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REPORT TO THE LEGISLATIVE ASSEMBLY

Pursuant to section 46B of the *Coroners Act 1993*

In the matter of the Coroner's Findings and recommendation regarding the death of
Mr Benjamin Glen Watts

Pursuant to section 46B of the *Coroners Act 1993* (the Act), I provide this Report on the findings and recommendation of Local Court Judge Greg Cavanagh, the Territory Coroner, dated 29 April 2021, regarding the death of Mr Benjamin Glen Watts (the Deceased) (Attachment A refers).

The Report includes the response to the recommendation from the Acting Chief Executive Officer of the Department of the Attorney-General and Justice (AGD), as the agency responsible for Northern Territory Correctional Services (NTCS) (Attachment B refers).

The Deceased, a 31 year old man, died at 2:18 pm on 8 May 2020 at the Darwin Correctional Precinct, Holtze in the Northern Territory. The cause of death was blunt force head and neck injury, caused by the all-terrain vehicle he was driving landing on him. The Deceased was a prisoner in the custody of the Commissioner of Correctional Services.

Recommendation of the Coroner

The Coroner made the following recommendation:

'41. The recommendations made by the Safety and Security Manager be implemented as a priority and with due expedition.'

The Coroner also made comments with respect to the death of the Deceased at paragraphs 32 to 40.

Response to Coroner's recommendation

A copy of the Coroner's Findings was provided to the Acting Chief Executive Officer, AGD, on or about 11 May 2021, in accordance with section 46A(1) of the Act.

A written response was received from the Acting Chief Executive Officer, AGD, dated 20 August 2021 (Attachment B refers), as required by section 46B(1) of the Act, advising of the response and implementation status of the 12 recommendations made by the Safety and Security Manager, NTCS:

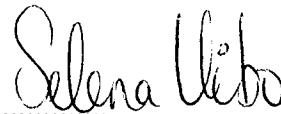
- With respect to recommendation 1: NTCS and AGD Audit Services have constructed an updated Work Health and Safety (WHS) auditing template for use.

NTCS is currently reviewing all internal directives, policies, procedures and work instructions, safe work method statements to produce a single mapping document to ensure compliance to legal and other statutory requirements.
- With respect to recommendation 2: The WHS framework is being redesigned to align with the NT Public Sector WHS Working Group recommendations to enable a sector-approved WHS management system. The alignment will improve AGD's holistic compliance, as well as improve the sharing of WHS data and information within AGD.
- With respect to recommendation 3: AGD has approved (in principle) a new multi-tiered WHS management framework to ensure that the appropriate level of accountability and responsibility is held by applicable personnel.
- With respect to recommendation 4: NTCS has incorporated the Incident Cause Analysis Method (ICAM) investigation technique for serious incidents, lost time injuries, and all reportable incidents. A WHS learning team is being established to enable a cross-functional approach to investigating serious safety incidents as well as determining how findings will be mapped, implemented, and audited.
- With respect to recommendation 5: NTCS is working on a divisional security and safety risk register with emphasis on high-risk activities and specialised functions, and a divisional legal and other documents register, to provide a more granular description as to how specific pieces of legislation influence directives, policies, and procedures.
- With respect to recommendation 6: NTCS is developing an Emergency Management framework that will compliment the NTCS WHS management system framework. NTCS will implement an Incident and Emergency Management team that could be stood-up as required.
- With respect to recommendation 7: NTCS's Offender Development and Services is undertaking a review of prisoner training and programs.
- With respect to recommendation 8: The Professional Standards Unit leads the critical incident review team, utilising Staff Learning and Development, Director Safety and Security, and other appropriate personnel from the relevant area.
- With respect to recommendation 9: NTCS has assembled a working group to redraft the NTCS directive, policy, and procedures to re-introduce ad hoc and just-cause testing of staff, contractors, and visitors.
- With respect to recommendation 10: NTCS has undertaken a review of all response equipment as well as the directives, policies, and procedures for the Immediate Action Team, Drug Dog Detection Unit, fire response and medical response. Recommendations will be provided to the Commissioner of Correctional Services for endorsement and implementation by the correctional centre's General Managers.

- With respect to recommendation 11: A vegetation reduction strategy has been implemented through the Darwin Correctional Centre, sector 9, planned work / planting cycle. NTCS is also waiting to hear if it was successful with a 2021-22 grant submission under the NT Risk Reduction Program to aid in natural disaster risk management.
- With respect to recommendation 12: Discussions are being held within AGD regarding risk tolerance levels as well as how to effectively use current resources to drive safety culture change management and centralise WHS Management System.

I am satisfied that the Department of the Attorney-General and Justice has considered the recommendation of the Coroner and is taking the necessary steps with respect to that recommendation.

DATE: 10/01/2021

A handwritten signature in cursive script that reads "Selena Uibo". The signature is written in black ink and is positioned above a horizontal dotted line.

SELENA UIBO