulance Service, the leadership program for the middle to senior management and increased on-road training and clinical support, particularly for our new graduates as they enter into our program.

DR PATERSON: Thank you. I have a supplementary question. We have heard a lot about the police's response to COVID. I am very interested, given it has been a health emergency, the ambulance's response to COVID. Going forward, will there be changes in practice that will occur as a response to the learnings from the last year?

Ms Whelan: I will ask our Chief Officer, ACT Ambulance Service to join me. I will start by giving you an overview. So our chief ambulance officer is connected nationally with the network of ambulance officers throughout Australia. They have been regularly meeting to share learnings from the challenges of COVID, both in phase 1 and the Delta phase. We have seen many initiatives adopted by our ambulance service for the health, wellbeing and safety of paramedics, but also for our patients. Nationally, the ambulance service's rate of effort has been sustained. It has not dropped off as it had last year, but we have also seen an increase in calls made into our triple-0 centre. But I will hand over to the chief officer to give you some additional details.

Mr Wren: I am Howard Wren, Chief Officer, ACT Ambulance Service. I acknowledge that I have read the privilege statement. Probably the single biggest impact and the greatest learning for us has been in the use of personal protective equipment. We now use PPE on every patient interaction, regardless of the likelihood that that person may have been exposed to COVID or is suffering from COVID disease themselves. You asked about how this might influence things moving forward, as we move out of the more acute phase, and I think it comes back to that as well. There will be a generalised greater awareness and greater use of PPE in a greater number of cases.

MS CLAY: Minister, there is a growing movement of climate litigation and some New South Wales bushfire survivors recently successfully sued the New South Wales EPA. I put this matter to the EPA earlier in estimates, and I am wondering if the ESA has also had a look at this. There is obviously going to be more and more litigation and more and more risk involved with climate change. Have you had a good look at emergency services and what that particular decision and the movement of climate litigation means for your resourcing of the emergency services here?

Mr Gentleman: Certainly, we have had a look at the risk that climate change brings in the way that we respond to it and prepare for it in the future in the sense of ensuring

safety for Canberrans and indeed our regional areas as well. I will go to the commissioner to see what work has been done internally in regard to litigation. I would imagine that that is more an area that JACS has been looking at. I have not had a particular briefing on it, but it is something we should be aware of into the future as well.

Ms Whelan: Thank you very much, minister. There are a number of steps that we are taking as part of the broader emergency services community, as well as within the ACT. We work very closely with the Australasian Fire and Emergency Service Authorities Council to remain up to date on the contemporary issues as they relate to the impact climate change will have on the health and wellbeing of firefighters. Secondly, our strategic bushfire management plan and the governance board for the strategic bushfire management plan are looking at the particular area of climate change and its challenges. It also a key agenda item that is monitored by our Bushfire Council. With respect to our fire services, both urban and rural, a series of health and wellbeing initiatives are being rolled out across our community, and there is the introduction of the additional fitted masks for our rural firefighters for this upcoming bushfire season.

MS CLAY: That is all excellent, but in terms of the actual output of the ESA and the ability of the ESA to manage this increasing climate change risk environment we are now in, do you feel that our government resources have grown in pace with that increasing risk?

Ms Whelan: I think the resources that we have received here in the ACT Emergency Services Agency are maintaining pace with the risk and the challenges. Of course, having said that, as new information and research becomes available, we will need to be agile and adapt to those changes as required. With regard to litigation, I would have to hand that over to Director-General Richard Glenn.

Mr Glenn: Thank you, commissioner. Ms Clay, I think we seek to monitor litigation across the board to see what might be emerging in terms of litigation against the territory. We are not aware of anything currently in relation to the ACT, but we keep a watching brief on that. I probably cannot take it much further than that right now.

MR MILLIGAN: Minister, just obviously in this year's budget, you have put in \$8.3 million to be spent on the Gungahlin Joint Emergency Services Centre over four years. Within the first year, you have allocated \$500,000 to be spent. What, specifically, will that \$500,000 cover?

Mr Gentleman: There is quite a bit of work to be done to prepare SES and RFS to migrate from the location to some more appropriate accommodation in the Gungahlin area. My understanding is that work so far has been very positive and that both services are quite excited about being in the space, to be able to design the interior of that accommodation into the future. And once that is done and finalised, the extension of police services and ambulance services at the JESC will go through as well. So you will see that extra funding come in to provide that in future budgets. But it is quite a good investment, I think. It is a recognition of the pressures that have been on both those volunteer services, but also police, ACTAS and Fire and Rescue in that area. So I might pass over to the commissioner. She can talk to you about the work that is

undergoing at the moment and touch on that good response from our volunteer services.

Ms Whelan: Thank you very much, minister. I will touch on the aspects of Gungahlin as they relate to the ESA. If there are broader questions, I will defer to Deputy Director-General Karen Doran, on those breakdowns. From an ESA perspective, obviously phase 1 for us is to decant SES and RFS out of the Gungahlin site into a new location, and then move elements of our SES Majura into the same location. We have met with the two State Emergency Services and the RFS in the last three weeks. We have held town hall meetings with the captains, commanders and the volunteers, and, overwhelmingly, we have received a very positive response on it. Once that is achieved, it will allow us to create the space necessary for policing, refurbishment and minor works to be undertaken. But also the benefit of this program in the initial stages is to create additional space in Gungahlin for ACT Ambulance Service capabilities.

MR MILLIGAN: Thank you. As to the other \$8 million, what will that be spent on? Will it provide additional facilities or extra rooms at the current centre? You have mentioned that you will be moving out the three other emergency services to another location. Is part of that \$8.3 million going to go towards the relocation of the other services as well? And, more importantly, has a new location been picked yet? Is there a premises that has been identified for the three emergency services to be moved to?

Mr Gentleman: I might just talk to the funding first, Mr Milligan, and then allow the commissioner to talk about the location. In this budget, it is \$11.4 million to improve the accommodation for police and emergency services at Gungahlin. There is \$9.772 million over four years. Now, that includes expansion of the ACT Police Station and ACTAS footprint at the Gungahlin JESC and to relocate and fit out the new site in Gungahlin for RFS and ESA—the state emergency service. And it also begins the design work to relocate ACT Ambulance Service and Fire and Rescue in Gungahlin as well. I will hand over to the commissioner for all those site preparations for the volunteer services.

Ms Whelan: Thank you very much, minister. I will defer to Ms Doran for the financial details, as this has been managed at a corporate level. No sites have been confirmed as yet for the initial relocation for the longer term in Gungahlin. That is all subject to feasibility studies and research and also commercial-in-confidence negotiations with regard to the relocation to the Mitchell area. But I will hand over to Ms Doran for some further detail.

Ms Doran: I am Karen Doran, Deputy Director-General, Community Safety. The budget funding for the JESC is essentially a joint fund across the ACT Policing and ESA service elements. Because of that, it is a staged project that works through the movement of services out and then the refitting of the building for expansion of ACT Policing into that space. The funding takes it as far as the commissioner has said—the volunteer services being relocated out of the JESC. So that is the first stage in the process, and the first component of funding goes to that element—both the identification of an appropriate site and the design elements, and then the refitting as required of that site to allow the movement.

In parallel with that we will commence some design work on the refitting of the space

for ACT Policing to expand into the area that has been vacated by the volunteer services. So there is a second element of funding into the 2022-23 period that is the design works on refitting that space. Then the capital works for that will commence, and then, finally, into 2023-34, we will be expanding into the completion of those capital works. As has been identified, some early work on options for relocation for the ACTAS and Fire and Rescue services out of the JESC will then allow the complete allocation of that site to ACT Policing. All of this staging has been, as much as we can, mapped to what we understand will be the service needs as the demographics and population growth of the area dictates.

MR MILLIGAN: Obviously, a new site has not been located yet for the three emergency services. Once a new site is located, will we be expecting the government to add funds to fit out that site? Because, obviously, it would be very hard to put in funds now for a new site when you do not know what that may look like. So as part of that, the \$8.3 million would go predominantly towards a current JESC site. Would additional funding have to be included for a new site for the emergency services once one is located?

Mr Gentleman: Yes, correct.

MR MILLIGAN: Okay. And well, once you move all the additional emergency services out of the Gungahlin Centre and that is predominantly just used for ACT Policing, how many more officers can be expected that could be housed in that new centre?

Mr Gentleman: As you heard earlier from CPO, there is quite a bit of work around ACT Policing on the police service model. So we are not allocating officers to particular regions; we do that across the ACT to allow police to respond to crime in the most effective way. When we look at allocations, we look at the resources at any particular point in time and we give freedom to ACT Policing to allocate those resources. But I can give you my commitment that at each and every budget—as I have since being minister—I will increase and argue hard for more resourcing for ACT Policing.

MR MILLIGAN: Obviously with the increase of capacity at that centre, we would expect that more police personnel could actually be housed there.

Mr Gentleman: Certainly, the centre will be a larger footprint for ACT Policing. So they will not only be able to deploy their regional squads for Gungahlin, but may well be able to use the space for other operations that occur within ACT Policing as well.

THE CHAIR: I am just interested in the preparation for the upcoming bushfire season. It has obviously been very wet this year and I am just wondering if that has had an impact on backburning. So in terms of backburning targets and other preparations, could you give me a bit of an update on where we are at, please?

Mr Gentleman: Yes, certainly. I will pass on to the commissioner in a moment, but I would just like to advise that we are using an all-hazards risk approach now for our emergency services agency. So we are not just looking at bushfires, but we are looking at storm seasons and the preparation, all year round, for working with hazards across the ACT. We look at a total of fuel load reduction, not just backburning, and

we are looking at residual risk for the territory. This is a new approach to target areas for reducing bushfire fuel, and measuring the effectiveness of bushfire fuel treatment on public land as well. This approach, of course, quantifies the effectiveness of fuel treatments across the landscape to reduce the impacts from bushfires. And those fuel management activities reduce and manage fuel loads. So there is certainly backburning, which you have touched on, but we use strategic grazing and slashing as well for fuel reduction across the territory. I will pass to the commissioner.

Ms Whelan: Thank you very much, minister. I have asked our chief officer of the Rural Fire Service to join us, as it relates to preparedness. I may just defer to Mr Rutledge in the first instance on statistics from an EPSDD land management perspective on prescribed burns and then address the preparedness of the agency as it responds to and suppresses the threat of fire across the season.

Mr Rutledge: Unfortunately, I will need to take that question on notice. I just do not have those figures in front of me, but I will take that on notice and provide that to the committee shortly.

Ms Whelan: I note that there is a prescribed burn underway today across the territory. In terms of prescribed burns and preparedness for the season, from a bushfire perspective, noting that we are taking an all-hazards approach, given the threat of the La Nina this year, I will first hand over to the chief officer of the RFS.

Mr Scott: Good afternoon. I acknowledge the privilege statement. As you would be aware, the start of the fire season has been delayed by one month until 1 November due to significant rain during the winter and spring periods, which is very similar to what we had last season, when we also delayed the start to the season. Our biggest risk for the ACT this year, will be predominantly the significant grass growth. As that cures we will have a transition to grassfire risks, typically around the end of the January/February period. The heavy fuels out in our forested areas are quite heavy in moisture content at the moment, so they will not pose as big a risk as they have previously, particularly during the 2019-20 season. But there is always the chance that we will have some forest fires.

For our preparation, we have a circular year-round preparation period here within the agency, and the Rural Fire Service has a large component of that preparation that we do for the all-hazards approach. From a service perspective, we have gone through our checklist. All our brigades have continued engagement, even during the COVID period, via online training or regular meetings via teleconference and things like that. We have used the opportunity during the off season to upskill a considerable number of our volunteers from a basic firefighter level up to the divisional commander level. We have also been able to introduce new products to better understand where the risk is for the ACT, to monitor that risk, and to give better information to our ground crews, on a particular elevated fire danger day, as to what they could expect and what strategies they can use to accommodate those.

We have also had the opportunity to continue the trial of our fire detection cameras and our call-out application for our members, to get them notification of incidents quicker and to get them to their stations in a timely manner so they can then respond to those incidents. We are also working very closely with the other services in the

agency, which allows us to leverage off the other business units to support us in our response and our preparation phases so that we get more firefighters on the frontline and utilise the services within the agency to support us to do our role of protecting the community.

We also have a very comprehensive community engagement strategy, which is about to be released in conjunction with the start of the season. It will allow the community to be mindful of the need to update, review or develop their survival plans, but also understand what the risks for this season will be. As I mentioned, the risks for us will predominantly be grassfires.

Ms Whelan: Thank you, Rohan. In addition to that, at a whole-of-government level, all directorates and agencies met recently to overlay the 11 bushfire operation plans that are out there across the ACT to identify any risk and mitigate against that risk, should it be apparent, which it has not been. In addition to that, we are using satellite imagery this year for a regular observation and monitoring of the grassfire threat for the ACT, and that will allow the chief of the Rural Fire Service and Parks and Conservation to preposition response vehicles so that we can have a timely response to what may be the threat of fast-moving grassfires. We are also working closely with TCCS on grass management throughout the bush fire season.

MS CLAY: On the bushfire management, I just wanted to check in. There were a few lessons learnt from our last major fire season, including coordination with the ADF, and also the use of cool, cultural burns. Can you let us know how that has progressed since the last major fire season?

Ms Whelan: I will talk to the ADF coordination, and then defer to EPSDD with regard to the cultural burns, because they lead on those, and ESA supports them. We have had regular engagement with the ADF over the last 12 months. More recently, we had a major, coordinated whole-of-government and agency meeting with Emergency Management Australia as well as the ADF to consolidate our plans for the season and to coordinate our requests for ADF support if necessary. Throughout the last 12 months we have maintained regular engagement with the lead planning team from the ADF that are allocated to support the ACT during the high-risk weather season. We were very much looking forward to conducting some training exercises with our counterpart brigade that would support the ACT, but unfortunately COVID put a hold on that. Having said that, we have developed a number of packages so that we could inculcate ADF members into the ACT Emergency Response in a safe and proactive way as they support predominantly the Rural Fire Service and ACT Ambulance Service. I will hand over to Mr Rutledge with regard to the cultural burns.

Mr Rutledge: Thanks, Ms Clay. Yes, cultural burning is something that I suppose is a relatively new area for our directorate and for use in the territory, but when we compare it to where we are against other jurisdictions, I think we are ahead. We are really using cultural burns at this stage as a learning tool, in that we are engaging with local Ngannawal people, including our own Ngannawal staff, but it is not of a large scale yet. We are in that learning phase. We have learned a lot over the last couple of years and our journey of learning continues on this, but it is not yet a large tool as part of our management; it is still in its infancy for us, I would say.

DR PATERSON: I am just looking at output 4.1, Emergency Services—the total cost per head of population. Between the 2021 target and the actual outcome it seems there was an eight per cent increase. I am just wondering, given that we knew COVID existed then, and we did not have significant bushfires over the last summer, why there is such a difference between the outcome and the target.

Ms Whelan: If you could just bear with me for a moment, I will just have a look at the notes.

Mr Gentleman: In relation to the operational plan outcomes?

DR PATERSON: It says, “Output 4.1 Emergency Services, Table 23, accountability indicators”. And just down the bottom, “Total cost per head of population.”

Mr Gentleman: We will see whether the commissioner can answer that. While we are looking for that, I have an answer regarding the required burns that was taken on notice by Mr Rutledge earlier. The 2021 bushfire operational plan has been finalised and PCS completed 94.4 per cent of the actions identified in the BOP.

Wet conditions experienced throughout the year were the main driver for activities not being completed with prescribed burning. Physical removal was most impacted—I mentioned earlier, slashing and grazing and access management activities, with 90 per cent, 84 per cent and 79 per cent completion respectively. We are moving to better capture the risk posed; that is why we are moving to that risk-based analysis. That approach quantifies the effectiveness of fuel treatments across the landscape to reduce the impact from bushfires. It is a much better way of looking at the overall risk.

Fuel management activities reduce and manage fuel loads, which helps to reduce the size, speed and severity of any major bushfire. That residual risk that I talked about is the amount of bushfire risk which remains to life and property after bushfires and fuel management activities have reduced the fuel.

We are aware that the approach is a big improvement on the previous annual hectares treated reporting regime. It has been implemented in other jurisdictions like Victoria, South Australia and Tasmania as well. I hope that answers your question, Mr Hanson.

THE CHAIR: Thanks, Minister. Commissioner, have you found the—

Ms Whelan: Yes, we have. I will start by stating that, in the absence of a bushfire, there is still a significant cost in preparedness as it relates to the ACT and the enabling of our Rural Fire Service capability. In terms of the quantum of increase, I will hand over to our Chief Finance Officer, who can take you through that detail.

Mr White: I have read and acknowledge the privilege statement. With regard to the change in output 2 and what was budgeted, this is calculated based on the total output expenditure for the financial year against the population demographic for ACT. That population count is provided to us by the Bureau of Statistics, so we have control over that. With regard to this year, on the output expenditure, ESA made a significant provision of \$9.6 million for PFAS. That has a significant push-up on our cost pressures, which is one of the key drivers for the change in the output class.

MR MILLIGAN: Referring to the previous question, we have \$426.91 per head of population in 2020-21; however, in 2021-22 that amount is reduced to \$402 per head. Where are those savings coming from? How did you come up with that figure? Will there be less spending or investment?

Ms Whelan: That figure was based on the provisions that have been made for the work as it relates to remediation of sites impacted by PFAS. Once that work is completed, we would go back to what would be the estimated cost per head moving forward, Mr Milligan.

MS CLAY: I would like to have a little chat about revenue from ambulance, please. I would like to know what the total revenue is and the breakdown regarding ACT and other states; also, what are the administrative costs in collecting that revenue?

Mr Gentleman: I will pass straight over to the commissioner and chief officer. The director-general might have some comments.

Ms Whelan: Thank you very much for the question. In relation to total revenue generated, we do not have that figure here in the ESA; that is managed by Shared Services, as part of Access Canberra. We would have to refer that question to Access Canberra, Ms Clay. What was the second part of your question?

MS CLAY: You will probably not be able to answer any of it. With total revenue, how much is ACT and how much is people from other states contributing to that revenue? Also, what are the overall costs of collecting and administering that revenue?

Ms Whelan: Again, we would have to go back to Shared Services for the breakdown. We do record how many patients we respond to from ACT and New South Wales. Shared Services in Access Canberra undertake the majority of the administration as it relates to the fees and services. The waiver process, however, is managed here by the Chief Officer and staff of ESA. My data shows that 61 invoices in the last financial year were waived by the Chief Officer. No waivers were knocked back.

MS CLAY: If I want to find out the figures about the revenue and the overheads involved in collecting that revenue, would I lodge that on notice in this session or do I need to chase that up with Minister Cheyne?

Mr Gentleman: We are happy for you to lodge it in this session and we will organise the research from here.

MS CLAY: That is great. I will lodge that on notice; thank you, Minister.

MR MILLIGAN: I noticed that there will be a fire and emergency services levy increase of 1.75 per cent, with an estimated \$296 million in income over the next forward estimates. What is the average increase to commercial property rates with this 1.75 per cent increase?

Mr Gentleman: That would be a question for Treasury, Mr Milligan. Unfortunately, I

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would not be able to provide the answer for you. Certainly, if you would like to draft that for treasury, I am sure they would be able to answer it.

THE CHAIR: We will conclude these hearings. Commissioner and staff, on behalf of the committee, thanks for all of the work that you have been doing. It has been a difficult period for everyone, and I know that we all appreciate the work across all of the various elements of the ESA that all of your hardworking staff have been doing, so thank you very much. Thank you, Minister, and directorate staff for appearing today.

The committee adjourned at 1 pm.