

QUESTION TAKEN ON NOTICE:

Questions from Ms Cusack

Question 1:

Internal Investigations:

- (a) What is the status of staff investigations? I.e.: at 30 June 2006 how many had been completed for previous financial year; how many were actively being investigated and how many were pending investigation?
- (b) What is the average wait for an investigation to commence?
- (c) What is the average cost of these investigations?
- (d) In 2005-06 How many staff have been
 - (i) Disciplined
 - (ii) Suspended or
 - (iii) Terminated

ANSWER

During 2005/06, 63 investigations were completed, there were 37 active investigations and none were pending investigation.

The timeframe for the commencement of an investigation depends on each individual case and is based on a number of factors, the most important of which is the (potential) complexity of the case. In all cases, every effort is made to commence an investigation within two weeks of receipt of all relevant materials.

During 2005-06, 15 staff members were disciplined, 2 were suspended and 9 were terminated.

Questions from Ms Cusack

Question 2:

How many claims were lodged for Workers Compensation payments in 2005-06; what was the total cost and what is the trend in the cost of Workers Compensation?

ANSWER

This information is provided in the Annual Report.

Questions from Ms Cusack

Question 3:

What is the salary and non-salary for Juvenile Justice community based services? (i.e. non-detention centre)? Can you please provide this by region?

ANSWER

Please see the following table.

Salary and non-salary-related total expenses for Community Offices in 2005/06:

Region	Salary-related \$	Non Salary- related \$	Total \$
Hunter/Central Coast	2,152,022	843,653	2,995,675
Metropolitan	6,959,886	1,358,244	8,318,130
Northern	2,415,729	1,026,337	3,442,066
Southern	1,665,336	454,181	2,119,517
Western	2,899,884	695,745	3,595,629
Total:	16,092,857	4,378,160	20,471,017

Questions from Ms Cusack

Question 4:

Detention Centre Budgets:

(a) What was the staffing and actual expenditure (accrual) for each of the 8 Detention Centres for 2005-06?

(b) What is the staffing and budget (accrual) for each of the 8 Detention Centres for 2006-07?

ANSWER

Please see the following tables.

Centre Positions and Budgets 2005/06

Centre	FTE positions as at 30 June 2006	2005/06 Expenditure Total Expenses \$m
Acmena	57.6	5.628
Cobham	109.3	11.394
Frank Baxter	194.7	16.994
Juniperina	64.1	6.900
Keelong	56.6	5.141
Orana	57.6	5.248
Reiby	87.3	7.557
Riverina	57.6	5.609

2005/06 centre budgets included commissioning costs for centres that had major capital works.

2005/06 centre budgets included training officer staffing costs that have now been transferred to a non centre cost code.

Centre Positions and Budgets 2006/07

Centre based budgets are always preliminary as actual expenditure reflect operational variations such as detainee numbers, medical escorts and supervision. Therefore actual expenditure is not known until the end of the financial year.

This years projected budget for centres is \$66.105 million which is a \$1.634 million increase.

Questions from Ms Cusack

Question 5:

During 2005-06 how many detainees had their classification reduced from A1 or 2 (o) to B classification? How many A1 to 2(b) detainees were reduced to B classification?

ANSWER

The classification system does not have A2 (o) or A2 (b) as suggested in this question.

During 2005/06 financial year the number of detainees reclassified were as follows:

A1 (o) to B = 0

A1 (b) to B = 0

Questions from Dr Chesterfield-Evans

Question 6:

Can the Minister advise whether there are any departmental guidelines or targets for ensuring the timely dealing with complaints from the public?

ANSWER

The department maintains *Policy and Procedures for the Resolution of Client Complaints – July 2002*. This encompasses complaints from clients, family and carers, Official Visitors, the Ombudsman, support persons and advocates, and Youth Justice Conference participants.

Questions from Dr Chesterfield-Evans

Question 7:

If yes, what is the timeframe for acknowledgement of a complaint?

ANSWER

Following a complaint, the complainant is given the option of making a formal or informal complaint. The complainant is then advised how the staff member intends to proceed with the complaint.

Questions from Dr Chesterfield-Evans

Question 8:

If yes, what is the timeframe for fully answering a complaint?

ANSWER

Informal complaints must be resolved within 24 hours. Formal complaints must be resolved within 21 days.

Questions from Dr Chesterfield-Evans

Question 9:

If there are no guidelines for targets in place, will the Minister introduce them?

ANSWER

N/A

Questions from Dr Chesterfield-Evans

Question 10:

Is the Minister aware that complaints often come from vulnerable relatives of prisoners who often become distressed if their complaints are not even acknowledged as being received?

ANSWER

The department's policies and procedures ensure that all complainants are kept informed during a complaints process. The department also recognises the right of a complainant to a support person or advocate throughout the complaints process.

Questions from Dr Chesterfield-Evans

Question 11:

Can the Minister advise whether the department has a policy on the banning of visitors?

ANSWER

For the safety and security of the centre a visitor may be refused entry or have visits terminated. Each refused entry or terminated visit is recorded and reviewed by centre management and the results communicated to the visitors.

Questions from Dr Chesterfield-Evans

Question 12:

Is this policy an exercise in discretion at each individual correctional institution?

ANSWER

The department recognises the importance of visits for detainees in custody. Refusal of visits or terminating visits take place within departmental guidelines. These actions are based on the suspicion and/ or an indication that visitors may be bringing contraband into the centre

Questions from Dr Chesterfield-Evans

Question 13:

Is there any avenue of appeal from a ban by a visitor?

ANSWER

A visitor who has been refused entry or had a visit terminated are referred to the centre manager prior to his or her next scheduled visit. A detainee and/or his/her family also has the right of appeal to the Director General, Ombudsman, Official Visitor or through the department's complaints procedure.

Questions from Dr Chesterfield-Evans

Question 14:

Is there any process of independent investigation of a ban to test the evidence on which the ban was based?

ANSWER

The department does not ban visitors or visits.

Questions from Dr Chesterfield-Evans

Question 15:

Is the Minister aware that some visitors have been banned for simply having goods such as mobile phones and substances such as alcohol found in vehicles they have travelled to the correctional facility in for a visit?

ANSWER

The department does not ban visitors.

Visitors are informed of the conditions of entry to juvenile justice centres under the Children (Detention Centre) Act 1987 and the Crimes (Administration of Sentences) Act 1999. This information is plainly displayed at the entrance to every juvenile justice centre.

Visitors will be refused entry on the basis of non-compliance with these Acts.

The department is not aware of any instance where this is true.

Questions from Dr Chesterfield-Evans

Question 16:

Is it possible for a visitor to be banned by a simple suspicion by a prison officer that an illegal substance or good has been passed to a prisoner during a contact visit?

ANSWER

A visitor is not banned from visiting but may be refused a visit or have a visit terminated.

A visitor who fails to comply with visiting procedures and conditions of entry to the centre, which includes not providing any articles without the approval of the Centre Manager, will have the visit terminated.

Questions from Dr Chesterfield-Evans

Question 17:

Is the Minister aware that safe cells have video surveillance cameras installed?

ANSWER

Yes. However, the department does not refer to the term safe cells but refers to these spaces as holding rooms.

Questions from Dr Chesterfield-Evans

Question 18:

Does the Minister agree that juveniles in these safe cells are vulnerable?

ANSWER

The department has implemented a monitoring system to undertake regular checks on detainees in holding rooms. These checks are recorded in numbered books and are available to be examined by the Ombudsman.

Questions from Dr Chesterfield-Evans

Question 19:

Will the Minister consider facilitating this existing and installed technology to be used by the juvenile to communicate with a visitor to the facility?

ANSWER

No.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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Every centre has a formal incentive system.

Would you be able to table for the Committee the guidelines for each centre?

ANSWER

Each centres incentive schemes are attached.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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Cobham,

- (a) How many days was the lockdown for?
- (b) I am interested in the quantity there was in that year?

ANSWER

- (a) The recorded lockdowns were for one shift – not days.
- (b) There were 12 occasions during the period between 1 September 2005 up to and including 22 September 2006 in which there were rolling lockdowns at Cobham.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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The department to provide of a copy of the key findings document of the Health Survey once it is published.

ANSWER

Copies of both the NSW Young people in Custody Health Survey key finding report and the NSW Young people on Community Orders Health Survey key finding report are provided.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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What is the cost of insuring Acmena JJC?

(a) It was \$200,000 two years ago was it not?

ANSWER

The department's property insurer is the GIO, as agent for the NSW Treasury Managed Fund.

The GIO imposes a premium for the department as a whole rather than as a total of individual sites. The department's client manager at GIO is unable to specify a premium for an individual site, as agencies pay a premium based on the overall loss experience of the Fund's property portfolio and the value of their assets.

However, the department's total premium for all its premises including 8 detention centres 37 community offices, 5 regional offices and its head office for the past five financial years is as follows:

- 2006-07: \$246,020
- 2005-06: \$291,250
- 2004-05: \$296,870
- 2003-04: \$244,360
- 2002-03: \$193,280.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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Glenn Sullivan

How long was the break in the middle of the period of managing Acmena?

ANSWER

The break in the middle of the period of managing Acmena was a little less than 8 months.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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Is it an offence to try to smuggle drugs into a detention centre?

What is the penalty for this offence?

Is the conviction you mentioned the only one?

ANSWER

Yes.

The Children (Detention Centres) Act 1987 states that “a person who, without lawful authority: (a) brings or attempts to bring into a detention centre any alcohol, drug or other thing of any kind, or (b) delivers or attempts to deliver to a detainee any alcohol, drugs or other thing of any kind, is guilty of an offence and is liable to a penalty not exceeding 10 penalty units or imprisonment for a period not exceeding 12 months, or both.”

During joint operations among the NSW Police, Department of Corrective Services and the Department of Juvenile Justice there were three occasions where police were able to lay charges as a result of drug finds.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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How many detainees have been charged in relation to drug offences committed during their time in custody?

ANSWER

The charging of detainees is a matter for police.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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How many detainees have been charged in relation to staff assaults inside detention centres?

How many matters were referred to Police?

Does that match up with the records of 62 assaults on staff last year?

How many have been referred to Police in relation to matters other than assaults inside detention centres?

ANSWER

The department does not have information on the number of charges by police.

The department routinely refers staff assaults to the police.

All reported 'assaults' were referred to police, this is 45 of the 62 OH&S incidents involving staff injury. The remaining 17 were injuries sustained during detainee restraints and are only referred to police if the staff member requests police action.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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For 30 June 2006-09-28

- (a) A snapshot of the population, Centres by classification and by ethnicity
- (b) Sex offenders by age

ANSWER

Centre	Classification Held	Number	
Acmena	High/Medium A2 to Low B3	32	
Baxter	High/Medium A2 to Low B3	105	
Broken Hill Shelter	Unclassified	1	
Cobham	High/Medium A2 to Low B3	55	
Juniperina	High A1 to Low B3	25	
Keelong	Medium B1 to Low B3	19	
Orana	High/Medium A2 to Low B3	32	
Reiby	High A1 to Low B3	51	
Riverina	Medium B1 to Low B3	25	
TOTAL		345	

TABLE 8: Number of Young People in Custody as at 18 September 2006 by Centre, Ethnic Origin

Centre	Ethnicity	Number		
Acmena	Australian, including Aboriginal	31		
	Pacific Islander	1		
	Sub Total	32		
Baxter	Australian, including Aboriginal	76		
	African	1		
	East Asian	9		
	Middle Eastern	8		
	New Zealand & Maori	1		
	Pacific Islander	10		
	Sub Total	105		
Broken Hill Shelter	Australian, including Aboriginal	1		
	Sub Total	1		
Cobham	Australian, including Aboriginal	30		
	African	1		
	East Asian	3		
	Middle Eastern	9		
	New Zealand & Maori	8		
	Pacific Islander	3		
	UK/Ireland	1		
	Sub Total	55		
Juniperina	Australian, including Aboriginal	14		
	East Asian	3		
	New Zealand & Maori	2		
	Other European	1		
	Pacific Islander	5		
Sub Total	25			
Keelong	Australian, including Aboriginal	17		
	New Zealand & Maori	1		
	Pacific Islander	1		
	Sub Total	19		
Orana	Australian, including Aboriginal	31		
	New Zealand & Maori	1		
	Sub Total	32		
Reiby	Australian, including Aboriginal	43		
	East Asian	1		
	Middle Eastern	1		
	New Zealand & Maori	2		
	Pacific Islander	2		
	South/Central Asian	1		
	UK/Ireland	1		
	Sub Total	51		
Riverina	Australian, including Aboriginal	25		
	Sub Total	25		
TOTAL		345		

TABLE 9: Number of Young People in Custody as at 18 September 2006 by Centre, Indigenous Status

Centre	Ethnicity	Number		
Acmena	Missing Indigenous Status information	1		
	Aboriginal	22		
	Neither Aboriginal or TSI	8		
	Torres Strait Islander	1		
	Sub Total	32		
Baxter	Missing Indigenous Status information	6		
	Aboriginal	37		
	Neither Aboriginal or TSI	62		
	Sub Total	105		
Broken Hill Shelter	Aboriginal	1		
	Sub Total	1		
Cobham	Missing Indigenous Status information	2		
	Aboriginal	18		
	Neither Aboriginal or TSI	35		
	Sub Total	55		
Juniperina	Missing Indigenous Status information	1		
	Aboriginal	10		
	Neither Aboriginal or TSI	14		
	Sub Total	25		
Keelong	Aboriginal	4		
	Neither Aboriginal or TSI	15		
	Sub Total	19		
Orana	Aboriginal	28		
	Neither Aboriginal or TSI	4		
	Sub Total	32		
Reiby	Missing Indigenous Status information	2		
	Aboriginal	33		
	Neither Aboriginal or TSI	15		
	Torres Strait Islander	1		
	Sub Total	51		
Riverina	Aboriginal	12		
	Neither Aboriginal or TSI	12		
	Torres Strait Islander	1		
	Sub Total	25		
TOTAL		345		

TABLE 6: Number of Sex Offenders in Custody as at 18 September 2006 by Age

Sex Offenders' include any offence with 'sex' in the offence name and can be anything from indecent assault to aggravated sexual assault.						
Age as at 18 September 2006	Number					
14	1					
15	5					
16	3					
17	4					
18	5					
19	4					
TOTAL	22					

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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Evaluations of drug services – Community based drug and alcohol treatment programs.

(a) More in depth results from the evaluations

ANSWER

Executive Summary of the Evaluation of the Rural Residential Rehabilitation Units Program is attached.

QUESTIONS TAKEN ON NOTICE DURING THE HEARING

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Statistic of Supervised Orders. – Number for example?

- (a) How many people are working in the community and how many orders by Region
- (b) Staffing by region for community based services in community offices
- (c) The new structure of the community offices?

ANSWER

As of 10 October 2006

- (a) The number of people working in the community was 173.5.
The following orders were being supervised:

No. of Current* Supervised Orders for JJCS as at 10/10/06 - order type by supervising region

	Hunter/CCoast	Metropolitan	Northern	Southern	Western	Total
Bail Supervision	5	46	5	4	21	81
Bond with IPU Supervision	3	2	0	0	1	6
Bond with JJ superv	41	143	88	46	81	399
Bond/fine with JJ superv	1	9	6	2	5	23
Community Service Order	26	65	37	11	36	175
Griffith Remand	1	3	2	2	5	13
Parole superv by JJCS	11	27	31	9	17	95
Parole with IPU Supervision	0	10	2	1	0	13
Probation with IPU Supervision	3	32	1	1	1	38
Probation with JJ superv	34	207	49	21	81	392
Sect 32 Mental Health Order	1	2	0	0	0	3
Suspended Sent with JJ sup	10	50	30	6	63	159
Suspended Sent with Specialist Supervision	1	11	0	0	1	13
Worked with in custody on control	21	51	26	12	29	139
Worked with in custody on remand	4	34	7	1	24	70
YDC Griffith Remand	0	27	0	0	0	27
Total	162	719	284	116	365	1,646

Specialist supervision - current cases as at 10/10/06

	Total
Hunter/CCoast	76
Metropolitan	42
Northern	93
Southern	35
Western	123
Total	369

(b) Staffing by region

Totals for staffing by region

Metropolitan	80.5
Hunter/CC	18
Northern	25
Southern	19
Western	31
Total	173.5

(c) The new community structure is attached.