

Actions Speak

ACT Corrective Services

Implementation of recommendations in the investigation into the administration of parole by ACT Corrective Services

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Acknowledgement of Country

We acknowledge the Ngunnawal people as traditional custodians of the ACT and recognise any other people or families with connection to the lands of the ACT and region. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.



Why did we do this report?

Our report [Parole processes at the Alexander Maconochie Centre – Investigation into the administration of parole by ACT Corrective Services](#), published in November 2020, identified inadequate policies and procedures governing the parole processes at the Alexander Maconochie Centre (AMC). In addition, it found inconsistent record-keeping and poor planning were leading to detained people being insufficiently prepared to participate in the parole process and consequently unable to access parole at their earliest release date.

We made 15 recommendations to ACT Corrective Services (ACTCS) aimed at establishing a transparent policy framework for parole processes, implementing effective business planning and record-keeping, and improving specific aspects of sentence management and parole processes.

ACTCS accepted all 15 recommendations.

In October 2022, in our [Did They Do What They Said They Would? Volume 2](#) report, we assessed ACTCS as having implemented 8 and partially implemented 7 of those recommendations.

This report assesses ACTCS' implementation of the 7 outstanding recommendations.

How did we assess implementation?

We conducted a desktop review of ACTCS' implementation of the 7 outstanding recommendations. This involved assessing the functionality of its Correctional Information System (CORIS) (implemented in June 2022), reviewing its policies, procedures, and new Memorandum of Understanding (MoU) between ACTCS and Housing ACT (signed September 2023), and considering evidence of ACTCS' program offerings over time.

What did we find?

We found ACTCS has now implemented 6 out of the 7 outstanding recommendations, with the one remaining recommendation partially implemented.



Implemented – 14 (in total)



Partially Implemented – 1



Next steps

For parole processes to be effectively administered there must be ongoing active management throughout the detained person's Sentence Management Continuum (SMC) – that is, from their induction into prison to release. Administrative failures have the potential to result in unnecessary detention of a person beyond their earliest release date, infringing on their right to liberty under s 18 of the [Human Rights Act 2004](#). It also places added pressure on the already strained resources of the AMC, at the tax-payer's expense.

Since our report was published in November 2020, ACTCS has undertaken a significant uplift of its policies and procedures to support parole processes, established a new information management system–CORIS–and embedded arrangements with Housing ACT to support the Justice Housing Program. These have gone a long way towards establishing a functional framework for managing parole at the AMC.

We have assessed almost all recommendations as implemented given the policy framework and systems are now in place at ACTCS. However, we have not assessed how effectively the new framework is operating in practice. We will continue to monitor this through routine engagement with detained people, ACTCS staff, and by assessing complaints received by our Office. We may choose to investigate any emerging areas of concern.

While we found ACTCS had made positive progress towards implementing recommendation 10 (access to programs), we assessed it as partially implemented. We consider more work is needed by ACTCS to implement arrangements to optimise accessibility to its suite of programs. We will continue to seek updates from ACTCS on its work to address the identified gaps.



Recommendation summary

Recommendation 1 ACTCS finalise a policy framework that comprehensively covers the 'sentence management continuum'.	
Recommendation 2 ACTCS ensure the new policy framework remains up to date and used by staff by providing training to staff and establishing regular review processes.	
Recommendation 3 ACTCS assess finalised policy documents for publication, as per open access requirements under the Freedom of Information Act 2016 .	
Recommendation 4 ACTCS effectively communicate information to detained people through the 'sentence management continuum' about sentence management and parole processes.	
Recommendation 5 ACTCS review its record management framework and systems to ensure information is stored, managed and able to be retrieved, and policies detail record management requirements.	
Recommendation 6 ACTCS implement a business planning framework that enables it to proactively plan for upcoming phases of the 'sentence management continuum', including new reporting functionality to facilitate high level management of detained people through the continuum.	
Recommendation 7 Induction policy to require discussion about parole at induction, supported by up-to-date written documentation.	
Recommendation 8 ACTCS implement quality assurance processes, training, and guidance for Sentence Management Officers, to ensure effective and timely Sentence Management Plans are created in consultation with the detained person.	

<p>Recommendation 9</p> <p>ACTCS finalise its <i>Sentence Management Policy</i> and complementary procedures to establish minimum service standards and quality assurance measures to ensure key actions occur in a timely and accurate manner.</p>	
<p>Recommendation 10</p> <p>ACTCS to ensure programs are more accessible to detained people, including those on remand.</p>	
<p>Recommendation 11</p> <p>ACTCS policy and procedures clearly set out requirements for Sentence Management Officers to properly support detained people with their parole application and understanding of the process.</p>	
<p>Recommendation 12</p> <p>ACTCS parole policy and procedures to outline procedural fairness requirements and quality assurance processes.</p> <p>ACTCS clarify requirements for a Relapse Prevention Plan (RPP) and assist detained people if required.</p>	
<p>Recommendation 13</p> <p>ACTCS finalise parole and Home Visit Assessment policies to ensure accommodation issues are clearly communicated to detained people and addressed prior to Sentence Administration Board hearings.</p>	
<p>Recommendation 14</p> <p>ACTCS to implement relationship protocols with other agencies that are involved in detained people's parole.</p>	
<p>Recommendation 15</p> <p>Formal arrangements and quality assurance processes are implemented to ensure outstanding requirements are communicated to the Sentence Administration Board early and that detained people are prepared for hearings and understand who is responsible for communicating with them.</p>	

ACT Ombudsman assessment

ACT Corrective Services' implementation of recommendations



Recommendation 1

ACTCS finalise a policy framework that comprehensively covers the 'sentence management continuum', including the specifics of the parole process and how to manage detained people through this process, comprising:

- policy documents to contain high level principles and explain how the legislative framework is implemented.
- complementary procedures to provide practical guidance to staff, which should include staff roles, responsibilities and referral points, as well as service standards and quality assurance measures.

Status: Implemented



Ombudsman comments

We assessed this recommendation as partially implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

Throughout 2022-23, ACTCS developed and published a range of policies and procedures as part of its Integrated Offender Management (IOM) framework, to support its staff to better manage detained people through the parole process. These are available on the ACTCS [website](#).





Recommendation 2

To ensure the new policy framework remains up to date and used by staff, ACTCS:

- develop and deliver a training program to ensure staff apply the new arrangements consistently.
- establish a process through which the framework is regularly reviewed and updated to reflect operational changes.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

ACTCS delivered staff training from February to May of 2022, with the intention to review and update the training plan as required. We were satisfied ACTCS had a documented process in place for regular review of its IOM framework and ongoing training requirements.



Recommendation 3

ACTCS assess any finalised policy documents for publication, as per open access requirements under the *Freedom of Information Act 2016*, with information published unless assessed as contrary to the public interest.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

ACTCS has published policies and procedures on its [website](#), including its [Open Access Policy 2020](#), setting out how it will continue meeting its open access obligations under the [Freedom of Information Act 2016](#).





Recommendation 4

ACTCS provide comprehensive information to detained people through the 'sentence management continuum' about sentence management and parole processes, with information effectively communicated, particularly for detained people with high and complex service needs, or alternative service requirements.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

ACTCS published a range of documents to support communication with detained people across the sentence management continuum and parole processes including the:

- Parole Information Sheet
- Detainee Handbook
- Sentence Management Operating Procedure
- ACTCS Disability and Inclusion Plan.





Recommendation 5

ACTCS review its records management framework and systems, and adjust them as necessary, to ensure:

- information is stored, managed and able to be retrieved by various work units along the 'sentence management continuum'.
- policies and procedures stipulate record management requirements in appropriate detail.

Status: Implemented



Ombudsman comments

We assessed this recommendation as partially implemented in the [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

Since then, ACTCS has reviewed its records management framework and, in June 2022, launched a new centralised Correctional Information System (CORIS). The system allows staff with varying access privileges to manage, store and retrieve information for detained persons as required through the sentence management continuum. Alongside this, ACTCS has updated or implemented new policies and procedures to outline record management requirements.

While our Office is satisfied that the new systems meet the intention of recommendation 5, good record-keeping and good quality data is only the first step. The more important step is using the data to proactively manage a detained person's parole processes. Our Office did not assess how effectively or consistently ACTCS is using the system capabilities to manage parole processes, however we consider this an important issue and one we will continue to monitor.



Recommendation 6

ACTCS develop and implement a business planning framework that enables it to proactively plan for upcoming phases of the sentence management continuum.

ACTCS consider the viability of prioritising planned development work and ensure this includes new reporting functionality to facilitate high level



management of detained person cohorts through 'the continuum', taking into account their earliest release dates.

Status: Implemented



Ombudsman comments

We assessed this recommendation as partially implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

With the new centralised Correctional Information System (CORIS) and the comprehensive suite of policies and procedures, staff should be well equipped to proactively plan for upcoming phases of a detained person's sentence management continuum. The CORIS reporting functionality allows staff to search for detained people approaching 6-months from their earliest release date. Staff are able to schedule key actions, with automated reminders to alert when dates are coming due or are overdue.

While we are satisfied the new system meets the intention of recommendation 6, our Office did not assess how effectively or consistently ACTCS is using the system capabilities and applying its procedures to manage parole processes, however we consider this an important issue and one we will continue to monitor.



Recommendation 7

The induction policy be amended to require a discussion about parole at the induction stage and be supported by up-to-date written documentation.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

ACTCS updated its [Correction Management \(Induction\) Policy 2021](#), to include sentence management information and specify the requirements for Sentence Management Officers to meet with detained people during the induction phase to discuss sentence management plans, goal setting, reintegration, and the parole process.



We note this policy was due to be reviewed in May 2024, and encourage ACTCS to ensure the policy remains relevant and appropriate to current circumstances.



Recommendation 8

ACTCS put in place quality assurance processes and provide additional training and guidance for Sentence Management Officers (SMOs), to ensure Sentence Management Plans (SMPs) are created in consultation with the detained person, and are consistent, effective and timely.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

ACTCS developed the Sentence Management Plan (SMP) operating procedure and template to provide instruction to the Sentence Management Unit (SMU) on developing SMPs for detained people in custody. ACTCS also delivered case management training to staff across the SMU, Throughcare and Community Correction teams, with the intention of supporting consistency in the staff approach to case management.





Recommendation 9

ACTCS finalise the draft Sentence Management Policy and develop complementary procedures, which include minimum service standards and quality assurance measures, to ensure:

- SMP reviews occur in a timely manner, with any delays documented.
- Related action items are well-documented, with case notes clarifying what actions are required, by whom and by when.
- Sentence management meetings have clear objectives to further a detained person's preparedness for release, with further meetings scheduled if objectives are not reached.
- Handovers of case matters from SMOs to Community Corrections Officers (CCOs) are fully documented, with responsibilities clarified.

Status: Implemented



Ombudsman comments

We assessed this recommendation as partially implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

Since then, ACTCS has finalised and published a range of policies and procedures providing an integrated and coordinated approach to case planning and management of detained people through the sentence management continuum, including:

- [Case Management Policy 2022](#)
- [Corrections Management \(Custodial Case Management Supervision & Case Plan Review\) Operating Procedure 2022](#)
- [Corrections Management \(Custodial Case Planning\) Operating Procedure 2022](#)
- [Corrections Management \(Custodial Case Management Remand\) Operating Procedure 2022](#)
- [Corrections Management \(Custodial Case Management Reintegration\) Operating Procedure 2022](#).





Recommendation 10

As a priority, ACTCS identify and implement new arrangements to ensure programs are more accessible to detained people, and particularly for those on remand.

Status: Partially implemented



Ombudsman comments

In our [Did They Do What They Said They Would? Volume 2 report](#), published in October 2022, we assessed this recommendation as partially implemented.

At the time, ACTCS was still developing a suite of programs. We indicated we would need to see evidence the programs had been rolled out to assess this recommendation as implemented.

As evidence of implementation, ACTCS provided its Six-month Projected Program Schedule for the first half of 2024 and its [Programs Compendium \(January 2024\)](#), outlining the suite of programs and interventions available through its Corrections Programs Unit. Of the programs offered, the 'BIPs' (Brief Intervention Programs) and more recently 'SMART' (Self Management and Recovery Training) programs are available to both sentenced and remanded people.

We reviewed program participation data provided by ACTCS for the 12 months to 30 June 2024, which showed the number of participants registered for each program and completion rates. In total, 16 participants completed a BIP and 288 participants completed a SMART program in the 2023-24 financial year. All participants who started these programs completed them.

Unfortunately, ACTCS was unable to provide details of how many of the participants in these programs were on remand, meaning it is unclear whether people on remand were accessing the available programs.

ACTCS also provided information on a Young Offender Reintegration Pilot that was run twice through the 2023-24 financial year, which was available to both remanded and sentenced people. ACTCS advised that, over the two pilots, 10 remanded people and 7 sentenced people completed (or partially completed) the program.

Criminogenic programs, available only to sentenced people, include the 'EQUIPS' (Explore, Question, Understand, Investigate, Practice/Plan, and



Succeed) suite of programs, and a Sex Offender Program (encompassing a preparatory program, followed by either a moderate or high intensity therapeutic intervention program).

ACTCS also offers Solaris (a closed entry residential program for male detained people in the AMC who have alcohol and other drug dependency issues) and can facilitate one-on-one interventions with internal or external providers where a detained person is ineligible or unsuitable for group programs.

While ACTCS has taken positive steps to develop its suite of programs, we are aware from our oversight activities and complaints to our office that detained people continue to experience challenges in accessing these programs. ACTCS advised that programs may not run if there are insufficient referrals or may be postponed for operational reasons, such as prison lockdown, staff training and custodial officers being redeployed from the Programs area.

We are also aware that recent decisions in the ACT Supreme Court¹ about the legality of detaining people on remand with those serving sentences impacting ACTCS' programs and schedules. This in turn is likely to impact program availability and accessibility to those on remand.

We assessed ACTCS as having partially implemented this recommendation. We acknowledge ACTCS has developed its suite of programs, but consider more work is needed to implement arrangements that will:

- improve the reliability of programs running
- facilitate timely access to programs, including for those on remand
- ensure better information is captured about programs and their attendees to identify issues and inform continued improvements in the programs themselves and in ensuring reliable and timely access for both remanded and sentenced people.

We will continue to seek updates from ACTCS on its work to implement effective arrangements.

¹ [DPP v Alexander \(a pseudonym\) \[2024\] ACTSC 161 \(24 May 2024\)](#)



Recommendation 11

ACTCS policy and procedures clearly set out requirements for SMOs to:

- Provide a detained person with a parole application form, at least seven months in advance of their earliest release date (ERD)
- Talk through the form with the detained person to ensure they understand what is required of them and the process going forward, and document this discussion.
- Support the detained person, where required, with their written application, or identify another support person to assist—for example, an Indigenous Liaison Officer (ILO), if the detained person identifies as Aboriginal or Torres Strait Islander.

Status: Implemented



Ombudsman comments

We assessed this recommendation as partially implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

ACTCS has since updated and published its [Corrections Management \(Custodial Case Management Supervision & Case Plan Review\) Operating Procedure 2022](#), which provides instructions for Sentence Management Officers to determine the level of contact a detained person may need over time and provides best practice guidance for minimum contacts required at key points along the sentence management continuum. This includes meeting face to face with a detained person every 2 weeks from 7 months prior to their earliest release date until their parole application is completed (or the detained person confirms they will not be applying for parole). It also specifies the requirement for supporting the detained person to complete their parole application within 4 weeks, or to arrange for referral to Yedding Mura for detained Aboriginal and Torres Strait Islander people who request this.



Recommendation 12

The new ACTCS parole policy and complementary procedures:

- Outline procedural fairness requirements, including in relation to Pre-Release Reports (PRR)



- Include a formal quality assurance process to ensure PRRs are accurate and up to date before being provided to the Sentence Administration Board (SAB).

ACTCS engage with the SAB to clarify requirements for a Relapse Prevention Plan (RRP) – with a template made available and detained people assisted to complete them if required.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

At that time, we found ACTCS had published its 'Court Assessment, Pre-Sentence Report and Pre-Release Report Policy 2021', which set out procedural fairness requirements and quality assurance processes, particularly in relation to Pre-Release Reports (PRR). This document has since been updated and published as [Court Assessment, Pre-Sentence Report and Pre-Release Report Policy 2023](#).



Recommendation 13

ACTCS:

- Include arrangements in the finalised parole and Home Visit Assessment (HVA) policies to ensure accommodation issues are clearly communicated to detained people and addressed prior to Sentence Administration Board hearings
- Put in place quality assurance processes to ensure this occurs.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022, on the basis that ACTCS had published its 'Court Assessment, Pre-Sentence Report and Pre-Release Report Policy 2021' (since updated and published as [Court](#)



[Assessment, Pre-Sentence Report and Pre-Release Report Policy 2023](#)), [Home and Field Visit Policy 2021](#) (HFVP) and accompanying PRR Quality Assurance Checklist, which collectively addressed this recommendation.



Recommendation 14

ACTCS implement information sharing or relationship protocols with other agencies that are involved when preparing a detained person for parole, to clarify roles and responsibilities.

The protocol with Housing ACT should be prepared as an immediate priority.

Status: Implemented



Ombudsman comments

We assessed this recommendation as partially implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022.

In September 2023, ACTCS signed a Memorandum of Understanding (MOU) with Housing ACT, setting out the arrangements for the provision of properties under the Justice Housing Portfolio to provide transitional accommodation for various cohorts of justice-involved people, including those leaving AMC on parole. The parties also signed a sub-lease in September 2023 to provide a legal basis for ACTCS to manage the properties and associated occupancy arrangements.

The initial term of the MOU was to 30 June 2024, with options for two 12-month extensions. Due to an oversight, the MOU was not extended by written agreement, but ACTCS and Housing ACT have continued to operate under the terms of the 2023 agreement while finalising a new MOU to be backdated to 1 July 2024.

The new MoU is intended to be in the same terms as the initial agreement, with some minor changes. Establishing a new MOU will have no effect on the sub-lease.





Recommendation 15

Formal arrangements and quality assurance processes are implemented to ensure:

- outstanding requirements are communicated to the SAB early, enabling hearings to be re-scheduled where required and SAB resources to be more effectively prioritised.
- detained people are prepared for SAB hearings, with any outstanding action items completed.
- ACTCS and detained people have a clear understanding of who is responsible for communicating with detained people throughout the parole process.

Status: Implemented



Ombudsman comments

We assessed this recommendation as implemented in our [Did They Do What They Said They Would? Volume 2](#) report, published in October 2022, based on ACTCS' 'Court Assessment, Pre-Sentence Report and Pre-Release Report Policy 2021' having addressed the requirements of this recommendation. This document has since been updated and published as [Court Assessment, Pre-Sentence Report and Pre-Release Report Policy 2023](#).





ACT
Government

Justice and Community Safety

Ms Penny McKay
Acting ACT Ombudsman
GPO Box 442
Canberra ACT 2601

Dear Ms McKay

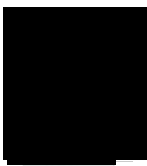
Response To A2410767: Implementation of Recommendations from Investigation Report: *Parole processes at the Alexander Maconochie Centre*

Thank you for your correspondence dated 21 November 2024, in which you provided the opportunity to provide a formal response to accompany the Ombudsman's review of outstanding recommendations from its investigation report: *Parole processes at the Alexander Maconochie Centre*.

ACT Corrective Services' (ACTCS) response to your assessment of its implementation of recommendations is included at [Attachment A](#).

Should you wish to discuss any of the information provided by ACTCS, you are welcome to contact [REDACTED]

Yours sincerely



Ray Johnson APM
Director-General (a/g)
Justice and Community Safety Directorate

9 December 2024



ACT
Government

Justice and Community Safety

ACT Corrective Services

Ms Penny McKay
Acting ACT Ombudsman
GPO Box 442
Canberra ACT 2601

Dear Ms McKay

Draft report: Implementation of recommendations from investigation report: *Parole processes at the Alexander Maconochie Centre*

Thank you for your letter dated 21 November 2024 and for the opportunity to review and provide a response to be included with the abovementioned report.

ACT Corrective Services (ACTCS) has not identified any factual errors in the draft report.

Regarding recommendation 10, I appreciate the Ombudsman's acknowledgement that ACTCS has developed its suite of programs and acknowledgement of factors that impact program delivery. ACTCS takes reasonable steps to ensure impediments to delivery are minimised and consistent with our operating environment where safety and security is paramount. I anticipate that our ongoing efforts to improve record keeping and reporting will enable us to better demonstrate the outcomes for different cohorts of our clientele.

I note the Ombudsman's intention to continue to monitor the status of closed recommendations 5, 6 and 7. Regarding recommendation 7, I can confirm that ACTCS is currently reviewing the Induction Policy.

Should you wish to discuss any of the information provided by ACTCS you are welcome to contact [REDACTED]

Sincerely

Narelle Pamplin
Acting Commissioner
ACT Corrective Services
Justice and Community Safety Directorate
December 2024

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