

**2022**

**THE LEGISLATIVE ASSEMBLY FOR THE  
AUSTRALIAN CAPITAL TERRITORY**

**INSPECTOR REPORT - REPORT OF A REVIEW OF A CRITICAL INCIDENT –  
ESCAPE OF A DETAINEE FROM A SECURE ESCORT ON 9 JULY 2021 -  
GOVERNMENT RESPONSE**

**Presented by  
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June 2022**

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## INTRODUCTION

The ACT Government welcomes the report from the Inspector of Correctional Services ('the Inspector') titled *Report of a Review of a critical incident: Escape of a detainee from a secure escort on 9 July 2021* ('the Report'), tabled in the ACT Legislative Assembly on 8 February 2022.

The Report makes nine recommendations. The ACT Government has carefully considered all recommendations and:

- Agreed to six recommendations (namely: 1, 3, 4, 5, 7 and 9); and
- Agreed in principle to three recommendations (namely: 2, 6 and 8).

A table summarising the ACT Government responses to recommendations made by the Inspector and proposed actions and timeframes for completion to each of the recommendations can be found at [Annexure 1](#).

## **GOVERNMENT RESPONSE**

The Report describes an incident involving the escape of detainee during a secure escort from the Alexander Maconochie Centre (AMC) to The Canberra Hospital on 9 July 2021. Overall, the review team concludes that the escape was not reasonably foreseeable by ACT Corrective Services (ACTCS) and identifies “matters that need to be addressed to minimise the likelihood of incidents of this type occurring in the future”.

ACTCS has addressed recommendations 1, 4, 6 and 9 of the report. These recommendations relate to providing directions to staff, arrangements to share officers as required and providing support to staff.

ACTCS has provided explicit instruction to staff to undertake risk assessments prior to transporting detainees in unsecure vehicles and to refrain from disclosing information about incidents (recommendations 1 and 4). Arrangements exist between the AMC and the Court Transport Unit to share officers when required (recommendation 6). ACTCS has contracted a new Employee Assistance Provider and engaged a counsellor familiar with corrections to better promote staff wellbeing (recommendation 9).

Recommendations 2, 3 and 5 relate to improving guidance and procedures to ensure staff are aware of how to respond during incidents and supported in decision making. The report identified a lack of clear directions to staff regarding which staff positions should attend an incident. ACTCS acknowledges that guidance can be clearer regarding the role of the Incident Commander in determining what resources to deploy during an incident and its aftermath. The individual circumstances of each incident will determine the appropriate response. At no time should staff respond without prior approval or direction from relevant personnel (recommendation 2). ACTCS has also agreed to review Master Control Room procedures and provide role clarity and to identify additional training needs, where needed (recommendation 3). The report identified issues with ACTCS’ external escort Security Risk Assessment and Removal Authority tool, noting its complexity. ACTCS will review the tool, drawing on jurisdictional examples with the aim of simplifying the process and standardising decision making (recommendation 5).

Recommendations 7 and 8 relate to security-related matters not detailed further in the report. ACTCS has committed to exploring options for enhanced vehicle tracking (recommendation 7) and consulting with ACT Policing to develop fit for purpose solutions that provide direct access to ACT Policing in the event of an emergency (recommendation 8).

### **Conclusion**

ACTCS welcomes the recommendations stemming from this Review and their contribution to the continuous improvement of incident management at the AMC. The Report notes that “the three officers involved in this violent incident conducted themselves with absolute professionalism and are deserving of commendation for their actions on the day”.

## Annexure 1

### ACT Government Response to Recommendations

Recommendation	Government Response	Implementation
<p><b>Recommendation 1</b></p> <p>That ACT Corrective Services ensure that secure vehicles are used to transport detainees unless there are exceptional circumstances that make an unsecure vehicle a more appropriate choice (for example, detainees with particular medical conditions, attending funerals, low security detainees engaged in pre-release programs etc). If an unsecure vehicle is used, a full risk assessment must be completed and approved in advance (note Recommendation 5 of this review).</p>	<p><b>Agreed</b></p> <p>ACTCS issued a message from the Commissioner on 14 July 2021 with instructions to use a secure vehicle for all non-emergency medical escorts, subject to a security risk assessment. The use of non-secure vehicles, may be considered after weighing up the medical needs of the detainee, available alternatives and the assessed risk of safety and security for staff. Relevant policy and procedure updates will be undertaken when addressing recommendation 2 of this report.</p>	<p>Complete</p>
<p><b>Recommendation 2</b></p> <p>That ACTCS review the Corrections Management (Escort) Policy and Operating Procedure 2017 (No 2) to provide clear directions to staff about responses to incidents involving external escorts, including but not limited to, which staff positions at AMC and/or the Court Transport Unit are required to respond to the scene of the incident.</p>	<p><b>Agreed in principle</b></p> <p>The individual circumstances of each incident should dictate the appropriate corrective services response. It will be reinforced with staff through an Operational Procedure that no self-initiated operational response should occur from the AMC and an individual should only respond if directed by the Incident Commander, Master Control Room or Police. Post incident responses, including staff wellbeing support and other post incident recovery activities will be coordinated by the relevant Incident Commander or other senior officer.</p>	<p>31 December 2022</p>
<p><b>Recommendation 3</b></p> <p>That ACT Corrective Services review and document the roles, staffing, management and operation of the AMC Master Control Room and any special training requirements for staff rostered in the Master Control Room.</p>	<p><b>Agreed</b></p> <p>The Master Control Room operating procedures will be reviewed and any consequential training will be identified and delivered within the custodial training schedule.</p>	<p>Review to be completed by 31 December 2022</p>

Recommendation	Government Response	Implementation
<p><b>Recommendation 4</b></p> <p>That ACT Corrective Services issues a clear directive to all staff that only staff who are specifically authorised to do so are permitted to disclose the occurrence of an incident to a member of the public or an off-duty staff member.</p>	<p><b>Agreed</b></p> <p>ACTCS issued a message from the Commissioner to all staff on 29 March 2022 with instructions on the restrictions of communications during an incident.</p>	<p>Complete</p>
<p><b>Recommendation 5</b></p> <p>That ACT Corrective Services review the process by which external escort security arrangements are determined with the aim of simplifying and standardising the decision making along the lines of the Queensland Corrective Services' <i>Custodial Operations Practice Direction, Movement and Transfers</i>.</p>	<p><b>Agreed</b></p> <p>ACT Corrective Services will review the external escort risk assessment process with input from other jurisdictions as appropriate to simplify and standardise decision making.</p>	<p>31 December 2022</p>
<p><b>Recommendation 6</b></p> <p>That ACT Corrective Services put in place arrangements that would allow the General Manager, AMC to request escort assistance direct to the Court Transport Unit and for the Court Transport Unit to provide such assistance where its operational commitments to the courts can be accommodated without detriment to its primary functions.</p>	<p><b>Agreed in Principle</b></p> <p>Arrangements already exist between AMC and CTU for sharing of officers if required. The General Manager and the Director of the Court Transport Unit work closely together on court and other escorts.</p>	<p>Completed</p>
<p><b>Recommendation 7</b></p> <p>That ACT Corrective Services enhance the tracking facility of all Operations vehicles in the AMC and Court Transport Unit fleets to ensure that they can be accurately located at all times.</p>	<p><b>Agreed</b></p> <p>ACTCS will explore the options for enhancing vehicle tracking and implement accordingly.</p>	<p>30 September 2022</p>
<p><b>Recommendation 8</b></p> <p>That ACT Corrective Services and ACT Policing develop and implement a "duress system" for all Operations vehicles in the AMC and Court Transport Unit fleets to provide for direct access to ACT Policing in the event of an emergency i.e., a system which does not involve the use of the public "000" phone number.</p>	<p><b>Agreed in principle</b></p> <p>ACT Policing will have a large stake in this recommendation. It should be noted that there is always considerable pressure on police operations centres which will impact on how best to address this recommendation. ACTCS, in consultation with ACT Policing will develop the most appropriate</p>	<p>30 November 2022</p>

Recommendation	Government Response	Implementation
	solution in line with the intent of this recommendation.	
<p><b>Recommendation 9</b></p> <p>That ACT Corrective Services provide for the psychological treatment of staff involved in traumatic incidents where such support is medically assessed to be in the best interests of a staff member. This support should not be dependent on the outcome of a worker's compensation claim.</p>	<p><b>Agreed</b></p> <p>ACT Corrective Services has met the intent of this recommendation with psychological support provided for staff involved in recent incidents. The newly contracted EAP service has provided in person and ongoing support to officers involved in recent critical incidents. A counsellor familiar with corrections environments has also been engaged in support of staff. None of the above depend on a compensation claim. This is an area of ongoing focus for corrective services to continue building quality wellbeing support for staff.</p>	Completed