



ICS
ACT Inspector
of Correctional
Services

OICS REVIEW RECOMMENDATIONS AND GOVERNMENT RESPONSES:
2020 REVIEW OF THE ACTCS COURT TRANSPORT UNIT

Summary

<i>Recommendations made by OICS:</i>	22
Agreed by government:	20
Agreed in-principle by government:	1
Noted by government:	1

Recommendation	Government response
1. That ACT Corrective Services' existing policy review project take into account the need for policies and procedures that reflect the operational requirements of the Court Transport Unit.	<p>Agreed</p> <p>The original ACTCS custodial policy project was not scoped to include the development of CTU-specific policy documents. ACTCS recognises the need for appropriate operating procedures for the CTU and a suite of documents is currently under development. CTU operating procedures to be notified by 1 May 2021</p>
2. That ACT Corrective Services obtain clear guidance from an appropriate regulatory body (e.g. WorkSafe ACT) about reasonable occupancy limits for each of the court cells and affix appropriate signage on each cell door to assist Court Transport Unit officers to safely manage people in their custody.	<p>Agreed</p> <p>The appropriate regulatory body will be identified and a capacity for each room will be established and appropriately displayed. Capacity to be identified and displayed by 1 March 2021</p>
3. That the Justice and Community Safety Directorate conduct a review of the process(es) by which ACT Corrective Services makes decisions about the acquisition of Court Transport Unit vehicles, with particular attention to the principles of sound corporate governance.	<p>Agreed</p> <p>ACTCS will work with Procurement ACT to review existing processes. Following the review, procedures will be documented to ensure sound corporate governance is in place for all future vehicle procurements. Processes to be reviewed and documented by 28 February 2021</p>
4. That ACT Corrective Services replace the Romeo 4 vehicle as soon as possible.	<p>Agreed</p> <p>ACTCS has identified the need to replace this vehicle and procurement for a replacement has already commenced. Romeo 4 to be replaced by 30 April 2021</p>
5. That ACT Corrective Services establish a sustainable process to outsource the cleaning of the Court Transport Unit vehicles to ensure cleaning vehicles is not the responsibility of Court Transport Unit officers on a regular basis.	<p>Agreed</p> <p>Arrangements have been established for a CTU vehicle to be delivered to the ACTCS Transitional Release Centre every Friday to be deep cleaned over the weekend. The CTU vehicles will be rotated through on a weekly basis. The effectiveness of this process will be assessed after three months and if this does not address the issue adequately a more formal commercial arrangement will be sought. Arrangement to be reviewed by 31 March 2021</p>
6. That ACT Corrective Services implement a procedure that is notified on the ACT Legislation Register for checks on all Court Transport Unit vehicles. This procedure must include a clear process for reporting maintenance issues.	<p>Agreed</p> <p>A CTU Compliance Checks Operating Procedure is currently being drafted that will include vehicle checks as well as a process for reporting and recording maintenance issues. Operating Procedure to be notified by 1 March 2021</p>
7. That ACT Corrective Services review the privacy frosting on court cells and find a solution which strikes a reasonable balance between privacy for	<p>Agreed</p>

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detainees and the concerns of Court Transport Unit officers about their vision into cells.	ACTCS has tested a number of alternative options and the final solution is currently being determined in consultation with staff. The Facilities Management contractor responsible for the ACT Courts will be engaged to implement the agreed solution. Privacy frosting to be in place by 1 June 2021
8. That ACT Corrective Services and Bimberi Youth Justice Centre establish an agreed procedure to ensure young detainees leaving Bimberi Youth Justice Centre on court escorts are not subjected to unnecessary searches.	Agreed This has been addressed through the current MOU between ACTCS and CSD, which confirms that Bimberi are responsible for searches of young detainees before handover to ACTCS. The young detainees are not subject to further searching by ACTCS staff unless an incident occurs requiring an additional search.
9. That ACT Corrective Services urgently address the lack of understanding Court Transport Unit officers have about what to do in emergency situations, including evacuation, that may occur at the court premises.	Agreed The CTU - Evacuation Operating Procedure has been finalised and notified. Within 30 days of notification, the Director, CTU will complete a tabletop evaluation exercise. Work has commenced on updating emergency operating procedures for the CTU. Once finalised, a schedule of emergency exercises will be established to include a monthly tabletop / walkthrough exercise and at least one live exercise per financial year to include external stakeholders. All CTU emergency procedures to be notified by 31 March 2021
10. That professional signage for the court cells evacuation plan be affixed in the control room and elsewhere around the complex as soon as possible.	Agreed Professional signage has been affixed to the walls.
11. That ACT Corrective Services conduct regular emergency management exercises for Court Transport Unit officers in the court precinct. These exercises should be conducted at a time that captures the maximum number of Court Transport Unit officers or be made mandatory.	Agreed ACTCS will establish a schedule of emergency exercises, including a monthly tabletop / walkthrough exercise and at least one live exercise per financial year that includes external stakeholders. Emergency exercises will be scheduled to maximise staff participation. Schedule of emergency exercises to be finalised by 31 March 2021
12. That the Community Services Directorate put a system in place that ensures that young detainees are waiting at the internal sally port at Bimberi Youth Justice Centre to board Court Transport Unit vehicles as soon as the escort is ready to do so.	Agreed CSD and JACS have finalised a Memorandum of Understanding (MoU). The MoU outlines the roles and responsibilities of each agency, and clearly articulates the facilitation of escorts for young people detained at Bimberi. In addition to the development of the MoU, Bimberi management have established internal processes to

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	minimise the delay between CTU officers arriving and young people being available for immediate transportation.
13. That ACT Corrective Services provide Court Transport Unit officers with more Court Transport Unit specific training, including appropriate vehicle familiarisation training, prior to them commencing at the Court Transport Unit.	<p>Agreed</p> <p>A new CTU-specific Recruit Training Program has been developed and commenced on 12 October 2020. The new recruit course includes vehicle familiarisation during trainee placement days at the CTU.</p>
14. That ACT Corrective Services ensure the Court Transport Unit officers who have not completed mandatory training courses complete these courses as a matter of urgency.	<p>Agreed</p> <p>ACTCS recognises the importance of maintaining currency in mandatory training. The impact of COVID-19 on training will be addressed through a custodial training redesign process planned for early 2021 that will also consider training delivery options, priorities, and scheduling in consideration of staff rosters and operational need. This will include the development of a training schedule to address mandatory training going forward. Staff who are out of date in mandatory qualifications are prioritised for all courses. Schedule for mandatory training to be in place by 31 March 2021</p>
15. That the Community Service Directorate and ACT Corrective Services identify where training requirements differ between adults and children and young people regarding use of force and restraints and then ensure that current and future Court Transport Unit officers are trained to required standards.	<p>Agreed</p> <p>Collaboration between ACTCS and CSD is ongoing to develop a training package and will be introduced as part of the CTU Custodial Recruit Training Program from March 2021. Subsequent training of staff will be subject to prioritisation against mandatory training requirements and operational demands. Training package to be implemented by 31 March 2021</p>
16. That ACT Corrective Services ensure that the Alexander Maconochie Centre officers working occasionally at the Court Transport Unit do not escort children and young people unless they have received the required training.	<p>Agreed in principle</p> <p>Following the introduction of a young person-specific training course under recommendation 15, ACTCS will establish processes to ensure that at least one appropriately trained CTU officer is present at all times with redeployed AMC officers when escorting children and young people. Processes to be operational and embedded by 30 June 2021</p>
17. That a Bimberi Youth Justice Centre staff member accompany young detainees to court, is present while they are being held in the court cells complex and support Court Transport Unit officers to manage young detainees on escorts.	<p>Noted</p> <p>CSD is committed to working with the ACT Courts to reduce requirements for young people to be escorted to the Court precinct and held in Court cells. Over the past 18 months there has been an</p>

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	<p>increase in the use of audio-visual links (AVL) so that young people do not require the services of CTU at the same frequency as described in the report. The impact of the Public Health Emergency and Court protocols for appearances by young detainees has further increased the use of AVL. CSD continues to support the use of this technology when appropriate and agreed to by the Court. The Bimberi Intelligence and Classifications Officer will provide advice to the CTU on how to respond to the types of behaviours that young people sometimes exhibit following appearance at the Court. A consultation mechanism between CTU staff and Bimberi management will be initiated to address circumstances where a young person has been risk assessed and use of force may be necessary. The need for a Bimberi staff member to accompany a young person to Court will be determined by the risk assessment. Acceptance of this recommendation by the ACT Government as currently outlined would require additional resources for Bimberi Youth Justice Centre.</p>
<p>18. That ACT Corrective Services review the current process for legal professionals to access interpreter services within interview rooms at the Court Transport Unit. This must be done in consultation with Legal Aid ACT, the Aboriginal Legal Service NSW/ACT and other legal professionals that regularly access the interview rooms to meet with clients. The outcome of the review should be reported back to those consulted.</p>	<p>Agreed ACTCS will examine court processes for access to interpreter services and consult with identified stakeholders on a practical solution. Solution to be implemented by 30 June 2021</p>
<p>19. That ACT Corrective Services implement an efficient process for Court Transport Unit officers to notify legal professionals which interview room their client is in that avoids legal professionals entering the wrong rooms while attempting to locate their clients.</p>	<p>Agreed ACTCS will implement processes to ensure that professional visitors. Process to be implemented by 31 March 2021</p>
<p>20. That ACT Corrective Services notify a policy and/or procedure that sets out the expected standards of detainee and Court Transport Unit officer courtroom etiquette and behaviour and the role of Court Transport Unit officers in enforcing it.</p>	<p>Agreed ACTCS will develop an operating procedure that sets out the expectations for court room etiquette and management of offenders in a court setting. CTU Courtroom Etiquette Operating Procedure to be notified by 28 February 2021</p>
<p>21. That Court Transport Unit officers be trained in, and adhere to, courtroom etiquette in accordance with notified policies and procedures.</p>	<p>Agreed</p>

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	<p>Court etiquette training has been developed and is included in the CTU Recruit Training Program that commenced on 12 October 2020. This training will be delivered to all CTU officers in coming months. All CTU staff to receive courtroom etiquette training by 1 March 2021</p>
<p>22. That ACT Corrective Services and the ACT Sheriff develop and implement a protocol or agreement on how best to meet the Sheriff's needs for information on detainees regarding court security.</p>	<p>Agreed A protocol will be added to the Memorandum of Understanding between ACT Corrective Services and the ACT Courts and Tribunal. Protocol to be added to MOU by 1 February 2021</p>