

## ANSWERS TO QUESTIONS ON NOTICE LODGED AFTER THE BUDGET ESTIMATES HEARING

\*\*\*

I am advised:

1. The total expenditure on victims compensation payments was \$54.1 million excluding disbursements and professional costs.
2. Compensation assessors awarded \$53,600 in disbursements. This figure does not include the amount paid to the authorised report writers who prepare reports where an applicant claims the compensable injury of chronic psychological or psychiatric disorder.
3. During 2010/2011 the total expenditure on professional costs was \$3.83 million, a decrease of \$270,000 from expenditure of \$4.1 million in 2009/2010.
4. In March 2011, two additional assessors were appointed on a temporary basis for a period of three months (up to 30 June 2011). On 30 June 2011, the two temporary positions were extended until 30 June 2012.
5. Awards of victims compensation were made in 60.4 per cent of applications where the applicant had legal representation.
6. Awards for victims compensation were made in 58.7 per cent of applications where the applicant had no legal representation.
7. It is difficult to ascertain the number of claims determined that involved multiple acts of violence. Multiple acts of violence may not directly be related to section 5(3) of the *Victims Support and Rehabilitation Act 1996* (the section of the Act that determines if a claim is related). People may lodge multiple claims that relate to different acts of violence (for example, a person who has been a victim of domestic violence, in an armed robbery situation and assaulted by a stranger). This person would have multiple claims but would not be affected by section 5(3) of the Act.
- 8.-9. It is not possible to ascertain these figures as a person may receive more than one award of victims compensation for multiple acts of separate (unrelated) acts of violence. In 2010/2011, of the 2,038 claims dismissed by compensation assessors, 54 (3 per cent) were dismissed as the assessors considered they were related to another claim.
10. Of the 21,610 total claims, there are less than 100 claims that can currently be identified as relating to abuse that occurred in religious or state institutions.
11. Victims Services has been able to identify 31 claims where the incidents may relate to abuse in institutional care, however applicants may not disclose that the abuse occurred in religious or state institutions when they initially lodge a claim.
12. The NSW Government has asked the Law Reform Commission (LRC) to review current sentencing legislation and, where practical, simplify sentencing procedures and restore to the judiciary greater discretion in sentencing under the law. The issues of diversionary programs and the availability of non-custodial sentencing options will be carefully considered by the LRC. The review commenced in September 2011 and a report is anticipated in October 2012.

The Government is identifying mechanisms to promote the use of Intensive Correction Orders (ICO's), home detention and increased access to rehabilitation programs as a condition of a non-custodial sentence. Corrective Services NSW (CSNSW) is developing a strategy that articulates how various orders are managed, the effectiveness of offence related programs delivered by CSNSW, the links established at the local level with other government and non-government organisations in the delivery of services to offenders, and the success of these orders through recidivism and order completion rates.

13. As of 8 November 2011, there were 542 full time equivalent (FTE) positions held against cost centres based in the Henry Deane Building.
14. The average FTE staff numbers (including casual employees) in Corrective Services NSW (CSNSW), as reported in the respective Annual Reports are:
  - (a) 2006/07: 6,400.30
  - (b) 2007/08: 6,762.40
  - (c) 2008/09: 6,858.83
  - (d) 2009/10: 7,025.50
  - (e) 2010/11: 7,155.20.
15. Between 1 January and 7 November 2011, the following numbers of redundancies had been accepted:
  - a. Head Office: 11
  - b. Regional Offices: 22
  - c. Correctional centres: 279 (including 55 Security and Intelligence positions)
  - d. Community Offender Management: 2
  - e. Parole Units: 0
  - f. District Offices: 1
  - g. Transitional Centres: 0
  - h. Brush Farm Corrective Services Academy: 2
  - i. Corrective Services Industries: 16

Total: **333.**
16. 

2006/07:	10
2007/08:	10
2008/09:	17
2009/10:	9
2010/11:	29
17. On 18 January 2011 three inmates escaped from Parklea Correctional Centre from Area 4 (a minimum security unit). In response to the escape, building maintenance works have been undertaken at the location where it is believed the inmates escaped and a security review was also conducted. As a result of that review, night shift post duties have been amended to include an additional head count of inmates and a 5 metre macem fence has been installed around the perimeter of Area 4. Area 4 has since been reopened following a period of temporary closure. All three of the escapees have since been recaptured.
18. The proposed changes represented the implementation of commitments that the Government had made in the lead up to the 2011 NSW election.

19. The Bill provides several amendments to sentencing provisions, all of which provide alternative sentences to detention. The proposals retain the full range of sentencing options available to the Children's Court, including issuing a caution, imposing a fine, releasing a child on probation, releasing a child on condition they comply with an outcome plan developed during a youth justice conference, imposing a good behaviour bond (which can include a requirement to perform graffiti clean up work), and imposing a community service order. If the Children's Court imposes a community service order, that order must include a graffiti clean-up condition. The Bill also allows the court to impose a 'driver licence order', which can extend a learner licence or provisional licence period for a period of up to six months, or suspend a licence for a period of up to six months. All of these are non-custodial options.
20. No. Whether a graffiti offence is sufficiently serious to warrant a custodial sentence or control order is a matter for the sentencing court, and that discretion is not affected by the proposals in the Bill.
21. The Government is committed to reducing re-offending and keeping young offenders out of the criminal justice system. The purpose of the Government's proposal is to ensure that young offenders realise that graffiti damage is not a trivial matter and that it is a serious and costly offence. By requiring a young offender to appear before a court, that young person will understand the gravity of what they have done. The Bill preserves the power of a court to issue a formal caution or refer a young person to a youth justice conference, after he or she has appeared in court.
22. The Government believes that tougher sanctions – the fact of having to go to court and not getting off with a caution from police, the possibility of having a driver's licence suspended, and the mandatory clean-up work to be required as part of any community service order – will be effective to deter graffiti crime.

The Legislative Assembly's 2010 Standing Committee on Public Works, 'Report on Graffiti and Public Infrastructure', noted that the Committee received many submissions expressing frustration at the level of penalties for graffiti vandalism. The Committee recommended that the NSW Government should consider increasing current penalties for graffiti offences, given the large financial and social cost of graffiti. The Government has worked to change the sentencing options available to courts to provide a more effective response to graffiti crime.

23. Juvenile Justice is not aware of examples in other jurisdictions however they will continue to monitor offending rates by category of offence.
24. A range of statistics and information is collected, and reported by Juvenile Justice, including:
  - percentage of youth justice conference outcome plans that were successfully completed;
  - percentage of victims or representatives in conferences held with identifiable victims;
  - number of young people participating in youth justice conferences;
  - percentage of all referrals that result in a youth justice conference;
  - percentage of referrals received from Police and Courts;
  - juvenile re-offending rate of young people who have participated in a youth justice conference [monitored in the 12 months after an initial offence];

The NSW Bureau of Crime Statistics and Research have commenced a further evaluation of youth justice conferencing, with funding from Juvenile Justice.

Conference participants are offered the opportunity to provide formal feedback regarding the satisfaction with the conference process following each conference.

A small telephone survey of victims of crime who elected not to participate in a youth justice conference was carried out in 2011 to assist in policy formulation.

25. There are no current proposals to expand the use of these conferences.
26. Young people housed in Kariong Juvenile Correctional Centre are juvenile inmates, as per Division 3A of Part 2 of the Crimes (Administration of Sentences) Act 1999.
27. The new Management Plan for Kariong Juvenile Correctional Centre is being developed by senior CSNSW officers from core CSNSW funding. Funding for the implementation of the Plan, including 4 additional correctional officer positions and a Senior Psychologist position, is contained within the 2011/12 CSNSW Budget. The additional custodial positions will allow management to provide longer out-of-cell hours and an activities officer on weekends, which will assist in the delivery of a range of activities. The role of the Senior Psychologist is as Therapeutic Manager, Behavioural Management Program, ensuring that functional analyses of all juvenile inmates placed into the Behavioural Management Program are conducted so that individualised case plans can be developed, and managing the progress reviews of inmates on the Behavioural Management Program and the overall case management and delivery of offender services and programs at Kariong Juvenile Correctional Centre.
28. Yes.
29. Juvenile inmates at Kariong Juvenile Correctional Centre have access to a range of activities including exercise / weight equipment, an oval, tennis court and an auditorium where indoor activities such as soccer and basketball can be played. Additionally, extended out-of-cell hours will allow staff to provide a range of team activities where participation will assist in maintaining a healthy lifestyle.

The reference in the question to “powerful drugs which can result in weight gain” is lacking in detail. Medication is provided to juvenile inmates by Justice Health; and CSNSW adopts contraband interdiction strategies to prevent illicit drugs entering correctional centres.

30. The hierarchy of privileges at Kariong Juvenile Correctional Centre is currently under review. The following advice is provided in the interim pending finalisation of the hierarchy of privileges.

During the induction period (formerly known as assessment):

- a. Juvenile inmates are allowed one photograph.
- b. All juvenile inmates are provided with a television.
- c. Two books at a time are allowed, however, books may be changed at any time through the Centre library.
- d. In light of the high-risk profile of the juvenile inmates received into Kariong Juvenile Correctional Centre, CSNSW management and Department of Education and Communities staff are required to conduct an assessment of the risk they may pose to education staff, as well as their educational needs. These assessments are conducted during the induction period so that the juvenile inmate may attend school at the completion of the induction if their risk is found acceptable. Nevertheless, depending on their assessed needs,

juvenile inmates may receive educational material that can be used during the induction period.

31. It was previously the case that all juvenile inmates were subject to a Behaviour Plan on entry to Kariong Juvenile Correctional Centre; however, this practice was reviewed with the development of a new Management Plan for Kariong Juvenile Correctional Centre, and now only those juvenile inmates transferred to Kariong as a consequence of their behaviour in juvenile detention are placed into the Behavioural Management Program. Juvenile inmates received into Kariong on the basis of their offence are subject to the same case plans which are required for all inmates in CSNSW custody.
32. No new funding has been identified exclusively for young people with mental illness in the Juvenile Justice budget.
33. Juvenile Justice has a target to reduce overall reoffending rates.
34. A range of programs are offered to those juvenile justice clients who reside in the New South Wales Far West. These include:
  - the Western Region work jointly with Mission Australia to deliver the Act Now Together Strong (ANTS) family intervention model, developed in consultation with Professor Chris Trotter from Monash University;
  - Juvenile Justice funds Mission Australia to administer the Mac River Drug & Alcohol Residential facility which accepts referrals for juvenile offenders from remote areas of NSW;
  - The Local Offender Program in Bourke, delivered through Centacare, offers life skills and personal development, literacy and numeracy training, Alcohol and Other Drug and sexual health awareness workshops;
  - a Graffiti Removal / Beautification program in both Bourke and Brewarrina allows clients to complete their Community Service Order hours and in turn make reparation back to the community.
35. On 11 August 2011, my colleague, the Minister for Police and Emergency Services, announced that the Government will establish a special commission of inquiry into certain aspects of the NSW Crime Commission, including oversight arrangements. The NSW Crime Commission is the responsibility of the Minister for Police & Emergency Services and any questions about it should be directed to him.
- 36.-37. These questions do not relate to public affairs with which I am officially connected or to any matter of administration for which I am responsible. They are therefore not valid questions under the standing orders and are out of order. I refer the honourable member to previous answers to questions in relation to Mr Standen and Mr Kinch asked by other honourable members of the Committee during the Hearing (refer to page 2 of the transcript), and also previous questions on notice asked in the Legislative Assembly (number 769) and in the Legislative Council (number 244).
38. The appointment of the Chief Executive Officer (CEO) of Legal Aid NSW was endorsed by Cabinet. Mr Bill Grant's appointment as CEO was based on his extensive legal practice and legal aid experience, which resulted in him being awarded a Medal of the Order of Australia for service to the community and to the law. Mr Grant also has experience as a Chief Executive Officer in both the public and private sector.
39. Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website.

40. Four Department Officers (FTE 3.5) work from my ministerial office. This includes three Departmental Liaison Officers (FTE 2.5) comprising one officer from the Attorney General's Division of the Department (11/12), one officer from Corrective Services NSW (9/10) and a part time officer (9/10) from Juvenile Justice.

41.-42. I refer the honourable member to my answer to the question on notice number 165 asked in the Legislative Assembly. There are no other contractors or consultants engaged by me or my ministerial office.

43. The Department of Attorney General and Justice implements a range of key programs and strategies that are clearly referenced in the NSW Aboriginal Justice Plan. The plan continues to influence my Department's approach to addressing the high rate of Aboriginal participation in the criminal justice system.

There are seven strategic directions under the plan and I am pleased to report that my Department continues to deliver comprehensively under each of those seven areas.

44. Yes.

45. Yes.

46. I am advised that the NSW Legal Aid Commission is aware of the research.

47. Legal Aid NSW is aware that, as result of the move to a national award and the equal remuneration case that is currently being considered by Fair Work Australia, some community legal centres may face increased salary costs.

Because the equal remuneration case has not yet been determined, it is not yet possible to assess any impacts on these services. Legal Aid NSW is carefully monitoring the situation and will keep me advised of the impact of any changes in the Award.

48. The Government has not predetermined the outcome of the review and will consider the report on the review when it is received. The Government has no plans to cut community legal centres.

49. (a) The aim of the review is to ascertain if the scheme in its current format is providing the most beneficial and effective financial support and services to victims of violent crime. The review will be conducted with a view to delivering faster and more effective financial support to victims of violent crime. The review will also consider the long-term financial viability and parameters of the victims compensation scheme to ensure that the financial and rehabilitative needs of victims of violent crime are being met.

Independent experts will assist with the review and the experts will develop a profile of eligible victims; examine ways to provide support and rehabilitation services to victims; conduct a comparative assessment of compensation schemes in other jurisdictions and consider the value and effectiveness of restitution processes. The independent experts will prepare a report making relevant recommendations, which will be considered as part of the review.

(b) There are no current plans to cut any part of the scheme. Once the review is finalised, the recommendations will be considered and any potential changes to the scheme will be the subject of consultation with relevant stakeholders.

It is not proposed to cut the budget provided to Victims Services for the provision of services, support, counselling and compensation to victims of violent crime. The *Criminal Assets Recovery Amendment (Unexplained Wealth) Act 2010* (CARA) gave the NSW Crime Commission power to confiscate wealth from suspected criminals, or their families and associates, if they cannot prove that they obtained the assets legitimately. Fifty per cent of the proceeds obtained under this regime will be directed into the Victims Compensation Fund.

As a result of increased revenue from CARA and the expanded Victims Compensation Levy there is likely to be an increase to the overall budget this financial year. Any additional revenue received will be spent directly on compensation to address the current backlog of claims.

50. a. 10,210 on 1 April 2011.  
b. 10,012 on 2 July 2011.
51. I refer the honourable member to my answers to questions 151 to 158.
52. a. Department of Attorney General and Justice (AG's division) 2  
Department of Attorney General and Justice (CSNSW) 6  
Department of Attorney General and Justice (Juvenile Justice) 2  
Office of the Director of Public Prosecutions 1  
The forecast for 2011/2012 is the same as for 2010/2011.  
b. 11 people are employed at a cost of \$1.369 million.  
c. Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website.
53. I have not been on any overseas trips in the past year.
54. a. to c. and h. to i. Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website.  
j. to k. I refer the honourable member to my answer to question number 40. I am provided with one driver and the Department provides a range of support to the Minister including the preparation of correspondence, provision of coordinated advice and the development of legislation. In addition ministerial support duties are undertaken by Departmental Liaison Officers located in the Minister's Office.  
d. and g. I am advised by the Premier that, based on actual expenditure patterns, total forecast expenditures for all Ministerial offices are set to be \$36,900,000 in 2011/12. This compares to \$47,046,453 spent by the former NSW Government from April 2010 to March 2011.
55. I am advised by the Premier that for all Ministerial offices, the cost of Cabcharge was \$38,806.38 over 6 months from April 2011 to September 2011. This is compared with the cost of \$78,023.11 in the 6 months of the previous NSW Government from October 2010 to March 2011.
56. (a) As explained during the hearing, Corrective Services NSW (CSNSW) is subject to a review.  
(b) As at 9 November 2011, 560 positions have been identified for deletion throughout CSNSW, including positions deleted as a result of correctional centre closures.

- (c) Nil.
  - (d) As of 9 November 2011, 318 redundancies have been offered, however a final number will not be known until the redeployment of staff from deleted positions is finalised.
57. (a) The Department of Attorney General and Justice does not have a specific catering budget. However CSNSW has a specific budget to provide meals for inmates. This is projected to be \$21.6 million in the 2011/2012 financial year. CSNSW also provides staff cafeterias at various Corrective Services facilities that generate a net surplus of approximately \$0.3 million per annum.
- (b) I refer the honourable member to question on notice no 0332.
  - (c) I refer the honourable member to question on notice no 0332.
  - (d) No additional money has been spent on stationery as a result of the change of name as staff were directed to exhaust all existing stock.
58. (a-b) The Department's time standard is to reply to correspondence within 21 calendar days of receipt. In 2010/11, the main correspondence unit of the Attorney General's division met that timeframe in 85.2% of replies. As at 8 November 2011, Corrective Services NSW had identified 15 replies which have been outstanding for more than 60 days. Juvenile Justice does not collect this data.
59. (a-b) Across the Department of Attorney General and Justice 9,286 items were paid after 30 days (683 in the Attorney General's division, 4,699 in CSNSW and 3,904 in the Juvenile Justice division). In a number of cases delays in payment included situations where invoices had to be returned due to errors made by the client and other disputed matters outside the control of the Department.
60. Adult Education and Vocational Training Institute (AEVTI) staff from Berrima Correctional Centre have been transferred to other correctional centres to enhance the provision of education. CSNSW is engaged in a process of concentrating education resources within Intensive Learning Centres, which are currently located at John Morony and Wellington Correctional Centres, with others planned for the South Coast, Lithgow and Mid North Coast Correctional Centres and a metropolitan women's correctional centre.
- The TAFE hours of Vocational and Educational Training course delivery allocated to Berrima will be utilised at Emu Plains and Dillwynia Correctional Centres, in addition to the hours allocated to those centres. These hours are allocated to correctional centres on a semester basis. Minimum security, work-focused centres such as the former Berrima Correctional Centre receive a larger percentage of these hours to support inmate employment readiness and to capitalise on the experience provided to inmates on the job. The courses selected for delivery in each semester depend upon a number of factors, including industry needs both at the correctional centre and national level, the training needs of the inmates and the availability of trainers / assessors.
61. AEVTI staff from Parramatta Correctional Centre have been transferred to geographically proximate correctional centres to enhance the provision of education. As Parramatta Correctional Centre had a high remand population, it did not have a large number of TAFE hours for vocational training. Parramatta TAFE hours will be used at minimum security centres which are yet to be determined, from the first semester in 2012.
62. At this point in time, there is no decision to privatise inmate transport.



63. At this point in time, there is no decision to privatise inmate transport.
- 64.-67., 69.-70., 72. No privatisation of correctional centres is currently being considered.
68. Junee Correctional Centre has an operating capacity of approximately 800 inmates and contains medium and minimum security male inmates (except for a small number of local, recently received remand female inmates). Approximately 85% of inmates at Junee are sentenced inmates with about 15% on remand; and approximately 50% of inmates at Junee are subject to protective custody directions.
71. Yes. The appointment of a monitor at each privately operated correctional centre is required by section 242 of the *Crimes (Administration of Sentences) Act 1999*.
73. As a corporation, the GEO Group Australia Ltd (which has the contract to manage both Parklea and Junee Correctional Centres) is subject to the Federal industrial relations system, and its staff are not subject to the NSW Government's IR policy. There is a small number of staff employed by Corrective Services NSW at Parklea Correctional Centre, providing specialist programs. These CSNSW staff are covered by the NSW Government's IR policy.
74. On 6 November 2011, there were 9,791 inmates in full-time custody in NSW. Of this number, 9,709 were held in correctional centres; 30 were held in transitional centres and 52 were held in police/court cells.
75. CSNSW inadvertently quoted inmate numbers from 30 June 2010 instead of 30 June 2011, in its submission to the NSW Law Reform Commission's Review of the Bail Act 1978.
- CSNSW has since written to the Law Reform Commission advising them of the error and the correct figure (10,010 inmates). The error did not impact on any of the arguments put forward by CSNSW in relation to the inmate and remand populations.
- 76.-78. The decision to close correctional facilities was based upon a variety of factors including, but not limited to, a decrease in the incarcerated population, the age and operational suitability of the respective correctional facilities, new additional facilities coming on line and budget management. The Government is committed to policies which, among other matters, is aimed to assist the incarcerated population further falling and see corrective services being managed within its budget.
79. Prior to the election the Government made a commitment to reduce the prison population in New South Wales and the Law Reform Commission's (LRC's) review of the laws of bail is one step we have taken to implement that commitment. The LRC is expected to report back on its review shortly, and it is therefore premature to speculate on what reforms may be implemented in response to its report. I note that there has already been a reduction in the prison population in this State. As at 30 June 2010 there were 10,364 inmates compared to 10,010 inmates as at 30 June 2011.
80. As part of its review of bail laws the LRC has been asked to consider whether special bail provisions should apply to children. Once the report is received the Government will consider its recommendations and implement appropriate legislative reform

- 81.-82 The Report on Government Services 2011 (at page 8.27) notes that “It is generally accepted that the preferred level of utilisation falls between 85 and 95 per cent, because of the need for spare capacity to cater for the transfer of prisoners, special purpose accommodation such as protection units, separate facilities for males and females and different security levels, and to manage short-term fluctuation in prisoner numbers.”

The NSW utilisation rate is below that of Western Australia and the Northern Territory, and above that of Queensland, Tasmania and the ACT. (Victoria and South Australia did not report their utilisation rates). In all categories (open, secure and total prisons) the NSW utilisation rate is close to the Australia-wide utilisation rate of reporting jurisdictions. All other States and Territories have fewer inmates and fewer correctional centres.

83. (a) Between 1 October 2010 and 31 October 2011, CSNSW registered 625 intensive correction orders received from courts. Intensive Correction Orders (ICO) were subject to a staged roll-out, and were not available state-wide for all of this period.

(b) Between 1 July 2009 and 30 June 2010, 1,316 offenders commenced serving a sentence of periodic detention.

(c) The ICO is substantially different from periodic detention as a sentencing option.

Periodic detention is a custody-based sentencing option which was not available State-wide. The ICO is a community-based sentencing option which is available State-wide for offenders sentenced for up to two years.

Periodic detention is limited to two days per week and only involves community work participation without a program component. ICO supervision is on a seven days per week basis and offenders on an ICO are required to engage in rehabilitative and/or educational interventions to address factors which contributed to their offending behaviour in addition to performing a minimum of 32 hours of community work per month.

Furthermore, offenders subject to an ICO are required to adhere to stringent conditions which are designed to monitor and modify their behaviour. Such conditions include, but are not limited to, electronic monitoring, drug and alcohol testing, curfews and unannounced home visits performed by officers of CSNSW.

It is anticipated that the ICO will assist in reducing an offender's risk of recidivism to a greater extent than a sentence of periodic detention which does not comprise a programs component. The use of the ICO as a sentencing option by Courts will also divert additional offenders from full-time custody where appropriate.

As I said in my speech in the “Agreement in Principle” Debate in respect of the Crimes (Sentencing Legislation) Amendment (Intensive Correction Orders) Bill 2010 on 22 June 2010, intensive correction orders will be carefully monitored as a valid sentencing option.

84. All remaining inmates were transferred from Kirkconnell and Berrima Correctional Centres on 7 October 2011 and from Parramatta Correctional Centre on 8 October 2011. All three correctional centres are now closed.

85. The future use of these former correctional centres does not fall within my portfolio. CSNSW has written to the State Property Authority asking it to conduct a feasibility

study into the best use of the site of the former Berrima and Parramatta Correctional Centres, while the future use of the former Kirkconnell Correctional Centre, within Sunny Corner State Forest, is the responsibility of the Minister for Primary Industries.

86. These questions should be directed to the Treasurer.
87. As of 3 November 2011, 43 staff from Berrima, Kirkconnell and Parramatta Correctional Centres had accepted voluntary redundancies, while 31 officers from these centres had been transferred into positions vacated by redundancies at other correctional centres. The remaining staff from these centres have transferred or relocated to positions at other NSW correctional centres or within other areas of CSNSW.
88. As of 3 November 2011, 259 other CSNSW employees had accepted voluntary redundancies.
89. I refer the honourable member to my answers to questions 76.-78.
90. As I advised the Committee at the Budget Estimates Hearing, in response to a question from the Hon. Adam Searle at page 25 of the transcript, I do not rule out further correctional facility closures entirely, but my current knowledge is that the Government has no further plans to close any further gaols.
91. The question is founded on invalid assumptions about the relationship of additional police officers and incarcerated populations. This Government will work towards making our community safer, including through increased police numbers, and at the same time, pursue initiatives to reduce re-offending, engage offenders in appropriate diversionary programmes and other measures to reduce the incarcerated population.
92. During the period in question, the CSNSW State Emergency Unit conducted searches as per the following tables:

#### VISITOR SEARCHES

Visitor Property	6037
Visitor Vehicle	1882
Visitor screened K-9*	30829
Visitor + K-9	480
Visitor Vehicle K-9	603

#### INMATE SEARCHES

Inmate Property	5556
Pat searches	7707
Strip searches	1667
Cell searches	4226
Cell K-9	4436
Screened K-9	15490
Inmate + K-9	541

\* K-9 = Detection dog

These figures do not include searches conducted by the staff of correctional centres on inmates or visitors. Data on searches conducted by correctional centre staff is not centrally collated.

93. CSNSW has not changed its practices in regards to contractors since 27/3/11 and expects no variation in numbers or costs of contractors before and after that date.
94. Staff freezes on non-frontline recruitment have been in place, on the instructions of the Department of Premier and Cabinet, since July 2009. Since September 2011, only internal recruitment action has progressed within CSNSW for any positions that assist in the placement of surplus staff as a result of the current organisational reforms.

95. 88 officers (comprising 66 casual correctional officers and 22 overseers) completed custodial officer primary training between 27 March 2011 and 2 September 2011. Of this number, 17 commenced training prior to 27 March 2011.

No officers have completed custodial officer primary training since the announcement of correctional centre closures on 6 September 2011, and no courses in custodial officer primary training are currently being conducted.

The Brush Farm Corrective Services Academy has continued to provide training for probation and parole officers, compliance and monitoring officers and Community Offender Support Program staff, as well as professional development and workforce learning services for CSNSW staff and customised training programs for interstate and international agencies.

96. Since September 2011, only internal recruitment action has progressed within CSNSW for any positions that assist in the placement of surplus staff as a result of the current organisational reforms.
97. As at 30 June 2011 a total of 2,183 employees of the Department of Attorney General and Justice had accrued recreation leave greater than 40 days (281 in the Attorney General's Division, 1,796 in CSNSW and 106 in the Juvenile Justice Division).
98. From 1 July 2010 to 30 June 2011, there were 20 deaths in CSNSW custody. One of the deceased was Aboriginal. The deaths occurred on:  
17 and 23 July 2010;  
1, 4 and 21 August 2010;  
6 September 2010;  
11 October 2010;  
22 and 24 November 2010;  
1 and 11 December 2010;  
9 January 2011;  
25 February 2011;  
4 and 29 April 2011;  
1, 8, 15 and 28 May 2011; and  
21 June 2011.
99. Based on the counting rules established for the Report on Government Services, in the financial year 2011/12 there were:  
(a) 34 inmate assaults on officers, and  
(b) 1,331 inmate assaults on inmates.
100. There is no "Community" Drug Treatment Program at Parklea. The Government has no plans at this time to discontinue the Compulsory Drug Treatment Program at the Compulsory Drug Treatment Correctional Centre at Parklea.
101. Between 27 March 2011 and 2 November 2011:  
(a) There were no erroneous releases.  
(b)-(c) 12 offenders escaped in 8 escape incidents - see table below:

Correctional Centre	Type of escape	Number of escapes
Brewarrina (Yetta Dhinnakkal) Centre	From correctional centre	5 offenders in 2 escape incidents
Cessnock Correctional Centre	Hospital escort	1
Mannus Correctional Centre	From correctional centre	1
Mid-North Coast Correctional Centre	External work – correctional complex	2 offenders in 1 escape incident
Metropolitan Special Programs Centre	External work – correctional complex	1
Parklea Correctional Centre	External work – correctional complex	1
South Coast Correctional Centre	External work – correctional complex	1

102. (a) 115.  
(b) 339  
(c) 119.
103. Yes. The Commissioner of Corrective Services wrote to the Australian Communications and Media Authority (ACMA) on 29 July 2011 in respect of an exemption for the trial.
104. As I advised the Committee during the hearing, and recorded on page 47 of the transcript, no.
105. The average time out of cells for individual time periods are not readily available and would require significant resources to produce. It is expected that there would be little significant difference in result for the different time periods, apart from the extension of lock-in times at some minimum security correctional centres during daylight saving.
- Based on the counting rules established for the Report on Government Services, the average daily time out of cells from 1 July 2010 to 30 June 2011 was 7.01 hours per day in secure custody facilities, and 19.14 hours per day in open custody facilities.
106. There have been 6 instances of inmates being detained beyond their lawful release date between 27 March and 14 November 2011. Three inmates were detained at the Metropolitan Remand and Reception Centre for 1 day, 2 days and 13 days; two inmates were each detained at Parklea Correctional Centre for 1 day; and 1 inmate was detained at Cessnock Correctional Centre for 1 day. CSNSW discharges approximately 28,000 persons from custody each year. Unlawful detentions by late discharge represent approximately 0.01% of all discharges annually.
107. On 6 November 2011, there were 24 offenders under the age of 18 in CSNSW custody. Of this number, 23 were held in Kariong Juvenile Correctional Centre.
108. I participated in Cabinet deliberations concerning the NSW Budget.
109. Currently, the Youth Conduct Order Scheme will continue taking client referrals until 25 February 2012 with the program set to formally conclude on 1 September 2013. In October 2010 the NOUS Group produced an Interim Evaluation of the scheme. This

report focused on identifying areas for improvement and resulted in a series of recommendations to help strengthen the program. These recommendations regarding its current operation are subject to an internal review.

110. The Anti-Social Behaviour Project was renamed the Supporting Children Supporting Families Program in 2011 to help participants identify more strongly with the positive aspects of the programs objectives. The Project is now being managed by the Department of Family and Community Services.
111. (a) Of the staff who elect to disclose their heritage, Detention sector was 7% and Community sector was 12% in October 2011. Overall, it is 10.2% as at 30/06/11.  
(b) This percentage has not materially changed since 27/3/11.  
(c) On 5 May 2011 the Aboriginal and Torres Strait Islander Recruitment and Retention Strategy was launched.
112. There were nil sexual assaults against detainees during this period.
113. Cobham 2  
Riverina 1  
Frank Baxter 3  
Reiby 1
114. (a) There have been nil escapes from juvenile justice centres in this period.  
(b) There have been nil incorrect releases from juvenile justice centres in this period.
115. The agency's Client Information Management System records nil occurrences of wrongful detentions since 27/03/11.
116. The current maximum capacity of Juvenile Justice Centres is as follows:  
Acmena 45  
Broken Hill 8  
Cobham 85  
Emu Plains 40  
Frank Baxter 120  
Juniperina 46  
Orana 45  
Reiby 67 (includes Waratah Unit)  
Riverina 45
117. 376.9.
118. 26 October 2011 - 364 young people.
119. (a) 1/7/10 3155 young people  
(b) 1/1/11 2399 young people  
(c) 27/3/11 1911 young people

Note: This counts individual unique young people. A young person is counted once in each period.

120. The Department of Attorney General and Justice, Juvenile Justice Division has made 47 Permanent Full Time and 10 Permanent Part Time appointments.

121. Juvenile Justice arranges and staff all flights for Kariong Juvenile Correctional Centre detainees and associated travel/movements on a fee for service basis. From 27/03/11 to 31/10/2011;

Juvenile Justice	\$262,369.53
Kariong JCC	\$45,217.68
Total	\$307,587.21

122. The tables contain instances of segregation and separation rather than detainees. The same detainee may have numerous instances of segregation and/or separation.

#### Segregation

Centre	Amount of time segregated (hh:mm)									Total instances
	0:00	1:00	2:00	3:00	4:00	5:00	6:00	12:00	24+	
	– 0:59	– 1:59	– 2:59	– 3:59	– 4:59	– 5:59	– 11:59	– 23:59		
Acmena	13	30	30	4	1	0	1	0	0	79
Cobham	105	412	497	38	11	8	12	85	39	1207
Emu Plains	108	178	530	16	2	0	2	18	0	854
Frank Baxter	6	15	11	10	3	1	6	1	0	53
Juniperina	80	155	28	10	4	0	4	1	1	283
Orana	119	71	34	27	8	8	9	0	0	276
Reiby	53	98	25	16	8	1	4	2	0	207
Riverina	14	25	23	6	7	2	18	4	0	99

#### Separation

Centre	Amount of time separated (hh:mm)								Total instances
	0:00	3:00	6:00	9:00	12:00	>1 to < 3 days	>3 to < 6 days	>6 days	
	– 2:59	– 5:59	– 8:59	– 11:59	– 24:00				
Acmena	2	1	0	2	18	2	3	3	31
Cobham	914	49	0	0	354	1	1	9	1328
Emu Plains	502	3	0	0	159	0	0	1	665
Frank Baxter	177	51	49	38	106	57	13	8	499
Juniperina	170	2	0	0	0	0	0	0	172
Orana	682	9	4	26	4	0	0	0	725
Reiby	7	0	0	1	1	0	0	0	9
Riverina	170	21	10	6	44	24	12	0	287

\* data provided reflects number of separations and segregations from 27/03/11 to 30/09/11. Segregation and Separation data is manually collected and collated quarterly.

123. Since 27/03/11 the following works have been completed as part of the redevelopment of Riverina Juvenile Justice Centre:
- Demolition of the Managers residence, old motel and storage sheds.
  - Construction fence erected.
  - Three new Unit Manager's offices completed in the existing units.
  - New storm water drains installed across the oval, including new pits and spoon drains (with enough capacity to allow for the new buildings).
  - A large section of the new external fence has been completed.

- The slab is completed for the new maintenance shed and compound ('Block I').
- Administration / Admissions / Training / Specialist / Justice Health Building ('Block A') major ground works were completed early in the year, the concrete slabs have now been completed (upstairs and downstairs), some block work has been completed and they are nearing the laying of the first brick.
- The new residential unit ('Block B') is ready to have the concrete slab poured, all of the in-ground services have just been ruffed in.
- A cut off wall was constructed on the eastern boundary to divert water away from the buildings, and there was some design changes to the footings of 'Block B' due to some water table issues.

124. 23 at Juvenile Justice Centres  
23 at Juvenile Justice Community Services  
2 at Central Office

125. There have been 86 instances of discovery of contraband at juvenile justice centres during this period. Juvenile Justice is diligent in detecting and removing any unauthorised goods. Some goods are minor in nature such as unacceptable literature to more serious items such as matches or illegal drugs.

126. For the period 1 January 2011 to 30 June 2011:

- 1104 young people were enrolled in Education and Training units
- 811 placements in TAFE courses.

.

127. There were 142 unfilled vacancies as at 26 October 2011, with the average days vacant being calculated at 106 days.

128. i. 1/7/10          42 young people  
li 1/1/11          39 young people  
lii 1/7/11          31 young people

129. There were five (5) findings of possible illegal drugs in juvenile justice centres since 27/03/2011.

130. There have been 202 K9 search operations at juvenile justice centres since 27/03/11.

131. 1246 visitors have been Passive Alert Dog (PAD) screened.

132. There have been four (4) visitors denied access due to a positive indication from a K9 unit screen.

133. There were 384 random tests carried out since 27/03/11 with 2 positive results and 214 target tests carried out with 11 positive results.

134. Nil

135. The rate of detainee self-harm for the period 27 Mar 11 to 26 Oct 11 was 30.8 per 1000 admissions



136. As at 30 June 2011 the average age of staff in Juvenile Justice Centres was 43 years.
137. No
138. The Workforce Planning Strategy for Juvenile Justice is contained within its Corporate Plan 2010-2013. This is available on the Juvenile Justice Website.
139. (a) Yes.  
(b) N/A  
(c) this data is used to inform decisions regarding the development and delivery of specific programs and to assist in the effective management of clients in custody and in the community.
140. 26 October 2011 – 25 young people.
141. 141. AEVTI staff from Kirkconnell Correctional Centre have been transferred to geographically proximate correctional centres to enhance the provision of education.
- The TAFE hours of Vocational and Educational Training course delivery allocated to the former Kirkconnell Correctional Centre will be utilised at St Heliers Correctional Centre to support the new Thoroughbred Rehabilitation Program (in partnership with Racing NSW); and within the construction industry course hours at Cessnock Correctional Centre, in addition to the hours allocated to those centres.
142. The external ground maintenance at Lithgow Correctional Centre is now managed by a ground maintenance officer position based at Bathurst Correctional Centre using inmate labour from Bathurst Correctional Centre. This process also applies to servicing the grounds of the former Kirkconnell Correctional Centre.
143. This question is identical to Question No 60 and I refer the honourable member to that answer.
144. This Question is identical to Question No 61 and I refer the honourable member to that answer.
145. Rehabilitation programs are available in all correctional centres across NSW and inmates are allocated to programs on the basis of assessed need. The closure of Berrima and Parramatta Correctional Centres will have no impact on this strategy.
- In addition to CSNSW's suite of rehabilitation programs, Kirkconnell Correctional Centre hosted a program for violent offenders at moderate risk of violent re-offending. This program has been re-designed and is now available more widely across a number of correctional centres. The end result is a nett gain in program provision.
146. Since the closure of Parramatta Correctional Centre, inmates on the Drug Court Program have been placed in a separate unit at Parklea Correctional Centre. This unit can accommodate up to 24 inmates.
147. The NSW Police Force is responsible for the enforcement of the *Classification (Publications, Films and Computer Games) Act 1995* (which was the Act amended by the *Classification (Publications, Films and Computer Games) Enforcement Amendment Act 2010*).

148. Immediately after the closure announcement on 6 September 2011, a staff meeting was conducted at Berrima Correctional Centre with the Assistant Commissioner, Offender Services and Programs, the Acting Assistant Commissioner, South West Region, the Regional Executive Director, South West Region, the General Manager of Berrima Correctional Centre, Senior Manager, Human Resources and Berrima Correctional Centre senior executive staff all in attendance.

Board of Management and senior Human Resources staff also subsequently met with Berrima staff on 9 September 2011, and a Human Resources shop front was made available to assist staff explore employment options.

Also on 6 September 2011, a meeting was held between an active member of the Berrima Correctional Centre Community Consultative Group, the Acting Assistant Commissioner South West Region and the General Manager of Berrima Correctional Centre. Two follow-up meetings with the Berrima Community Consultative Group have since taken place.

On 8 November 2011, senior CSNSW executive staff conducted a tour of the facility for the Wingecarribee Shire Council General Manager and Councillors and other persons. CSNSW have passed on contact details of relevant State Property Authority personnel to the Community Consultative Group and Shire Council.

149. (a) Funding is in place for CSNSW to maintain and guard the former Berrima Correctional Centre until it is handed over to the State Property Authority.  
(b) CSNSW is committed to transferring the facility to the State Property Authority for management at the earliest opportunity beyond formal closure. Until then, the necessary funding will be allocated from the CSNSW budget.  
(c) CSNSW has written to the State Property Authority asking it to conduct a feasibility study into the best use of the site of the former Berrima Correctional Centre. This feasibility study will take the community's views into account, but will also ensure the disposal is conducted with due probity, in accordance with Treasury asset disposal guidelines, and with minimal residual cost to the State.

150. I am informed that the former holders of the 13 deleted positions at Grafton Correctional Centre have all accepted offers of voluntary redundancy.

- 151.-155. I am advised by the Premier that for all Ministerial Offices, there is a total of:  
i. Blackberries – 151  
ii. iPads – 19  
iii iPhones - 3

156. I am advised by the Premier that Ministerial Offices in the NSW Government from April 2011 to October 2011 spent a total of \$88,902. This compares with \$238,567 spent under the previous NSW Government from October 2010 to March 2011.

- 157.-158 I am advised by the Premier that for all Ministerial Offices in the NSW Government, there has been one stolen phone, which cost \$577 (ex GST) to replace.

- 159.-161. I refer the honourable member to question on notice no 52.

- 162.-163. I refer the honourable member to question on notice no 53.

- 164.-174 I refer the honourable member to question on notice no 54.

175. I refer the honourable member to question on notice no 55.

- 176.-179. I refer the honourable member to question on notice no 56.
- 180.-183. I refer the honourable member to question on notice no 57.
- 184.-185. I refer the honourable member to question on notice no 58.
- 186.-187. I refer the honourable member to question on notice no 59.
188. a. I refer the honourable member to question on notice no 0459.  
b. The Department of Attorney General and Justice and Legal Aid NSW do not have any non-recurrent grants.
189. I refer the honourable member to question on notice no 0329
190. Nil
- 191.-193. The Parliamentary Secretary provides assistance to me, including signing correspondence; receiving deputations; officiating at functions; and assisting me in some of my duties. The duties to be performed are those allocated by me, or which have my endorsement.
194. No.