

Community Coalition on
Corrections

12 October, 2008

**Mr Simon Corbell, MLA
Attorney-General
ACT Legislative Assembly
GPO Box 1020,
Canberra, ACT 2601**

Dear Attorney-General,

I write on behalf of the Community Coalition on Corrections concerning the appointment announced on 11 September of an Official Visitor for the new prison. The Coalition welcomes the appointment of someone who has worked in the provision of education and indigenous services.

Quite apart from the personal qualifications of the appointee, however, the appointment raises two questions of principle.

The first relates to capacity of someone who has been a law enforcement officer to perform the role in relation to many prisoners and the second to the desirability of consultation concerning future appointments.

As your media release stressed, an Official Visitor “facilitates effective communication between staff and detainees and helps to ensure that detainee grievances are addressed.” Consistently with this, section 59 of the *Corrections Management Act 2007* specifies that “A detainee may complain to an official visitor about any aspect of the detainee’s detention or treatment in detention”. In other words, in order for an Official Visitor to perform the functions laid down under the Act, it is vital for her or him to have the detainees’ trust.

You will know that those who will make up the population of the new prison will be overwhelmingly damaged human beings experiencing mental health problems

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and with a background of considerable social disadvantage. However irrational and unjustified, many detainees will distrust anyone who has been a law enforcement officer.

Of course, such a person may have the confidence of other detainees and, through her or his work, will probably win broader confidence and allay baseless suspicions. The Coalition itself is hopeful that this is how things will work out. In the meantime though and to work effectively with detainees who are unlikely to have trust, the Coalition believes that further appointments of Official Visitors should be made.

Similar considerations argue for the appointment of a female Official Visitor given the long history of sexual abuse suffered by many, many women in prison. This underpins the whole rationale of the Government's strong support for staffing and support of rape crisis centres and other women's services.

There is also the practical consideration that with something like 220 detainees, one Official Visitor will not be sufficient particularly to meet the high needs of the large number of remandees moving in and out of the prison. In the past there have been two Official Visitors for the Belconnen Remand Centre. The Coalition therefore asks that you appoint two more Official Visitors for the new prison and that at least one of these be a woman.

The second point of principle relates to consultation on the appointment of Official Visitors. The Coalition understands that the Government's own Community Reference Group was not consulted. As you would appreciate from this letter, the Coalition believes that there would have been value for it too to have been consulted. At the same time it understands that there has not been an existing practice of consultation in the appointment of Official Visitors in the past. The Coalition requests that in the future the Government agree to consult before making further appointments.

Yours sincerely,

John Ley
Chair