

QUESTIONS TAKEN ON NOTICE FOR BUDGET ESTIMATES

1. Mr Ryan asked the Minister for Justice, the Hon John Hatzistergos MLC –

- (a) What is the total value of compensation claims made [paid] to inmates – and, if it is available, compensation claims made [paid] to staff – with the Department of Corrective Services in the last year?
- (b) Are there details available for previous years? (Hansard p.2)

Answer

- (a) I am advised that compensation paid by the Department of Corrective Services to offenders for personal injury during 2002-2003 totalled \$1,728,758.47, for injuries received between 1 January 1993 and 5 October 2002.

Compensation paid to staff for workers compensation in 2002-2003 was, at 15 September 2003, \$2,795,785.25. This amount does not refer to the amount paid to staff within that financial year but rather the amount that has accrued over time for injuries that occurred within that year. Figures for any year are not static.

- (b) For compensation paid to inmates in 2001-2002 the Honourable Member should refer to the answer to Question on Notice No 210 (Legislative Assembly).

I am advised that workers compensation payments for previous years was, at 15 September 2003:

1995-1996 -- \$11,262,775.57
1996-1997 -- \$13,066,573.32
1997-1998 -- \$10,328,535.87
1998-1999 -- \$9,042,393.58
1999-2000 -- \$9,199,168.81
2000-2001 -- \$7,124,329.79
2001-2002 -- \$5,260,944.37

2. Mr Ryan asked the Minister for Justice, the Hon John Hatzistergos MLC –

[Do] the statistics collected by the Premier's Department relating to sick leave.... address the issue of workers taking time off sick but [being] on workers' compensation leave? (Hansard pp.2-3)

Answer

No.

3. Mr Ryan asked the Minister for Justice, the Hon John Hatzistergos MLC –

How many formal grievances have been lodged by departmental staff for the Department of Corrective Services under their formal grievance policy? (Hansard p. 4)

Answer

I am advised that the Department does not collate statistical information on grievances.

4. Mr Ryan asked the Minister for Justice, the Hon John Hatzistergos MLC –

Does the Department of Corrective Services use the facilities of Rehame for the purposes of media monitoring, and are you able to give the Committee details of the cost of that media monitoring? (Hansard p.4)

Answer

(a) I am advised that any decision to access media monitoring is determined by the Department and the need for monitoring of issues.

(b) I am advised that all costs incurred were appropriate to the needs identified.

5. Mr Clarke asked the Minister for Justice, the Hon John Hatzistergos MLC –

What percentage of the latest round of random urine analysis tests were positive? Which prisons had the highest positive test rates last year? (Hansard p.4)

Answer

I am advised that the June 2003 urinalysis report shows that the total number of random urine samples taken in that month was 367. Of those samples, 40 (10.9%) tested positive for non-prescribed and illicit drugs.

Correctional centres recording the highest rate of positive results for urinalysis for calendar year 2002 vary from month to month.

These tests include random, target and administrative tests. A target test is carried out when the Department suspects that an inmate has taken drugs. An administrative test is carried out when an inmate returns from a temporary leave of absence – for example, work release.

6. Mr Ryan asked the Minister for Justice, the Hon John Hatzistergos MLC –

With respect to statistical data on the level of operation of internal investigations and their outcomes in terms of officers being found guilty of misconduct, would you be able to provide the Committee with information that might compare, say, this year and last year in that regard? (Hansard pp.5-6)

Answer

I am advised that in calendar year 2002, 13 officers of the Department of Corrective Services were found, as a result of investigations completed in that year, to have engaged in misconduct.

In the period from 1 January 2003 to 29 September 2003, 10 officers were found, as a result of investigations completed in that period, to have engaged in misconduct.

7. Mr Breen asked the Minister for Justice, the Hon John Hatzistergos MLC –

With respect to the rights of prisoners in relation to information gathering by the ICAC, is there a mechanism in place to allow prisoners to have independent advice about information that the ICAC might want? (Hansard p. 7)

Answer

I am advised that inmates may seek independent advice from their own legal representatives, or from a Chamber Magistrate, or from a Visiting Magistrate, or from the Legal Representation Office.

ICAC officers, when serving a summons or notice on a person, give that person a document explaining the role of the Legal Representation Office. The document is called *The Legal Representation Office*. ICAC officers provide witnesses (including inmate witnesses) with a pamphlet titled *Information for Witnesses*.

8. Mr Breen asked the Minister for Justice, the Hon John Hatzistergos MLC –

Is there a dramatic difference in the results, in terms of outcomes, of targeted drug tests of prisoners, as opposed to random tests? (Hansard p.9)

Answer

I am advised that urinalysis statistics for June 2003 show that there is a significant difference in the results of target as opposed to random tests. For that month, 30.5% of target samples tested positive and 10.9% of random samples tested positive.

9. Mr Ryan asked the Minister for Justice, the Hon John Hatzistergos MLC –

Is it the case there are now proposals to modify the change rooms at the Silverwater Court Escort Unit in order to permit the women's change rooms to be used by transgender staff, and what is the proposed cost of those modifications? (Hansard p.12)

Answer

I am advised that the Department is considering whether it will modify the women's change rooms at Silverwater Court Escort Unit by installing two cubicles at an estimated cost of \$1,500. Such a change would allow greater privacy to all individuals using the rooms.

10. Mr Breen asked the Minister for Justice, the Hon John Hatzistergos MLC –

Are you able to say how many inmates there are currently accommodated in the corrections health facility at Long Bay and whether there are other inmates that cannot be accommodated there and who are in the mainstream prison system? (Hansard pp.17-18)

Answer

The question should be directed to the Minister for Health.

11. Mr Breen asked the Commissioner, Department of Corrective Services, Mr R Woodham –

Can you indicate how many prisoners are in the non-association category and, if there are any prisoners in that category, what steps will be taken to make sure that they are given the proper exercise and allowed the absolute minimum of one hour out of their cells each day? (Hansard p.19)

Answer

I am advised that the number of protection non-association (PRNA) inmates changes on a daily basis. There were 95 PRNA inmates in NSW correctional centres on 11 September 2003.

Each correctional centre which accommodates PRNA inmates has established a routine to ensure that PRNA inmates are out of cells for some time each day. The length of time out of cells ranges

from a minimum of one hour to a maximum of eight hours depending on the centre and the number of PRNA inmates accommodated within the centre.

Out-of-cell time is used for showers (in centres with cells without showers), telephone calls and access to some services within the centre. In addition to this out-of-cell time, PRNA inmates are allowed out of cells for visits, legal visits, to see the Official Visitor and to access specialist services such as medical, psychological, alcohol and other drugs and welfare.