



BUDGET ESTIMATES 2016-2017

Supplementary Questions

General Purpose Standing Committee No. 4

Questions from Mr David Shoebridge MLC
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Custody Notification Service

1. **What is the current NSW funding allocated to the Custody Notification Service?**

RESPONSE: The Custody Notification Service is funded by the Commonwealth.

2. **What is the projected funding for the Custody Notification Service?**

RESPONSE: This question should be directed to the Commonwealth Attorney General.

3. **Given the CNS implements a recommendation from the Royal Commission into Aboriginal Deaths in custody, why have cuts been made to the program?**

RESPONSE: This question should be directed to the Commonwealth Attorney General.

4. **Have any other changes been made to ensure the safety of Aboriginal people in police custody (particularly given that since the CNS was implemented there have been no Aboriginal deaths in police cell custody)?**

RESPONSE: This question should be directed to the Minister for Justice and Police.

Victims Rights

We continue to be interested in the Victims Rights and Support Act as well as the reassessment of matters under the old scheme. As you'd be aware applications for reassessment are only open for 12 months with the deadline fast approaching on the 31 August 2016. We are concerned that people may still be unaware of the opportunity to apply for reassessment of their matter and would like to see an extension of time for lodging reassessment applications - CLCNSW has been advocating that applications remain open until 1 September 2020.

5. **How many people are eligible to apply for reassessment of their transitional matters pursuant to the Victims Rights and Support Amendment (Transitional Claims) Regulation 2015?**

RESPONSE: I am advised that Victims Services will provide data profiles in relation to the reassessment of victims compensation claims in October 2016. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>.

6. How many reassessment applications have Victims Services received?

RESPONSE: I am advised that Victims Services will provide data profiles in relation to the reassessment of victims compensation claims in October 2016. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>.

7. How many people has Victims Services been unable to contact?

RESPONSE: I am advised that Victims Services will provide data profiles in relation to the reassessment of victims compensation claims in October 2016. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>.

8. Given the difficulty in contacting some victims, will the Government consider extending the time limit for applying for reassessment beyond 31 August 2016?

RESPONSE: I am advised that under the Victims Rights and Support Amendment (Transitional Claims) Regulation 2015, eligible victims had one year from 1 September 2015 until 31 August 2016 to apply for reassessment of their claim. There are currently no plans to amend the Victims Rights and Support Amendment (Transitional Claims) Regulation 2015.

9. Part 6 of the Victims Rights and Support Act ('VRSA') provides for up to \$50,000 compensation awarded by a court where a person is found guilty of a crime. How many times has compensation been applied for under Part 6 of the VRSA since 2013? Please provide figures for 2013-14, 2014- 15, 2015-16.

RESPONSE: I am advised that these figures are not available.

10. How many times has such compensation been awarded since 2013? Please provide figures for 2013-14, 2014-15, 2015-16.

RESPONSE: See response to question 9.

Evidentiary requirements

11. How many claims in each of the last two financial years have been unsuccessful because they did not meet the evidence requirements?

RESPONSE: I am advised that information about unsuccessful claims is in the Victims Services data profiles published at <http://www.victimsservices.justice.nsw.gov.au/>.

12. How many clients have been informed by Victims Services in advance of making an application that they do not meet the evidence requirements?

RESPONSE: I am advised that this information is not available.

Pay rate for Arbitrators

13. Is it true that the rates of remuneration for arbitrators have not changed since 26 June 2000 (16 years)?

RESPONSE: I am advised that rates of remuneration for arbitrators are determined under Part 5 of the Civil Procedure Act 2005.

14. Given the strong focus your office places on the use of ADR how is this failure to increase pay rates justified?

RESPONSE: See response to question 13 above.

15. What plans are there to review the rates and conditions for arbitrators in NSW courts?

RESPONSE: I am not aware of any current proposal.

Anti-discrimination

16. Has the review of the NSW Anti-Discrimination Act 1977 been completed?

RESPONSE: The Government is continuing to consider the recommendations of the Legislative Council Standing Committee on Law and Justice in relation to its inquiry on racial vilification law in NSW.

17. What measures have been taken to update the language of NSW anti-discrimination legislation to be more inclusive, particularly of intersex and bisexual people?

RESPONSE: The Government is committed to ensuring that everyone in New South Wales is treated equally and fairly under the law and I will consider any proposal for that objective within my portfolio as Attorney General.

18. If no action has been taken, why not?

RESPONSE: See response to question 17 above.

19. Is the Government/Department considering legislative reform to remove exemptions from the NSW Anti-Discrimination Act 1977 that allow religious organisations to discriminate against gay, lesbian and transgender people?

RESPONSE: I am not aware of any current proposal.

Expungement of historical criminal convictions

20. What steps are being taken to ensure that the scheme under the Criminal Records Amendment (Historical Homosexual Offences) Bill 2014 is effectively promoted?

RESPONSE: I am advised that the Department of Justice provided information to stakeholders at the time the scheme commenced and information is available on the Department of Justice website at <http://www.justice.nsw.gov.au>. The Department of Justice continues to work with relevant stakeholders to assist in improving awareness of the scheme.

21. Has an evaluation been conducted to assess the scheme?

a. If so, are any improvements to accessibility planned?

RESPONSE: I am advised that the operation of the scheme has been monitored since its commencement and ensuring the scheme operates effectively is the subject of ongoing consideration.

Sudanese Refugee wrongful conviction

22. Where can we find the policy directing Police and the DPP to disclose when a witness in a trial is a police informant?

a. Is it compulsory for them to make that known?

b. With whom must they share this information?

c. Who has the ultimate responsibility of ensuring that such information is shared?

RESPONSE: I refer to the response provided by the Deputy Premier.

23. Has Police considered the option of engaging independent external investigators to assist in the investigation of the wrongful conviction of the man known as JB?

RESPONSE: I refer to the response provided by the Deputy Premier.

24. Does Police have any reasons for why an informant was used as the support person for JB?

a. Was the confession that was alleged to have been given recorded? If not, why not?

RESPONSE: I refer to the response provided by the Deputy Premier.

Legal Aid

25. In 2013, there were 422 full time equivalent employees in Legal Aid's criminal legal services division. There are now 421 FTE employees. Is there a reason this number hasn't gone up in the last 3 years?

RESPONSE: I am advised that the FTE employee figures in the Budget Papers include pro rata figures for employees working in corporate services and the grants division.

26. How many people applied to Legal Aid since 2013?

a. Of those, how many were accepted?

RESPONSE: I am advised that information about the number of people who applied to Legal Aid NSW and the number of applications accepted is published in Legal Aid NSW's Annual Reports available at <http://www.legalaid.nsw.gov.au>.

Court Budget

27. The budget shows that the courts and tribunals budget has been cut by more than \$10 million. What services are being lost in the cut?

RESPONSE: I am advised by the Department of Justice that Budget Paper 3 mainly reflects an internal accounting change and not a reduction in the operating budget.

Justice reinvestment

28. The budget does not contain anything regarding Justice Reinvestment programs. Does the government have any plans in this regard?

RESPONSE: I refer to the response provided by the Deputy Premier.

Questions from the Hon Shaoquett Moselmane MLC (on behalf of the NSW Labor Opposition)

Miscellaneous

29. When will the review of the Listening Devices Act (due 4 years ago in 2012) be completed?

RESPONSE: The Government is considering the statutory review of the *Surveillance Devices Act 2007* and a report will be provided in due course.

30. Has consideration by the Department of Justice of the Final evaluation report of the Supreme Court User pays Transcription Trial been completed? What was the result of that consideration?

a. Will there be any further expansion of the private provision of court reporting services in the Supreme Court?

RESPONSE: I am advised that the Department of Justice is considering next steps for the arrangements in the Supreme Court User Pays Transcription Trial.

31. Do you support the proposal to incorporate barristers practices?

RESPONSE: As Attorney General I will consider any proposal put forward by stakeholders.

32. What progress if any has been made in the announced policy the sale of Court Houses?

RESPONSE: I am advised that there is no announced Government policy for the sale of courthouses.

33. What progress if any, has been made in the proposal, supported by previous Attorneys to have permanent sittings of the Supreme Court at Parramatta?

RESPONSE: Supreme Court sitting arrangements are a matter for the Chief Justice.

34. Is the Government still committed to its Legal Services Blueprint (dated August 2011)

- a. Are the results of this Blueprint reported publically?
- b. If so where?
- c. Has Government Expenditure or legal services decreased or increased since the introduction of the Blueprint?

RESPONSE: I am advised that the Department of Justice is working with other government agencies in relation to the Legal Services Blueprint. Government's legal expenses are published annually in some Government agencies' Annual Reports.

35. Why was Martha Jabbour not appointed to the Victims Advisory Board?

RESPONSE: I am advised that the merit selection process used to select members of the Victims Advisory Board was in accordance with the Public Service Commission's Appointment Standards.

36. Why won't you properly fund the Law and Justice Foundation?

RESPONSE: I am advised that the Law and Justice Foundation receives funding from the NSW Public Purpose Fund (PPF).

37. Why are you prepared to allow the Law and Justice Foundation to fail to fulfil its statutory mandate because of lack of funds?

RESPONSE: See response to question 36 above.

38. How many FTE magistrates were there in this state as at:

- (a) 1.1.16
- (b) 1.1.15
- (c) 1.1.14
- (d) 1.1.13

RESPONSE: The Local Court publishes the Local Court Annual Review on the operations of the Court for the period 1 January to 31 December each year. The Local Court Annual Reviews are published at:
<http://www.localcourt.justice.nsw.gov.au/Pages/Publications/annualreviews.aspx>.

39. How many FTE Supreme Court Judges were there in this state as at:

- (a) 1.1.16
- (b) 1.1.15
- (c) 1.1.14
- (d) 1.1.13

RESPONSE: The Supreme Court publishes the Supreme Court Annual Review on the operations of the Court for the period 1 January to 31 December each year. The Supreme Court Annual Reviews are published at:

http://www.supremecourt.justice.nsw.gov.au/Pages/SCO2_publications/SCO2_annualreviews.aspx

40. How many FTE District Court Judges were there in this state as at:

- (a) 1.1.16

- (b) 1.1.15
- (c) 1.1.14
- (d) 1.1.13

RESPONSE: The District Court publishes the District Court Annual Review on the operations of the Court for the period 1 January to 31 December each year. The District Court Annual Reviews are published at:

http://www.districtcourt.justice.nsw.gov.au/Pages/Publications/annual_reviews.aspx.

41. How many, FTE Crown Prosecutors were there in the state:

a. as at:

- i. 1.1.16
- ii. 1.1.15
- iii. 1.1.14
- iv. 1.1.13
- v. 1.1.12

b. How many vacancies are there as at 1.7.16?

RESPONSE: I am advised that the Office of the Director of Public Prosecutions Annual Report includes information in relation the number of Crown Prosecutors recruited each year. The Annual Reports are available at <http://www.odpp.nsw.gov.au>.

42. How many FTE Public Defenders were there in

a. NSW as at:

- i. 1.1.16
- ii. 1.1.15
- iii. 1.1.14
- iv. 1.1.13

b. How many vacancies are there as at 1.7.16?

RESPONSE: I am advised that the Public Defenders Annual Review includes a list of Public Defenders and their date of appointment. The Annual Reviews are available at <http://www.publicdefenders.nsw.gov.au>.

43. How many, FTE Sheriff Officers were there in this state:

a. NSW as at

- i. 1.1.16
- ii. 1.1.15
- iii. 1.1.14
- iv. 1.1.13

RESPONSE: I am advised:

- i. 274
- ii. 233
- iii. 230
- iv. 233

b. How many vacancies are there now?

RESPONSE: I am advised that there is no set quota for FTE Sheriff's Officers.

44. How many separate Local Court Registries were there in this state as at

- (a) 1.1.16
- (b) 1.1.15
- (c) 1.1.14
- (d) 1.1.13
- (e) 1.1.12

RESPONSE: I am advised:

- (a) 154
- (b) 154
- (c) 154
- (d) 154
- (e) 154

The above numbers include the Children's Courts at Bidura and Parramatta and the Coroners Court at Glebe but do not include the Drug Courts at Parramatta, Sydney or Toronto as these registries are co-located in the Local Court registry.

45. How many Local Court registries have been closed since 1.1.13?

RESPONSE: I am advised that one Local Court registry closed on 30 January 2016.

46. Why won't you proclaim the Court Information Act?

RESPONSE: I am advised that a number of issues have been identified with the Act.

47. How many people were employed in the Civil Law Division NSW Legal Aid as at:

- (a) 1.1.16
- (b) 1.1.15
- (c) 1.1.14
- (d) 1.1.13

RESPONSE: I am advised that information regarding staffing levels at Legal Aid NSW can be found in Budget Paper 3.

48. How many local courts have ceased to have sittings in the last 12 months?

RESPONSE: Local Court sitting arrangements are a matter for the Chief Magistrate. A comprehensive list of all Local Court sittings is publicly available on the Department of Justice website at <http://www.justice.nsw.gov.au>.

49. How many local courts will cease to have sittings or be closed in the next 12 months?

RESPONSE: See response to question 48 above.

50. What local courts will have reduced sittings in the next 12 months?

RESPONSE: See response to question 48 above.

51. At estimates hearing last year we were told there were 234 Sherriff's Officers and you then had 40 extra officers appointed. Granted there are 155 Court House sites in NSW there are nowhere near enough sheriff's officers to cover all Courts when they sit are there?

RESPONSE: I am advised that Sheriff's Officers are allocated on a risk based assessment. Due to the sensitive nature of security operations, Sheriff's Officers allocations are not disclosed by the Office of the Sheriff.

52. Because Sherriff's officers do things other than provide court security and you normally need more than 1 officer when a Court sits 280 officers for 155 courts is way too few, isn't it?

RESPONSE: See response to question 51 above.

53. Last Estimates hearings you took the above question on notice and then refused to answer it. Aren't you simply trying to hide the fact that your Government isn't spending enough money to protect Courts properly.

RESPONSE: See response to question 51 above.

54. Budget Paper 3 says that for the last year 25% of Local Court sittings didn't have a security officer present and this won't change for the next year. Why are you placing courts at risk

RESPONSE: See response to question 51 above.

55. What is the status of the Review of security in Courts that involved discussions with the ASIO Protective Security Unit

RESPONSE: I am advised that a report on court security was provided to the Sheriff in July 2016.

56. You have said the potential for danger in court houses is increasing – the threat of terrorism and police more frequently having firearms in courtrooms – and there's advice sought from ASIO – so not being able to offer enough Sherriff's Officers to cover court sittings is a very serious issue isn't it?

RESPONSE: See response to question 51 above.

57. And it results only from the Government not being prepared to spend sufficient resources, doesn't it.

RESPONSE: See response to question 51 above.

58. Does the Government use SNP Security Guards on a contract basis in some courts?

RESPONSE: I am advised that contract security guards are used to supplement security at court locations across the state to address leave commitments and ad hoc security requirements.

59. How many SNP personnel in FTE terms are used in NSW Courts?

RESPONSE: I am advised that these figures are not available.

60. Private Security Guards don't have the same training or the same legal position as sheriff's officers do they?

RESPONSE: I am advised that contract security officers are security officers under the *Court Security Act 2005*.

61. Why not use the money spent on private security guards to employ more sheriffs, properly trained with proper legal powers?

RESPONSE: See response to question 58 above.

62. Are contract security officers trained and engaged only for security perimeter screening, restricted to operating the x-ray magnetometer and hand garrets?

RESPONSE: I am advised that the answer is yes.

63. The Sherriff's' Guidelines for Critical Incidents in New South Wales' have a term called 'Code Black' Do you know what 'code black' is?

RESPONSE: This question seeks disclosure of operationally sensitive information, which is not appropriate.

64. Do you know what the Sherriff's Office Guidelines say sheriff's Officers should do in the case of a Code Black incident?

RESPONSE: See response to question 63 above.

65. Do you know that according to page 7 of the Sherriff's Office Guidelines, it is 'Take cover immediately'?

RESPONSE: See response to question 63 above.

66. There are about 155 Court houses in this State. Only 23 operate full-time perimeter screening operations with a requirement that there be 2 officers for full perimeter screening operation. What are you going to do about extending full perimeter screening?

RESPONSE: I am advised by the Department of Justice that perimeter security is carried out in high volume locations with reference to factors including size of the court and how often it sits, number of persons who attend the court location, types of matters typically dealt with and security incident rates.

67. Why won't you commit to the Ombudsman's recommendations in relation to the Consorting Laws dated April 2016?

RESPONSE: The Government is considering the recommendations in the Acting Ombudsman's 'Report on the operation of Part 3A, Division 7 of the Crimes Act 1990'.

68. If the Report was completed in April 2016 why did you delay until budget week to table it?

RESPONSE: The Acting Ombudsman's 'Report on the operation of Part 3A, Division 7 of the Crimes Act 1990' was tabled in Parliament on 17 June 2016.

69. You would have to agree that this law is not working as the Government intended. It was targeted at Organised Crime to stop drive by shootings – instead the Ombudsman has found it being used against vulnerable people. Surely it's not working properly?

RESPONSE: See response to question 67 above.

70. Why then can't you agree in principle that there should be a carefully designed framework within which the Consorting Law should be appropriately applied?

RESPONSE: See response to question 67 above.

71. Can't you agree that you should introduce changes 'to increase the fairness of the operation of the Consorting laws'?

RESPONSE: See response to question 67 above.

72. Can't you agree that you should seek to balance the operational advantage of the laws' flexibility that is important to the Gang Squad's use, against the risk of negative or unintended impacts associated with its broad implementation?

RESPONSE: See response to question 67 above.

73. The Ombudsman recommends the introduction of an objects and purpose clause to the Consorting Laws to clarify that the intent of the Consorting Laws is for the prevention of serious crime. What possible reason could you have for opposing that?

RESPONSE: See response to question 67 above.

74. The Ombudsman recommends defining 'family members' to ensure recognition of the Aboriginal kinship relations. How could you oppose that?

RESPONSE: See response to question 67 above.

75. The Ombudsman recommends that 'health services' be defined to include beneficial services such as counselling services, rehabilitation services and accessing social workers. What is wrong with that?

RESPONSE: See response to question 67 above.

76. The Ombudsman's final recommendation is to remove children and young people aged 17 years or less from the application of the Consorting Laws. What is your response to the principle contained in that recommendation?

RESPONSE: See response to question 67 above.

77. The Productivity Commission has recommended the lifting of the ban on contingency fees for lawyers. Why don't you agree?

RESPONSE: I am advised that contingency fees are prohibited under the Legal Profession Uniform Law.

78. Surely removing the ban on contingency fees would provide access to justice for people who don't qualify for legal aid but can't afford to pay legal fees.

RESPONSE: See response to question 77 above.

79. So if you don't support contingency fees, what are you going to do about access to justice – or do you think that's not an issue?

RESPONSE: The Government will always consider ways to make the NSW justice system fast, fair and accessible.

80. District Court waiting times from trials according to BOCSAR figures have got progressively worse between 2011 and 2015. The Government did nothing until December 2015. Why did the Government simply sit on its hands and allow a crisis to develop?

RESPONSE: I am advised that a number of initiatives were introduced before December 2015, including:

- the appointment of two additional judges to the District Court to hear child sexual assault matters;
- the establishment of a Working Group chaired by the Chief Judge of the District Court to address the increase in the District Court's workload;
- the establishment of a designated 'Rolling Courts List' in Sydney, managed by a single judge with permanently assigned staff from the Office of the Director of Public Prosecutions and the Public Defender's Office;
- the use of special (or targeted) call overs in regional areas to identify pending matters that may be suitable for earlier plea or trials;
- a series of coordinated special one-off call-overs and trial sittings in late 2015 at Wagga Wagga and Newcastle; and
- the District Court sat through the usual mid-year vacation in 2015 at the Sydney District Court, the Sydney West Trial Court and other selected regional courts.

In December 2015, the Government announced a \$20 million package comprising the following initiatives to support the District Court:

- the appointment of two additional judges to the District Court (accompanied by two new Sheriff's Officers, two new associates, two new reporting services monitors and two new court officers);
- additional sitting weeks in Western Sydney and regional courts through to June 2016;
- the appointment of two new public defenders;
- providing additional resources for the Office of the Director of Public Prosecutions and Legal Aid NSW to allow for earlier intervention in criminal cases (including initial plea discussions to identify early guilty pleas); and
- the use of special (or targeted) call overs in regional areas to identify pending matters that may be suitable for earlier plea or trials.

The 2016-17 Budget includes a further \$39 million funding package comprising the following additional initiatives to support the District Court:

- the appointment of three additional judges to the District Court (accompanied by three new Sheriff's Officers, three new associates, three new reporting services monitors and three new court officers);
- the appointment of two new public defenders; and
- providing additional resources for the Office of the Director of Public Prosecutions and Legal Aid NSW for further case management initiatives.

81. When you finally acted in December 2015 your measures would only deal with 640 of the outstanding 2000 pending cases. Why did you only find funding to deal with 30% of the crisis backlog?

RESPONSE: See response to question 80 above.

82. The worst country backlog was in Dubbo. Why did the major extra funding (a new full time District Court judge) go to Wagga not Dubbo?

RESPONSE: The allocation of District Court judges is determined by the Chief Judge of the District Court. I am advised there is currently a judge sitting full time at the District Court in Dubbo.

83. Is it because Wagga MP is Liberal and Dubbo and Orange have National Party MP's?

RESPONSE: See response to question 82 above.

84. You introduced the Criminal Procedure Amendment (Summary Proceedings for Indictable offences) Bill 2016 to the Legislative Assembly Thursday 25 August to allow four offences of breaking and entering to be dealt with in the local Court to help reduce the backlog in the District Court. President of the Law Society, Gary Ulmann said on Monday 29 August of this 'This however begs the question, does the local Court have the resources to meet the additional workload? Based on the feedback from the regions, the additional workload is going to sorely test the already strained resources of the Local Court unless more magistrates are appointed and court closures reversed.' Mr Ulmann is correct isn't he – if you're moving work from the District Court to the local Court you need more Magistrates and you need to reverse Court closures don't you?

RESPONSE: I am advised that Local Court sitting arrangements are a matter for the Chief Magistrate and the reform package includes funding for one new magistrate.

85. In 2001 the State Parliament adopted legislation to restrict but not abolish juries in non– defamation civil cases. A 2007 Court of Appeal decision effectively stopped their use altogether. Why won't you legislate to restore the position the Parliament intended (and thought it legislated) in 2001?

RESPONSE: I am advised that the right to trial by jury in civil proceedings still remains in NSW, provided the court is satisfied that the interests of justice require a trial by jury in the proceedings.

86. Juries continue to be regularly used in defamation cases in this state. If that is so why are you content for juries to effectively be prohibited in every other civil cases?

RESPONSE: See response to question 86 above.

87. Some legal practitioners argue that because jury trials are likely, and more frequently settle than non-jury trials and because there are fewer appeal points, they actually take less court time than non- jury court trials. Do you agree with that?

RESPONSE: I am advised that this assertion is not able to be verified.

Victims of Crime Assistance League Newcastle

88. Victims of Crime Assistance League (VOCAL) Newcastle currently relies on year by year funding from the government, will the Attorney General look at increasing the length of the funding agreement to provide security and stability to VOCAL?

a. What funding was provided to Victims of Crime Assistance League (VOCAL) Newcastle for the following years:

- i. 2010-11**
- ii. 2011-12**
- iii. 2012-13**
- iv. 2013-14**
- v. 2014-15**
- vi. 2015-16**
- vii. 2016-17**

RESPONSE: I am advised that information about funding provided to VOCAL is available in the Annual Reports for the Department of Justice available at <http://www.justice.nsw.gov.au>.

Privacy

89. What is the spread of resources across GIPA inside the Privacy Commission and the IPC.

RESPONSE: I am advised that information on staffing and funding allocation for the Information and Privacy Commission is available in Budget Paper 3.

90. Why aren't the contact details and location of the Privacy Commissioner available on the IPC website?

RESPONSE: I am advised that contact details for the Information and Privacy Commission are available on its website.

Flexible Workplaces

91. Minister, the Premier announced on International Women's Day that the public service would all have access to flexible working arrangements by 2019.

- a. Do you centrally register staff who have flexible work arrangements?**
- b. What numbers of staff within your Department currently have flexible working arrangements?**
- c. Are you aware of any measures that are currently underway to implement this?**

RESPONSE: See the response provided by the Deputy Premier for response across the Justice Cluster.

Office Administration

92. How many staff are in your ministerial office?

- a. What was the average salary for staff members in your office during 2015-16?
- b. What is the estimated average salary for a ministerial staffer in your office in 2016-17 based on current appointments?

RESPONSE: I am advised that Ministers' staff numbers and salary bands are available on the Department of Premier and Cabinet's website. Refer to:
http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

93. How many blackberries/iphones/smart phones are assigned to your staff?

- a. For each phone, how much was each bill in 2015-16?
- b. How many phones have been lost or replaced due to damage in your office?
 - i. What is the cost of replacing those phones?

RESPONSE: I am advised that there were 280 smart phones in use across all Ministers' offices in 2015-16. The total usage cost of these smart phones and other mobile devices (including iPads) was \$452,830, a 21.7% per cent reduction on the 2008-09 expenditure of \$578,691. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Ministerial and Correspondence Services.

94. How many iPads or tablets has DPC assigned to your Ministerial office and to whom have they been issued?

- a. What was the cost of providing iPads or tablets to your Ministerial Office in 2015-16?
- b. How many iPads or tablets have been replaced due to lost or damage in 2015-16?
 - i. What was the cost of replacing these devices?

RESPONSE: I am advised that there were 148 iPads in use across all Ministers' offices in 2015-16. The cost of replacing any lost or stolen devices is claimed through the NSW Treasury Managed Fund. Repairs are funded by the Department of Premier and Cabinet, Ministerial and Correspondence Services.

95. Has any artwork been purchased or leased for display in your ministerial office in 2015-16?

- a. What is the cost of this?

RESPONSE: I am advised that artwork in the Attorney General's Office includes art donated at no cost by the Department of Justice.

96. Have any floral displays or indoor plants or potplants been hired or leased for display in your ministerial office in 2015-16?

- a. If so, what was the cost of these items?

RESPONSE: Floral arrangements purchased by the Ministry are managed within the Office's budget.

97. Have any floral displays or indoor plants or potplants been purchased for display in your ministerial office in 2015-16?

a. If so, what was the cost of these items?

RESPONSE: Floral arrangements purchased by the Ministry are managed within the Office's budget.

98. What was the total cost of all subscriptions by you and your staff to online news services, newspapers, magazines, journals and periodicals in 2015-16?

a. What are these services/newspapers/magazines/journals/periodicals?

i. Who is the subscriber for each of these?

RESPONSE: The Attorney General's Office subscribes to a modest number of publications, the cost of which is managed within the Office's budget.

99. What was the total value of all gifts purchased for use by you and your office in 2015-16?

a. What were the gifts purchased?

i. Who were they gifted to?

RESPONSE: Gifts are presented to dignitaries during overseas missions and to dignitaries visiting NSW.

100. Do you purchase bottled water or provide water coolers for your office?

a. What is the monthly cost of this?

RESPONSE: No.

101. What non-standard features are fitted to your ministerial vehicle?

a. What is the cost of each non-standard feature?

RESPONSE: Ministers, the Leader of the Opposition, other nominated public office holders and certain former office holders are provided with official cars and drivers. During 2015-16 all costs associated with these vehicles were paid from the relevant office's budget.

102. What was the total bill for your office in 2015-16 for:

a. Taxi hire

b. Limousine hire

c. Private hire care

d. Hire car rental

e. Ridesharing services

RESPONSE: I am advised that expenditure on taxis, hire cars and ride share services across the Ministry in 2015-16 was \$99,463. This compares with 2009-10 expenditure of \$175,776.

103. Were any planes or helicopters chartered by you or your office and paid for with public money in 2015-16?

a. If yes, will you please detail each trip, the method of transport and the cost?

RESPONSE: I am advised that expenditure on charter flights for the Ministry totalled \$28,706 in 2015-16. This compares with expenditure in 2009-10 of \$282,000.

Hospitality

104. How much did your ministerial office spend on hospitality, including catering and beverages, in 2015-16?

RESPONSE: I am advised that expenditure on hospitality across the Ministry - which includes catering for stakeholder meetings and courtesy calls with visiting dignitaries - totalled \$25,059 in 2015-16.

105. How much did your Department/agency spend on hospitality, including catering and beverages, in 2015-16?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Labour Hire Firms

106. Do any Departments/agencies within your portfolio responsibilities utilise the services of Labour Hire Firms? If yes, please advise in table form for 2015-16:

- a. The names of the firms utilised
- b. The total amount paid to each firm engaged
- c. The average tenure period for an employee provided by a labour hire company
- d. The longest tenure for an employee provided by a labour hire company
- e. The duties conducted by employees engaged through a labour hire company
- f. The office locations of employees engaged through a labour hire company
- g. The highest hourly or daily rate paid to an employee provided by a labour hire company

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Media and Public Relations

107. How many media or public relations advisers are employed for each of your portfolio agencies?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

108. What is the forecast for the current financial year for the number of media or public relations advisers to be employed and their total cost?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

109. What is the total cost of media monitoring services used by Departments/agencies within your portfolio responsibilities?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

110. Have you had media training or speech training?

- a. If yes, who paid for it?
- b. If paid by taxpayers, what was the amount paid in 2015-16?

RESPONSE: No.

Facebook

111. How much did your ministerial office spend on Facebook advertising or sponsored posts in 2015-16?

RESPONSE: No taxpayer money has been spent on Facebook advertising or sponsored posts.

112. How much did your Department/agency spend on Facebook advertising or sponsored posts in 2015-16?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Overseas Trips

113. Were any of your overseas trips in the last financial year paid for in part or in full by using public money?

- a. If so, did any of your relatives or friends accompany you on these trips?

RESPONSE: Details of overseas travel including costs are published on the Department of Premier and Cabinet's website.

114. Have you undertaken any official overseas travel that was privately funded?

- a. If so, what was the nature of these trips?
- b. Who paid for these trips?

RESPONSE: See response to question 113 above.

Department/Agency Travel

115. What was the total expenditure in 2015-16 by Departments/agencies within your portfolio on:

- a. Taxi hire
- b. Limousine/private car hire
- c. Hire car rental
- d. Ridesharing services

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Consulting

116. How much did the Department/agencies under your portfolio responsibility spend in legal costs in 2015-16?

a. For what specific purposes or matters was legal advice sought?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

117. Have Department/agencies under your portfolio engaged any consultants to provide the following services or advice in 2015-16:

a. Social media

i. And the cost of these services

b. Photography

i. And the cost of these services

c. Acting training

i. And the cost of these services

d. Ergonomics

i. And the cost of these services

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Department/Agency Staffing

118. How many redundancies were processed by Departments/agencies within your portfolio responsibilities during 2015-16?

a. Of these redundancies, how many were:

i. Voluntary

ii. Forced

b. What was the total cost of all redundancies?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

119. Have any staff who received a redundancy in the last two years undertaken any paid work or provided any paid services for the agency with which they were formerly employed?

a. What was the nature of these works/services?

b. What was the total cost of these works or services?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

120. Are any staff formerly employed by your ministerial office now employed by Departments/agencies under your portfolio responsibility?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

121. How many staff were dismissed from Departments/agencies under your portfolio responsibilities in 2015-16?

a. What were the reason/s for each dismissal?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Smart Phone Accounts

122. Do the Departments/agencies within your portfolio have an iTunes account?

a. What was the total expenditure in 2015-16 on iTunes?

b. What applications/subscriptions/services were purchased through iTunes?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

123. Do the Departments/agencies within your portfolio have an Android account?

a. What was the total expenditure in 2015-16 on Android?

b. What applications/subscriptions/services were purchased through Android?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Websites Visited

124. What were the top 20 most utilised (by data sent and received) unique domain names accessed by your Ministerial office this year?

RESPONSE: Due to the way the Ministers' IT network infrastructure is configured with third party service providers, there is no single data source showing domain access and utilisation figures.

125. What were the top 20 most accessed (by number of times accessed) unique domain names accessed by your Ministerial office this year?

RESPONSE: See response to question 124 above.

Merchant fees

126. Please provide a list of all transactions where customers need to pay a merchant fee on credit and/or debit card payments in your Department/agency.

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

127. Please provide the percentage and/or amount of the merchant fees applied to all credit and/or debit card payments/transactions in your Department/agency.

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

128. What was the total amount paid in merchant fees on credit and/or debit card payments in your Department/agency in 2015-16?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Probity Auditor

129. Has your office or department used a Probity Auditor or Probity Advisors, or similar, in the past five years? If so please list the company and/or individual, the project, the engagement dates, and their total remuneration in tabular format.

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

WDVCAS funding

130. Despite Women's Domestic Violence Court Advocacy Services (WDVCAS) across NSW experiencing a surge in demand over the last 12 months, the NSW Government has failed to increase funding to all sites to cater for this demand.

- a. Why did the Minister not think that it was important to provide additional funding to WDVCAS when the Government had added significant workloads onto them?
- b. Have there been refusals to attend based on lack of resourcing?
- c. How has this impacted the not for profit and NGO providers?
- d. How has this impacted the government agencies?
- e. Why is the government not providing additional resources for attendance?
- f. Even if it is core business doesn't that mean other core business that used to be undertaken by that resource is not being undertaken now?

RESPONSE: Funding for WDVCAS is through NSW Health. See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

Translating and interpreting services for WDVCAS

131. As part of a new three year service agreement for Women's Domestic Violence Court Advocacy Service (WDVCAS), the Government has failed to provide additional funding to cover the cost of telephone interpreter and translation services.

- a. In the past six months, one WDVCAS has incurred costs of over \$3000 for the provision of translator and interpretation services. That means that those funds are being diverted from helping more women who require assistance to escape violence.
- b. How can WDVCAS provide a quality service when they can't understand their clients?
- c. Should young children have to provide translating and interpreting services?
- d. How difficult do you think it is for women who have experienced the trauma of domestic violence to explain it in a foreign language?
- e. Should women who can't speak English just not disclose violence?

- f. **Is the Minister encouraging translating and interpreting services to provide more female or trauma informed translators?**
- g. **Do translators get debriefing?**

RESPONSE: I am advised that Legal Aid NSW provides 13 Multicultural Specialist Workers in WDVCSs where there is a high multicultural demographic. Local Courts also provide bulk bookings of interpreters at Local Courts where there are large multicultural communities.

Closure of Community Legal Centres

132. Under the new National Partnerships Agreement the Commonwealth funding for Community Legal Centres will be cut by almost 30 per cent nationally from 1 July, 2017. Given these cuts, will WDVCS be expected to provide the services offered by Community Legal Centres?

- a. **If so, will WDVCS receive additional funding to assist in the delivery of these services?**

RESPONSE: I am advised that the services provided by Community Legal Centres are legal services. WDVCSs provide support, information, advocacy and referrals for women and children experiencing domestic violence. WDVCSs do not provide legal services.

Domestic Violence Disclosure Scheme

133. Clare's Law is a mechanism that was not available to Clare Woods, whereby women could access criminal records on their partners (the right to know) or concerned individuals to ask the police to inform "at risk" women (the right to ask) –

- a. **The UK experience on the implementation of a domestic violence disclosure scheme is that each application cost an average of around £750 a basic application. What does it cost for each application under the pilot schemes that have been established?**
- b. **This cost effectively takes resources away from other policing activity. What plans are in place to increase policing resources to allow for this cost?**
- c. **Is this part of the \$300m that the Treasurer and the Minister for the Prevention of Domestic Violence announced in June 2016?**
- d. **How many people have applied for information under the service so far –**
 - i. **Please disaggregate data by LACs?**
 - ii. **What percentage of applicants have been women?**
 - iii. **What percentage of applications have been made by people who are concerned about their own relationships and how many by concerned third parties?**
 - iv. **What percentage of people who have had applications made about them are men?**
 - v. **What percentage of people who have had applications made about them are women?**
 - vi. **Were ADVOs already in place for any of the men who have had applications made about them?**
- e. **Is the \$1.7m allocated under the Government's Budget in 2-16 under the Innovation fund?**
- f. **When will the evaluation be undertaken?**

- g. When will the results be published?
- h. What agencies, in addition to police, are involved in the assessment of applications and in providing resources to the applicant/PINOP?
- i. What staffing increase has occurred in these agencies to replace those staff that are providing resources to the DVDS?
- j. Are these extra resources part of the \$300 million that the Treasurer and the Minister for the Prevention of Domestic Violence announced in June 2016?
- k. Having identified women in high risk situations through the DVDS pilot, how many of these women decided to leave their partners?
- l. How many of these women were then turned away from a women's refuge because there was not a bed available?
- m. How many of these women attempted to access legal aid and were told that there was no one available to help in the immediate future?
- n. In the pilot scheme, how many applications were made where the outcome was that no relevant conviction existed?
- o. Have there been any cases where violent incidents have been reported about any alleged perpetrators since a disclosure was made? If so, how many?
- p. Will these questions be reported on in the evaluation?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

Social Policy Cabinet Sub-committee

134. Is there a Social Policy cabinet sub-committee? If so:

- a. Is the Minister a member of the sub-committee?
- b. How many hours did the social policy cabinet subcommittee meet for?
- c. Who convenes the social policy cabinet subcommittee?
- d. Who is on the social policy cabinet subcommittee?
- e. How many hours are spent on DV policy?
- f. How many hours are spent on sexual assault policy?

RESPONSE: I do not comment on Cabinet matters.

Domestic Violence & Sexual Assault Cabinet Subcommittee

135. Is there a Domestic Violence and Sexual Assault sub-committee ? If so:

- a. Are you a member of the sub-committee?
- b. How often have you attended any meetings?

RESPONSE: I do not comment on Cabinet matters.

Domestic Violence Death Review Team

136. How many staff are employed by the DV death review team?

RESPONSE: I am advised that information regarding staffing for the Domestic Violence Death Review Team is available in the Domestic Violence Death Review Team's Annual Reports available at <http://www.coroners.justice.nsw.gov.au>.

137. How many staff hours are spent investigating deaths and producing the reports?

RESPONSE: See response to question 136 above.

138. Has the Minister met with members of the DV Death Review Team?

RESPONSE: I have met with some members of the Domestic Violence Death Review Team.

Domestic Violence Leave and Awareness

139. For each department, statutory agency and/or other bodies in your portfolio please report:

- a. Date of introduction of domestic violence leave into enterprise agreements/contracts of employment, awards as applicable;
- b. Whether or not all employees and/or contractors are eligible for domestic violence leave;
- c. Number of days of domestic violence leave that have been taken in each financial year since the introduction of such leave;
- d. Number of days available for eligible staff to access domestic violence leave in each financial year;
- e. Number of other personal days of leave that have been taken in each financial year since the introduction of domestic violence leave;
- f. Number of sick days available for eligible staff to access domestic violence leave in each financial year;
- g. Whether or not all staff and/or contractors have access to Employee Assistance Programs?
- h. What training has been undertaken with management and administration for those involved in approving and/or processing domestic violence leave on issues such as?
 - i. Privacy and confidentiality of information about domestic violence
 - ii. Access to emotional, psychological, financial and medical support which may be required
- i. Who has provided training on domestic violence in the workplace?
- j. What percentage of staff in each agency has undertaken domestic violence training?
- k. What efforts have been made to ensure that perpetrators (or their accomplices) within the staffing profile are not able to access personal information of victims in order to identify their location, or other information which may assist in committing domestic violence against them, including changing or accessing records in such a way as to disadvantage them financially or legally?

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Sexual harassment and Anti-bullying training and awareness programs

140. For each department, statutory agency and/or other bodies in your portfolio please report:

- a. **Date of introduction of sexual harassment and anti-bullying training and awareness programs**
- b. **Whether or not all employees and/or contractors have received such training?**
- c. **Is this course mandatory for all employees/ contractors?**
- d. **How long for each session, how many sessions?**
- e. **Who delivers it?**
- f. **Is the program tailored to take into consideration specific needs of LGBTQIA, ATSI and CALD or other at risk groups?**
- g. **How?**
- h. **What percentage of staff in each agency has undertaken sexual harassment and anti- bullying training and awareness programs?**

RESPONSE: See response provided by the Deputy Premier for response across the Justice Cluster.

Historic Sexual Assault Cases

141. Where would a victim/survivor go for service to help prosecute old sexual assault cases?

RESPONSE: This question should be directed to the Deputy Premier.

142. Where would victim/survivor go for Counselling over old sexual assault cases?

RESPONSE: I am advised that survivors of child sexual assault are eligible for unlimited counselling through Victims Services.

Tender for Local Support Services for Male DFV Victims

143. Wednesday 31 August aware of the Request for Tender RFT ID DJ 2016-64 for Local Support Services for Male DFV Victims which was published on 10 August 2016 and closes on 5 September 2016?

RESPONSE: This question is unclear.

144. What role will the Minister or her department have in this tender, if any?

RESPONSE: I am advised that the Department of Justice is responsible for managing the tender process.

DV Perpetrator Behaviour Change Programs

145. What DV perpetrator behaviour change programs are funded by NSW Government?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

146. How many are specific to female perpetrators and how many are specific to male perpetrators?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

147. What behaviour change programs are available and not funded by NSW Government?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

148. How much Government funding is provided to these services?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

149. What evaluation has been done on these services?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

150. What voluntary reporting is required by these services?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

151. What mandatory reporting is required by these services?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

152. How many clients have these services seen each year up to June 2016?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

153. What was the cost of these programs in the 2016 financial year

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

154. Is there a waiting list to see these services, and if so how long is it?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

155. What is the recidivism rate for those who have participated in these programs?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.

156. Does the recidivism rate alter between mandatory and voluntary programs?

RESPONSE: See response provided by the Minister for Women, Prevention of Domestic Violence and Sexual Assault.