



[REDACTED]

Dear [REDACTED]

Freedom of Information Request

I write in response to your request under the *Freedom of Information Act 1989* (the Act) which was received on 30 August 2017. You requested the following documents:

1. The number of AMC prisoners who have been treated at the Canberra Hospital each year for the past five years;
2. The number of AMC inmates who have escaped from the Canberra Hospital while receiving treatment in the past five years;
3. All incident reports for AMC inmates escaping from the Canberra Hospital from the past five years;
4. The existing procedures for managing AMC prisoners when they come to the Canberra Hospital;
5. Any changes to procedure at the Canberra Hospital as a result of inmate escapes;
6. Any staff injury claims related to AMC escapes from custody at the Canberra Hospital from the past five years.

Parts of your request have been referred to ACT Corrective Services (ACTCS) for a response. I am the officer authorised under section 22 of the Act to make a decision in relation to your request.

A schedule of documents that will be provided to you is at [Attachment A](#).

- 1. The number of AMC prisoners who have been treated at the Canberra Hospital each year for the past five years**

A table detailing the number of escorts conducted by ACTCS from the Alexander Maconochie Centre to the Canberra Hospital for the past five years is at [Attachment B](#). Individual detainees may have been escorted to the Canberra Hospital on more than one occasion.

2. The number of AMC inmates who have escaped from the Canberra Hospital while receiving treatment in the past five years

Two detainees in the custody of ACTCS have escaped from the Canberra Hospital in the past five years.

3. All incident reports for AMC inmates escaping from the Canberra Hospital from the past five years

Incident reports for the two escapes from the Canberra Hospital in the past five years are at Attachment C.

Certain documents that fall within the scope of this request for information are subject to exemptions as set out by section 41(1) of the Act. Section 41(1) of the Act details that information may be exempt from release if disclosure under the Act would unreasonably release personal information (third party).

I have decided that some documents will be partially exempted in accordance with the above mentioned exemption provision. ACTCS' clients and Corrections Officers names have been redacted as they are personal third party information.

4. The existing procedures for managing AMC prisoners when they come to the Canberra Hospital

The *Corrections Management (Escort) Policy and Operating Procedure 2017 (No 2)* stipulates the policy and procedures for managing AMC detainees when they are escorted to the Canberra Hospital. This is a restricted document under section 14 of the *Corrections Management Act 2007*.

I consider this document falls within the scope of the exemptions contained in section 37 of the Act. Pursuant to section 37(2)(c) a document is exempt if its disclosure could reasonably be expected to prejudice the maintenance or enforcement of lawful methods for the protection of public safety. The *Corrections Management (Escort) Policy and Operating Procedure 2017 (No 2)* refers to operational matters which, if disclosed, could reasonably be expected to prejudice the maintenance or enforcement of lawful methods.

In addition, section 37(1)(c) states that a document is exempt if its disclosure would or could reasonably be expected to prejudice the maintenance or enforcement of lawful methods for the protection of public safety. The disclosure of documents concerning the management of detainees from the AMC to the Canberra Hospital may expose

vulnerabilities in the AMC's security which could be exploited by current or future detainees which may in turn endanger the safety of any person.

The primary priority in making a decision about non-disclosure of the documents you seek is the safety and security of the Alexander Maconochie Centre and of the community.

For these reasons, I am satisfied that the *Corrections Management (Escort) Policy and Operating Procedure 2017 (No 2)* is an exempt document.

5. Any changes to procedure at the Canberra Hospital as a result of inmate escapes

Following incidents of this magnitude, ACT Corrective Services reviews relevant policies and procedures as a matter of course.

The *Corrections Management (Escort) Policy and Operating Procedure 2017 (No 2)* details the procedure for managing detainees when they are escorted to the Canberra Hospital. For the reasons detailed above, this document will not be released.

ACT Health may also hold relevant material including policies and procedures.

6. Any staff injury claims related to AMC escapes from custody at the Canberra Hospital from the past five years

No staff injury claims have been lodged as a result of an escape from the Canberra Hospital in the last five years.

I have also assessed your request for information under the ACT Government's Online Freedom of Information Publication Policy and have determined that the documents relevant to your request, including your original application, and this decision letter, will be published online. For more information about the ACT Government's Online Freedom of Information Publication Policy, visit http://www.cmd.act.gov.au/open_government/report/freedom_of_information_online

You have a right to seek a review of the outcome under section 59 of the Act. You have 28 days from the date of this letter, or such other period as the Director-General permits, to seek a review. This right of review extends to a review of the adequacy of the search for documents undertaken by the Directorate. If you wish to seek a review you should write to:

The Director-General
ACT Justice and Community Safety Directorate

C/- Freedom of Information Officer
GPO Box 158
CANBERRA ACT 2601

You also have the right to lodge a complaint with the Ombudsman about the processing of your request. If you wish to lodge a complaint you should write to:

The Ombudsman
GPO Box 442
CANBERRA ACT 2601

Yours sincerely



Jon Peach
Executive Director
ACT Corrective Services

29 September 2017