

John Hargreaves MLA

MINISTER FOR DISABILITY AND HOUSING
MINISTER FOR AGEING
MINISTER FOR MULTICULTURAL AFFAIRS
MINISTER FOR INDUSTRIAL RELATIONS
MINISTER FOR CORRECTIONS

Member for Brindabella

Mr John Ley
Chair
Community Coalition on Corrections
C/- ACT Council of Social Services
PO Box 849
MAWSON ACT 2607

Dear Mr Ley

Thank you for your letter of 12 October 2008 to the Attorney General, Mr Simon Corbell MLA. Mr Corbell has forwarded your letter to me for reply and I apologise for the delay in responding.

In your letter you raise concerns regarding the appointment of Mr Craig Sams to the position of Official Visitor given his background as a law enforcement officer. Whilst I appreciate your concern in this regard, I must reiterate that the primary criteria for assessing the suitability of appointees to this role included the following:

- o Considerable understanding of and/or experience in criminal legal proceedings, including the role of remand; and
- o Experience in a professional field relating to criminal law, the Courts or Corrections.

Mr Sams was appointed by Mr Corbell under section 57(2) of the *Corrections Management Act 2007* (the Act) on the basis of his experience, qualifications and suitability to exercise the functions of an Official Visitor. He brings considerable experience to the role and has been successful in engaging a wide range of persons within ACT's correctional facilities.

I appreciate the point that you make regarding the fact that some detainees, particularly those with mental health issues, may distrust the new Official Visitor given his past employment as a law enforcement officer. Issues associated with establishing the confidence of detainees are a factor for any new appointment to this role, and while I accept that an appointee with a law enforcement background may require additional time to develop this confidence, I am satisfied that Mr Sams is adequately equipped to manage this issue.

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May I assure you that in addition to the official Visitor there are multiple avenues available to detainees for voicing grievances and having their concerns addressed. These include:

- o an internal complaints process (forms and information readily available)
- o a dedicated phone line available for detainees to contact the Ombudsman's office directly
- o access to the Human Rights Commission
- o access to the Public Advocate
- o access to me via letter

In addition, all detainees in the new facility, the Alexander Maconochie Centre (AMC), will have both a Case Officer and Case Manager. The former will be a custodial officer with whom the detainee can discuss any issues associated with their time in custody. The detainee will additionally have regular contact with their Case Manager, a Probation and Parole Officer.

Regarding your suggestion that further appointments of Official Visitors be made, I wish to advise that there is currently no plan in this regard. While it is open to me to appoint multiple Official Visitors under the Act, I am inclined to wait until the AMC is fully operational before further examining this possibility, noting that the frequency of visits may also be subject to review.

In making his latest appointment to the Official Visitor role, Mr Corbell examined the needs of the current ACT corrections population. The particular needs of minority groups such as Indigenous and female offenders were taken into account and you will note that Mr Sams has an Indigenous background. Female detainees account for less than 10% of the ACT corrections population and are regularly visited by representatives of multiple community groups including WIREDD (Women's Information and Resources on Drugs and Dependency), Pathways and Innana. In addition, the ACT Women and Prisons Group have been registered as authorised visitors for the AMC.

I note the second point you raise in relation to consultation on the appointment of Official Visitors. While this is a Ministerial appointment, I would certainly consider advising your coalition of my intent to call for expressions of interest for this position in the future.

Thank you for your interest in this matter.

Yours sincerely

John Hargreaves MLA
Minister for Corrections
5/1/09