



New South Wales

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The Director  
Budget Estimates  
Parliament of New South Wales  
Macquarie St  
SYDNEY NSW 2000

31 October 2005

Dear Sir/Madam

Please find attached responses to Questions taken on notice during my Budget Estimates Hearing of 22 September 2005

Yours sincerely

A handwritten signature in cursive script that reads "Tony Kelly".

The Hon Tony Kelly MLC  
**Minister for Justice**  
**Minister for Juvenile Justice**

## **JUVENILE JUSTICE QUESTIONS TAKEN ON NOTICE:**

### **Tingha Bail facility:**

#### **Question 1.**

**What was the total amount of money spent between 2002 and 2005 on the Tingha Bail facility, including a funding breakdown for each year?**

#### **Question 2.**

**What was the average length of stay in the facility?**

#### **Question 3.**

**What assets, if any, from that facility have reverted to the Department of Juvenile Justice?**

#### **Question 4.**

**What was the set-up cost of the facility? It appears in the information that the department spent nearly one quarter of a million dollars setting it up.**

#### **Question 5.**

**Was the \$70,000 in addition to the \$70,000 contributed by the Commonwealth for the set-up? There was capital funding of \$70,000 from the Commonwealth Government.**

## **ANSWER**

**1. The total amount paid by the department to Community Programs Inc between 1 July 2002 and 30 June 2005 was \$1,175,165.**

A total of \$190,830 was paid in the 2002/03 financial year.

In the 2003/04 financial year a total of \$474,363 was paid.

In the 2004/05 financial year the department paid \$509,972.

**2. Twenty-three days.**

**3. None.**

**4. Funding of \$70,000 was paid as a one-off establishment grant. Other payments were made during the 2002/03 financial year in accordance with the Funding Agreement signed with the department in February 2003.**

**5. The Regional Director advises that she is unaware of any commonwealth funds that Community Programs Inc may have attracted specifically for the bail hostel project. The question of any Commonwealth funding granted to Community Programs Inc for any other purposes should be directed to the Commonwealth Government.**

**Question 6.**

**Why can juvenile detainees not have access to a personal computer (with no internet access) in their rooms?**

**ANSWER:**

Security is the primary issue of concern in the context of this question. Internet access does not come into consideration.

The risks associated with personal computers in rooms have to do with:

- the potential to conceal contraband;
- use of the equipment as a possible weapon;
- production of inappropriate material which could be used to undermine the good order of the centre or to intimidate other detainees;
- use of this equipment in preference to participation in detention centre programs and routines, leading to refusal to comply with directions and other possible difficult behaviour issues.

Detainees who attend school through the Education & Training Units in juvenile justice centres have access to computers in these units during school hours and, by special arrangement with DET staff, during other periods.

Those detainees undertaking particular kinds of educational programs which require access to computers and who have a good record of behaviour are given special consideration for this privilege.

Personal computers in rooms, unless given to all detainees, can create difficulties for other detainees who are not be eligible for consideration. For this reason access to personal computers in rooms is not routine, and is always carefully considered and strictly controlled.

Prior to approval being given for detainees to have personal computers in their rooms a rigorous risk assessment process is undertaken. Only low-risk detainees are even considered, and only those with particularly compelling reasons to have this access are successful in gaining it. This is an unusual occurrence in the state's detention centres.

**Question 7.**

In context of the 2004 facilities review recommending the complete redevelopment of Riverina JJC and the recommendation of Fish Payne Pattenden Viney to redevelop the centre, what are you going to do about Riverina detention centre?

**ANSWER:**

The department will continue to monitor the functionality of Riverina Juvenile Justice Centre and will look at longer term redevelopment needs of the centre.

There is on-going maintenance work planned for Riverina during the 2005/06 financial year, including the replacement of the tractor and various cyclic maintenance and contract works.

**Question 8.**

**What was the cost of installing perimeter lights at Acmena JJC?**

**Question 9.**

**What CCTV cameras might potentially go in and on what poles at Acmena JJC?**

**ANSWER:**

**8.** The perimeter lighting was supplied and installed by a Coffs Harbour company for a total cost of \$76,868.66.

**9.** There are two existing external cameras located on purpose-made camera mounting poles at the centre. The other external cameras at the centre are fixed to the buildings. The perimeter lighting poles are not intended to be used for any future camera installations. When the cabling was installed for the perimeter lighting, provision was included in the scope of works for future cabling using the same conduit. This simply allowed for possible future needs.

There are no immediate plans for any additional cameras to be installed at the centre.

**Question 10.**

**If these types of projects in JJC's are supervised by the Department of Commerce on behalf of the department, how much do you pay the Department of Commerce annually for the supervision of these projects in detention centres?**

**ANSWER:**

As the Department of Juvenile Justice is not accredited under the NSW Government *Agency Accreditation Scheme For Construction Projects* for the delivery phase of projects, it is required to use external support for the management of this phase for all projects with a value greater than \$1 million. Further, and in accordance with the NSW Government Procurement Policy, the department engages external project management providers on a fee-for-service basis. These project managers may either be from the Department of Commerce or the private sector.

The department does not pay a fixed annual fee to the Department of Commerce.

During the 2004/05 financial year, three major capital works projects – at Cobham, Reiby and Juniperina Juvenile Justice Centres – with a total value of over \$70 million were being managed by the Department of Commerce on behalf of the department. The total fees and disbursements paid to the Department of Commerce for these projects in that year totalled \$1,323,573.18 (excluding GST). This amount was for services including project management, administration of construction contracts, design and documentation, engagement of private sector consultants, and payment of various disbursements.

During the 2004/05 financial year, most of the department's minor capital works projects were not managed by the Department of Commerce. However, a total of \$22,858 (excluding GST) was paid to the Department of Commerce for design and supervision work on projects with a total cost of \$213,060 at Riverina and Orana Juvenile Justice Centres.

So during 2004/05 a total of \$1,346,431.18 (excluding GST) was paid.

## **JUSTICE PORTFOLIO QUESTIONS TAKEN ON NOTICE**

- 1. The Hon. DAVID CLARKE asked the Commissioner of Corrective Services, Mr WOODHAM -**

How many Department of Corrective Services officers were put in the alcohol treatment program over the last 12 months?

**Answer:**

18 staff members were referred for alcohol counselling in the last twelve months to September 2005.

- 2. The Hon. DAVID CLARKE asked the Commissioner of Corrective Services, Mr WOODHAM -**

How many Department of Corrective Services officers have had their services terminated for drugs?

**Answer:**

3 in 2004-2005.

- 3. The Hon. DAVID CLARKE asked the Commissioner of Corrective Services, Mr WOODHAM -**

How many Department of Corrective Services officers have been dismissed for either drunkenness or disciplinary reasons in the past year?

**Answer:**

10 in 2004-2005.

- 4. The Hon. DAVID CLARKE asked the Commissioner of Corrective Services, Mr WOODHAM -**

Is there any suggestion that Michael Heatley was not given his medication?

**Answer:**

No.

**5. The Hon. DAVID CLARKE asked the Commissioner of Corrective Services, Mr WOODHAM -**

Have there been any other claims for compensation by other businesses?

**Answer:**

No.

**6. The Hon. CATHERINE CUSACK asked the Commissioner of Corrective Services, Mr WOODHAM -**

List all claims for the last three years.

**Answer:**

Not applicable (see answer to Question 5).

**7. The Hon. DAVID CLARKE asked the Commissioner of Corrective Services, Mr WOODHAM -**

How long has it been since there were any inmates at all in wings 5 and 6 (at Long Bay)?

**Answer:**

Inmates were last in Wings 5 and 6, known as the Additional Support Units, on 11 September 2004. Wing 18, which is also part of the Additional Support Units, is currently occupied by inmates. The workshops which are part of the 5 and 6 Wing development are also being used currently.

**8. The Hon. PETER BREEN asked the Commissioner of Corrective Services, Mr WOODHAM -**

(a) How many drug detection dogs are there?

**Answer:**

(a) As of 15 October 2005, there are 42 such dogs.



**9. The Hon. PETER BREEN asked the Commissioner of Corrective Services, Mr WOODHAM -**

(a) How many dogs are specifically trained for bomb, explosive and ammunition detection?

**Answer:**

(a) As of 15 October 2005, there are 3 such dogs.

**10. The Hon. LEE RHIANNON asked the Commissioner of Corrective Services, Mr WOODHAM -**

How much has the department spent in the last three years—or the last financial year if that is easier—in compensation to inmates whose personal belongings have been lost for any reason, including whilst being transferred between gaols?

**Answer:**

In 2004-2005, the Department paid \$4,600 in the settlement of inmate claims for the loss of property for any reason.

**11. The Hon. LEE RHIANNON asked the Commissioner of Corrective Services, Mr WOODHAM -**

How many reports did the Department receive of assaults on inmates by custodial staff in the last financial year, both assaults generally and sexual assaults?

**Answer:**

During the 2004-2005 financial year, the Department received reports of 30 alleged assaults and 8 alleged sexual assaults.



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Dear Sir/Madam

Please find attached responses to Questions taken on notice during my Budget Estimates Hearing of 22 September 2005

The Commissioner of Corrective Services has advised that he would like to clarify his response to a question on the 'Panama Nursery' at Long Bay Correctional Complex (page 19 of the hearing transcript). At the Budget Estimates Committee hearing, Mr Woodham responded that a compensation claim had been lodged against the Department in relation to the closure of the Panama Nursery. It was later discovered that whilst a letter has been received from lawyers representing Panama Nursery considering legal action, no formal claim has been received. In relation to the subsequent question concerning the amount of compensation claimed, the response was an estimate of potential maximum expenses.

I trust that this information can be included in the final transcript of the Budget Estimates Committee hearing to ensure the record reflects accurate information.

Yours sincerely

The Hon Tony Kelly MLC  
**Minister for Justice**  
**Minister for Juvenile Justice**