

TON 4

Dr JOHN KAYE: Can I change topic for a second and can we talk about the total expenses for legal aid in New South Wales? They are estimated for 2009-10 to be \$199 million. That is only an increase of 3 per cent above the 2008-09 budget. So that is possibly in line with or slightly behind the inflation rate for that period. Why is it that that has not increased more?

The Hon. JOHN HATZISTERGOS: Mr Kirkland will give you some advice on that. There are some issues in relation to the Commonwealth that they are still negotiating. I am not sure if we are going to have any success there. As you would be aware, there are three main sources of funding for legal aid: the State Government, the Federal Government and also the Public Purpose Fund.

Mr KIRKLAND: That is correct. One of the factors that affects our budgeted income and expenditure from year to year is the level of one-off funding provided by the Commonwealth Government. We have not budgeted for any one-off funding in the 2009-10 year because there is never any certainty about that. In addition, since the budget papers were finalised, the Public Purpose Fund approved an additional amount of money for legal aid, so we expect our total expenditure to be greater than was estimated at the time of the State budget.

Dr JOHN KAYE: How much was that?

Mr KIRKLAND: I will take that on notice. It is in the order of \$3 million.

ANSWER

I am advised:

Since the budget papers were finalised, estimated income from the Public Purpose Fund for Legal Aid NSW in 2009-10 has increased by \$3.081 million.

(John Hatzistergos)

TON 2

Dr JOHN KAYE: Can you also get us the details of the circumstances of those incidents? Also, subsequent to those preventative detention orders being made were complaints lodged against those individuals held under the orders?

The Hon. JOHN HATZISTERGOS: Yes.

Dr JOHN KAYE: Yes, they were lodged?

The Hon. JOHN HATZISTERGOS: No, to the extent that it is not available publicly I will get you that information.

ANSWER

I am advised:

The relevant report for the year ended 30 June 2009 will be tabled in Parliament in accordance with section 26ZN of the *Terrorism (Police Powers) Act 2002*.

(John Hatzistergos)

TON 3

Dr JOHN KAYE: Did you inform the Ombudsman when it went public on the website?

The Hon. JOHN HATZISTERGOS: I cannot answer that question. It may be that the Ombudsman was not informed that it had been tabled. You might be correct.

Dr JOHN KAYE: Do you accept the perception that created? There was no public comment when the report was published. Generally the Ombudsman would be available for media comment or would put out a media release and those types of reports would be distributed to members of Parliament. None of that happened in this particular case.

The Hon. JOHN HATZISTERGOS: I am not aware of any particular complaint by the Ombudsman in relation to the matter. If it is the practice that the Ombudsman should be informed—and I can see the reasons why that might be the case—and that was not attended to, I am sure that would have been an administrative error. I am happy to ensure that the Ombudsman is notified before his reports are tabled, if that is the practice.

Dr JOHN KAYE: We understand that is the practice.

The Hon. JOHN HATZISTERGOS: I am happy to do that. If I am correct—and I am just thinking aloud—there was a report that we were not aware had been tabled. I am not sure if this was the one. I think this was an issue that was raised in the House earlier this year about that report. I have some information. Can I take this on notice and I will come back to you with the detail?

ANSWER

I am advised:

Due to an oversight, the Ombudsman was not notified at the time that the report was tabled. This oversight was wholly unintentional, and any inference to the contrary is rejected.

(John Hatzistergos)

TON 1

Dr JOHN KAYE: Minister, how many preventative detention orders were made under terrorism legislation in the last 12 months?

The Hon. JOHN HATZISTERGOS: I will have to take that on notice. There is a report that we provide on that.

ANSWER

I am advised:

The relevant report for the year ended 30 June 2009 will be tabled in Parliament in accordance with section 26ZN of the *Terrorism (Police Powers) Act 2002*.

(John Hatzistergos)

TON 6

Dr JOHN KAYE: I will endeavour to ask an Industrial Relations question, but first I want to ask you, Minister, whether you can give us data on the increase in the number of juveniles on remand from the period 2005-06 to 2007-08.

The Hon. JOHN HATZISTERGOS: I will try to get that information for you.

Dr JOHN KAYE: Are you aware that it is about a 40 per cent increase?

The Hon. JOHN HATZISTERGOS: I am not aware of the precise numbers. There certainly has been an increase.

Dr JOHN KAYE: You are aware that there has been a substantial increase and you will get back to us with that information.

The Hon. JOHN HATZISTERGOS: We will get you that information.

ANSWER

I am advised:

Figures regarding the increase in the average daily number of juveniles on remand are published in the Annual Report of the Department of Juvenile Justice.

In addition the Bureau of Crime Statistics and Research published monthly juvenile remand figures from January 1998 to December 2008 in Figure 1 of the Crime and Justice Bulletin '*Recent trends in legal proceedings for breach of bail, juvenile remand and crime*'.

Questions regarding the number of juveniles on remand should be directed to the Minister for Corrective Services representing the Minister for Juvenile Justice.

(John Hatzistergos)

TON 5

The Hon. DAVID CLARKE: How many senior executive officer positions did you abolish following the Premier's directive in this matter?

Mr GLANFIELD: I would have to take that on notice but there was a 20 per cent requirement and we were required to reduce that number of positions.

The Hon. DAVID CLARKE: Would you also take on notice what positions were abolished as well as how many?

Mr GLANFIELD: Yes.

ANSWER:

I am advised:

Agencies within the portfolio responsibilities of the Attorney General have taken a strategic and pro-active approach to the management of SES positions.

Regular progress reports on SES reductions across all agencies are published on the website of the Department of Premier and Cabinet [www.dpc.nsw.gov.au/publications/SES reductions](http://www.dpc.nsw.gov.au/publications/SES_reductions).

(John Hatzistergos)

BUDGET ESTIMATES

ISSUE

Did a staff member have access to records within the Attorney General's Department, what supervision was she placed under, did she answer phones, did she open correspondence and have an email address at the Attorney General's office.

RESPONSE:

I am advised:

The former staff member worked under the usual supervisory arrangements for administrative staff and had duties pertinent to her position.

(John Hatzistergos)