

BUDGET ESTIMATES 2009-2010
GENERAL PURPOSE STANDING COMMITTEE NO. 3

**Questions on Notice relating to the portfolios of Corrective Services, Public
Sector Reform and Special Minister of State**

Questions from Ms Westwood

- 1. *What increase in funding has occurred for women's post-release services that have proven to be effective in providing supported housing, linking women back into the community and with their children? The type of service I am referring to is the Community Restorative Centre (CRC) and Guthrie House.***

Answer:

I am advised:

Corrective Services NSW administers the Community Funding Program on a triennial basis to support non-government agencies that assist offenders, former inmates and their families. Guthrie House Co-op Ltd (NSW) and Yulawirri Nurai Indigenous Association Inc provide transitional support to women, and the Community Restorative Centres provide transitional services to both men and women. The amounts provided to these organisations under the Community Funding Program are as follows:

Funded Service	Amount per annum during 2005-2008 triennium	Amount per annum during 2008-2011 triennium
Guthrie House Co-op Ltd (NSW)	\$300,000	\$327,500
Community Restorative Centre (Sydney Metro)	\$197,710	\$216,909
Community Restorative Centre (Hunter)	\$98,359	\$110,316
Yulawirri Nurai Indigenous Association Inc	\$85,636	\$86,608

In addition to the Community Funding Program, funding of \$980,000 per annum to address homelessness among released sentenced inmates, has been received through the Federal Government's strategy to address homelessness. The *Greater Western Sydney Region Targeted Housing Support for Ex-prisoners Project* is a multi-agency project involving Corrective Services, Housing NSW, NSW Health, Communities NSW and Human Services NSW. The project will obtain long-term, stable and affordable accommodation and provide case management and support services of varying intensities to 20 people per year exiting the participating correctional centres. The target group is people at risk of homelessness exiting correctional centres in Western Sydney who intend to reside in that region, and there is a focus on those with children and those with complex needs. Stage 1 of the project will focus on female offenders leaving Dillwynia Correctional Centre, Emu Plains Correctional Centre, Bolwara House

Transitional Centre and Boronia Community Offender Support Program Centre (Emu Plains).

2. *Has funding for community based post release services for women kept up with increases in the women's prison population (72% increase between 1998 and 2008)?*

Answer:

I am advised:

The female full-time inmate population on 30 June 1998 was 358, and on 30 June 2008 it was 722, representing an increase of 101.7%.

Organisation	Funding 1998-99	Funding 2008-09	% increase
Guthrie House	\$117,744	\$327,500	178.1%
Yulawirra Aboriginal Corporation / Yulawirra Nurai Indigenous Association Inc	\$49,000	\$86,608	76.8%

The total Community Funding Program amount of \$3.01 million per annum for the 2008-2011 triennium represents a 173% increase on the 1997-1998 amount (\$1.1 million).

Additionally, Corrective Services NSW has established Boronia Community Offender Support Program (COSP) Centre at Emu Plains that currently provides 24 hour accommodation for 5 women to meet crisis and complex support needs for women exiting custody and offenders in the community.

3. *Has the funding for community based post release services for women been adjusted to reflect the complex needs of women prisoners who have higher rates of custodial episodes than men?*

Answer:

I am advised:

Corrective Services NSW adheres to an open competitive tender process for its Community Funding Program. Applications are assessed against specific criteria and a schedule of funding recommendations is submitted to the Minister for Corrective Services for consideration and approval.

Community-based post-release service providers adjust the provision of their services to the needs of their clients, and reflect this in their funding applications.

Analysis of the complex needs of women in custody and on release is a major focus of the Corrective Services' Women's Advisory Council.

Questions from Ms Hale

4. *Inmate Numbers*

- a. *How many times in the past year has a person been detained on remand because they have not been able to meet their conditions of bail because appropriate accommodation for the person was not available?*
- b. *Why did the Department discontinue the collection of this type of data at a time when remand numbers have been increasing rapidly?*
- c. *In total numbers and as a proportion of the inmate population, has the number of inmates from an Indigenous background increased or decreased over the last five years?*
- d. *What new initiatives is the Minister proposing to address the over-representation of inmates from Indigenous backgrounds in the NSW prison system?*

Answer:

I am advised:

- a. The exact number of inmates who have been granted bail but detained due to being unable to meet bail conditions is not centrally collated.
Instances of persons being held on remand when granted bail owing to lack of any accommodation are rare, as such persons are unlikely to be granted bail by a court.
- b. Corrective Services only ever collected this data for in-house reporting on an as-required basis for a particular project or study, and not for routine reporting.
- c. The NSW Inmate Census figures for each of the past 5 years are as follows:

Date	Total Inmates	Total A/TSI	% A/TSI
30 June 2008	9,859	2,080	21.1%
30 June 2007	9,557	1,993	20.9%
30 June 2006	9,051	1,897	21.0%
30 June 2005	8,948	1,621	18.1%
30 June 2004	8,498	1,506	17.7%

The Inmate Census for 2009 has not yet been published.

- d. I refer the Member to my answer to a Question Without Notice entitled "Indigenous Offenders" in the Legislative Council on 10 September 2009.

5. Lockdown Regimes

- a. Are inmates at Cessnock prison being locked down for an extra 32 hours a week as part of the implementation of the 'Way Forward' reform program?**
- b. Is it the case that inmates at Long Bay MSPC (Metropolitan Special Programs Centre) are being locked down from 3.15pm Thursday afternoon through to 8.30am on Saturday every second week, and that inmates at the Metropolitan Remand and Reception Centre (MRRC) are being locked down from 3.15pm Monday until 8.30am Wednesday each week? If not, what is the lockdown regime at those two centres?**
- c. How long has the current lockdown regime been in place?**
- d. For how long do you expect this lockdown regime to continue?**

Answer:

I am advised:

- a. There are no standard out-of-cell hours that apply to all inmates at Cessnock Correctional Centre.
- b. All correctional centres, including the MSPC and the MRRC, conduct lockdowns for specific purposes such as staff training. Such measures are an essential component of the administration of a correctional centre.

At the MSPC and the MRRC, there have been partial lockdowns and these have not affected the entire correctional centres.
- c. Hours out-of-cell for minimum security inmates at Cessnock Correctional Centre were altered when the inmate population was reduced. There have been lockdowns at correctional centres when necessary.
- d. The operation of correctional centres is subject to change on an ongoing basis.

6. Drug and Alcohol Programs

- a. How is DCS addressing the needs of inmates who require individual programs to address drug and alcohol and other issues? Are all programs run on a group basis or are individual programs implemented when required?**
- b. Approximately how many inmates would have participated in an individual program in each of the last five years?**
- c. What evidence does the DCS have to show that purely group-based programs provide a better outcome in terms of reduced social and health problems and reduced recidivism rates for inmates? Is DCS aware of any evidence that individual programs are, in some cases, more effective than group programs?**

- d. ***What evidence does DCS have that amalgamating AOD positions with welfare positions will be successful in reducing recidivism rates?***
- e. ***Has the ratio of the total number of AOD and welfare positions to inmates increased or decreased over the last 5 years? (Follow up if decreased: given the number of inmate with AOD issues, why are AOD positions being decreased?)***
- f. ***What proportion of offenders with histories of violence undertake the VOTP (Violent Offenders Therapeutic Program) during the time they are imprisoned? Is there a waiting list or do all offenders complete the program during their detention?***

Answer:

I am advised:

- a. Corrective Services provides individual interventions as appropriate for inmates with alcohol and other drug (AOD) problems, including screening, assessment, one-to-one counselling, referral to community treatment agencies and preparation for release.

Justice Health also provides individualised AOD treatments, including assessment, management of alcohol and drug-related health problems, detoxification, pharmacotherapies for opioid and alcohol dependence, and referral to community-based treatment services.

Corrective Services' programs generally consist of structured manualised group work interventions complemented by a range of other services and interventions according to assessed need. Some offenders may require individual motivational interventions to prepare them for participation in a group program.

- b. This information has not been retained for the requested period.
- c. Evidence from around the world has shown that programs that employ social learning methods and cognitive and behavioural techniques are the most effective in reducing re-offending. Social learning is enhanced in group programs because of the opportunity for peers to challenge faulty thinking, provide mutual support and pro-social modelling.

Group treatment is the most common form of treatment for alcohol and other drug problems worldwide, and forms the basis of most in-patient programs, residential rehabilitation and therapeutic communities as well as self-help interventions such as Alcoholics Anonymous, Narcotics Anonymous and SMART Recovery.

While there are few studies that directly compare group drug and alcohol treatment with individual treatment, those that exist demonstrate that there are no significant differences in outcomes between group and individual treatment programs.

- d. Corrective Services NSW has introduced a new classification of position known as a Service and Programs Officer. The role includes undertaking assessments of offenders. Evidence from both AOD and Offender Rehabilitation studies shows that stability of treatment, consistent behavioural responses and the development of trusting therapeutic relationships increase the effectiveness of interventions. They also show that dealing with a range of needs including housing, finances, employment and family relationships; combining different forms of treatment; being responsive to individual needs and linking treatment to ongoing care and support, also increase this effectiveness.

Having one category of staff that can respond holistically and ensure that each offender is provided with the combination of services and programs best suited to their individual needs will enhance the stability and consistency of treatment and the development of therapeutic relationships, reduce the number of different referrals required for each individual and provide more efficient service delivery.

- e. Corrective Services NSW has better targeted its staff resources to ensure that evidence-based group programs of sufficient duration and intensity are provided to those offenders at medium- to high-risk of re-offending who have the greatest need for programs and are most likely to benefit from them.

As a result, the provision of high quality AOD *programs* in correctional centres has increased significantly over the past few years, as shown in successive Annual Reports.

- f. Corrective Services does not have aggregated data based on offenders' histories.

It is also important to note that the Violent Offenders Therapeutic Program (VOTP) is not the only program for offenders with histories of violence. Corrective Services has different streams for different offenders based on their assessed risk, as well as a maintenance program for graduates of the VOTP. Some violent offenders may be more appropriately referred to anger management programs such as Controlling Anger and Learning to Manage It (CALM) or the Domestic Abuse Program. Others might be better suited to more generic cognitive behavioural programs such as Think First or, if at a pre-contemplative stage of readiness to change, may need to be provided with motivational interviewing strategies. Other offenders for whom violence was instrumental are better served by behaviour management programs such as through the High Risk Management Correctional Centre and the Security Threat Group Violence Intervention Program, or by way of individual work with psychologists. This is particularly the case where an offender displays psychopathic traits.

7. Cessnock Correctional Centre

- a. What will be the change in full time employee positions at Cessnock as a result of the implementation of the new management plan at that site?**

Answer:

The future staffing level of Cessnock Correctional Centre under a new management plan will be determined on the basis of a range of factors such as inmate numbers and security requirements.

8. Contractors

- a. What restrictions does DCS place on employees who have taken a redundancy returning to DCS in another capacity, whether as an employee or as a contractor?**
- b. Over the last financial year how many consultants or contractors has DCS employed in the policy or management areas of the department?**
- c. How much was spent in total on those contractors and consultants in the last financial year?**
- d. What was the highest amount paid to any individual contractor or consultant in a policy or management area in the last financial year?**
- e. How many of those consultants or contractors were formerly employees of DCS?**
- f. Did all those consultants or contractors meet the restrictions placed on former employees returning to work with or for DCS?**
- g. Has former Assistant Commissioner John Klok undertaken any work for DCS as a contractor or consultant?**
- h. If so, when did he do so, what work did he perform and how much did DCS pay for his work?**
- i. Has the Minister received any complaints from prison officers claiming they have been subject to victimisation as a result of opposing the decision to privatise Cessnock and Parklea Correctional Centres?**
- j. How have any such complaints been investigated?**
- k. What measures has the Minister put in place to prevent union members who opposed privatisation being exposed to reprisals?**

Answer:

- a.** I am advised that any former Corrective Services employee who has taken a redundancy is subject to the Government's policy on re-employment and its policy on the engagement of consultants and contractors (including, where appropriate, the requirement to refund a severance payment or proportion of a severance payment).

- b. The question has not been sufficiently defined to enable it to be answered.
- c. Not applicable.
- d. Not applicable.
- e. Not applicable.
- f. Not applicable.
- g. Yes.
- h. Mr Klok was engaged to provide a security review and this work is ongoing.
- i. It is inappropriate to discuss the individual circumstances of prison officers.
- j. As above.
- k. Corrective Services NSW has a comprehensive policy, *Managing Work-Related Bullying and Harassment Policy*, in place to deal with all forms of bullying and harassment in the correctional workplace. Any employee facing bullying and harassment is able to utilise this policy.

9. *What progress has been made in implementing the Beyond Justice 2004-2014 plan?*

Answer:

This question should be directed to the Attorney General.

10. *Has the term of the Aboriginal Justice Advisory Council expired? If so, has it been replaced? If so, by what body? If not, why not?*

Answer:

This question should be directed to the Attorney General.

Questions from Mr Ajaka

- 11. *How many Cessnock prison officers had taken a redundancy before the decision to privatise or 'outsource' Cessnock was reversed?***
- a. *How many had already transferred from Cessnock Prison before the decision to privatise or 'outsource' Cessnock was reversed?***
 - b. *Are other NSW prisons being looked at with a view towards privatisation or outsourcing?***

Answer:

I am advised:

Twenty-two correctional officers had accepted the offer of voluntary redundancy.

- a. Twenty-three correctional officers had transferred at the relevant date (1 May 2009).
- b. No.

12. Prisoner Craig Behr was murdered in cells 27/3/04 by Michael Heatley after advising that he felt homicidal. What steps are being taken to protect prisoners from other prisoners identified as being dangerous?

Answer:

I am advised:

Corrective Services' full response will depend upon the Coroner's eventual findings and recommendations.

Since Mr Behr's death there have been significant improvements in the facilities and services for inmates with mental health problems, including:

- the opening of a 43 bed Mental Health Screening Unit at the Metropolitan Remand and Reception Centre at Silverwater;
- the opening of a 19 bed Mental Health Screening Unit at Silverwater Women's Correctional Centre; and
- the opening of an 85 bed prison hospital and a 135 bed forensic hospital at Long Bay.

Corrective Services also provides specialist training for correctional officers who work with mentally ill offenders, including the Mental Health First Aid Training recommended in the NSW Mental Health Strategic Plan. Additionally, psychologists, psychiatrists and mental health professionals provide on-going support and training for correctional officers through case review meetings and in-unit training seminars.

Corrective Services also reviewed its Reception, Screening and Induction Process in 2009. This process is intended to identify inmates who may be at risk of self-harm or who present a risk of harm to other inmates.

More generally, the *Crimes (Administration of Sentences) Act 1999* and *Crimes (Administration of Sentences) Regulation 2008* provide legislative authority to enable the separation of inmates to achieve the protection of other inmates from them.

When it is known that an inmate poses a danger to other inmates, an alert will be entered on the Offender Integrated Management System (OIMS) database, indicating the assessed level of dangerousness of the inmate. Classification staff will also consider any known such risk when classifying the inmate and determining an appropriate goal of placement. Staff in all correctional centres have access to OIMS and are notified via alerts and case notes of any assessed potential danger posed by an inmate to other inmates.

- 13. How many former members of DCS staff have been engaged as consultants in the last financial year?**

Answer:

I am advised that three former staff members of Corrective Service NSW were engaged as consultants in the last financial year.

- 14. In the 2008-2009 Budget, 1,000 inmate beds project was due to be completed in 2012. This has now been pushed back to be completed by 2014, and was not mentioned in the November Mini-Budget.**
- a. Will all other ongoing capital works projects for Department be delivered on time and on budget?**
 - b. Please provide an update on each major capital works.**

Answer:

- a. All Corrective Services NSW capital works projects are currently on schedule and on budget.
- b. The 1,000 beds project will consist of 250 beds at Cessnock (scheduled for completion by the end of 2011), 600 beds at the new South Coast Correctional Centre (scheduled for completion by the end of 2011) and 150 beds for a location yet to be determined.

The Information Technology Infrastructure Project, Electronic Case Management Project, Inmate Escort Vehicles Fleet Renewal Project, Kariong Juvenile Correctional Centre Biometric Integration Project and Silverwater Women's Correctional Centre Staged Development Project are all progressing on schedule as indicated in the Budget Estimates papers.

- 15. In regard to the Sydney Central Cells Complex, what is the current number of officers on duty during daytime working hours?**
- a. Has extra security been added at times when alleged 'bikie' gang members are being held?**
 - b. In relation to bikie gangs, are rival gang members often mustered together at the Sydney Central Court Complex?**
 - c. In these situations what additional resources are provided to deal with them?**
 - d. Are bikie gang members transferred in and out of the complex in circumstances where security is not adequate should there be an escape or rescue attempt?**
 - e. By letter of the 20/5/09 the Minister denied a request by the Shadow Attorney General to visit and inspect the Sydney Central Cells Complex. Why was this request denied?**

Answer:

I am advised:

Nine officers per day are rostered at Central Cells Complex. Additional casual correctional officers are called upon on an as-needs basis when required.

- a. Security assessments are undertaken each time bikie gang members or other high risk inmates are escorted to court facilities or other locations outside a correctional centre. Security assessments consider all available information, data and intelligence in respect of the level of threat, if any, and appropriate security arrangements are applied where necessary.
- b. The separation of rival bikie gang members is carefully managed by the Corrections Intelligence Group in close consultation with other law enforcement and intelligence agencies. Rival gang members are accommodated and transported separately, including at court locations.
- c. Additional risk resources are provided in accordance with security risk assessments.
- d. No.
- e. The reason was outlined in the letter.

16. *Given that overtime in Corrective Services cost NSW \$41.035 million in 2005-2006 and \$43.721 million in 2006-2007, what was the exact figure for overtime in 2007-2008 and 2008-2009?*

- a. What is the projected figure for overtime in 2009/10?***
- b. What programs are planned or in place to further reduce overtime expenditure?***

Answer:

I am advised:

- a. The projected overtime figure for 2009-10 depends on a number of factors. The redeployment of Parklea staff, the imminent change of status of some casual correctional officers to permanent, and the continued availability of casual correctional officers to fill daily unplanned vacancies, is expected to have a further positive impact on the cost of overtime.
- b. The Way Forward workplace reforms include a number of strategies to reduce overtime expenditure. As I advised Parliament on 5 May 2009, the Way Forward includes the elimination of static officer posts once inmates have been moved out of accommodation areas, the introduction of casual correctional officers, centralised rostering, the continued rollout of a new absenteeism policy and revised workforce management plans – all of which will contribute to a reduction in overtime expenditure. Additionally, the outsourcing of operations at Parklea Correctional Centre will reduce overtime expenditure.

17. What is the percentage of casual staff as opposed to full time staff presently employed in the NSW prison system?

Answer:

I am advised:

On 6 October 2009, there were 286 people who were listed as available and qualified for casual employment in correctional centres. The total number of full-time custodial staff employed by Corrective Services NSW at the same date was 3,598.

18. How many new gaols does your department currently plan to build?
a. How many gaols are planned to be enlarged?

Answer:

I refer the Honourable Member to my public comments on this matter.

a. I refer the Honourable Member to my answer to Question on Notice No 7283 asked by Mr Greg Smith in the Legislative Assembly.

19. Have any budgetary cuts been implemented to Staff in the Department of Correctional Services (sic)?
a. If so how many staff is it anticipated will lose their jobs or have lost their jobs?

Answer:

I have repeatedly stated that no staff member need lose his or her job as a result of the Way Forward Reforms. Savings to be achieved by Corrective Services will be achieved by increased efficiencies and will not require any job losses. The Commissioner of Corrective Services has advised all staff of the redundancy program that is available to affected staff who do not wish to be re-located.

20. Is it the fact that there has been no recruitment of new Probation and Parole (P & P) staff in the past financial year?
a. As a result of the increased workload of existing P & P staff, has Bathurst Parole Unit asked Silverwater Parole Unit to help out with its increased workload?

Answer:

I am advised:

No.

a. No.

- 21. You would accept that the decision to privatise Parklea has caused industrial unrest and strikes in NSW. Have you assessed the cost to NSW of the impact of this campaign of industrial action by the POVB?**
- a. How many hours were the prisoners in lockdown on the day strike action last took place?**

Answer:

I am advised:

No.

- a. The time spent by inmates locked in cells on 6 August 2009 varied across correctional centres.

- 22. How many fine defaulters are currently the subjects of community service orders as the result of not paying fines?**

Answer:

I am advised that on 27 September 2009, 19 fine defaulters were subject to community service orders under the *Fines Act 1996*.

- 23. To the Minister's or the Commissioner's knowledge, apart from the incident in July 2009, how many cases have there been where inmates have been allowed to smuggle sperm samples out of prison?**

Answer:

I am advised that to the Commissioner's knowledge, no other such incident has occurred.

- 24. What was the average number of sick leave days taken by correctional officers in NSW for the last financial year?**
- a. Has there been any reduction in this average since the Public Accounts Committed (sic) Report 'Value for Money from NSW Correctional Centres' of September 2005?**

Answer:

I am advised:

The average number of sick leave days taken by correctional officers in NSW for the 2008-2009 financial year was 12.51 days per correctional officer.

- a. The corresponding figure for the 2004-05 financial year was 15.1 days.

John Robertson MLC
Minister for Corrective Services