

Questions from Hon. Adam Searle, MLC

Attorney General

1. What new funding has been made available in this Budget for children and young people in custody with mental illnesses?

No new funding has been made available to Juvenile Justice in this budget for children and young people in custody with mental illnesses.

2. Has the Government set a target for the reduction in children and young people held on remand, given its commitment to reducing the number of children and young people being held on remand?

The Government is giving detailed consideration to the Law Reform Commission's recommendations, and intends to finalise its response by the end of this year. This response will inform the Government's further action in relation to the laws of bail.

I do not intend to speculate on the content of the response or any reforms that may follow at this stage. It would be inappropriate for me to speculate on any reduction in the number of children on remand.

3. Do you and your Department still support the NSW Aboriginal Justice Plan beyond Justice 2004-2014?

The goals, principles and strategic directions of the NSW Aboriginal Justice Plan are consistent with those of NSW 2021 in achieving safer communities and better services.

4. According to Budget Papers, \$5.6 million has been cut from the Crime Prevention and Community Services division's budget:

a. Which specific programs and services are you cutting?

(a) I refer the honourable member to the statements made by me and the Director General, Department of Attorney General and Justice, at the recent budget estimates hearing.

Within the Crime Prevention and Community Programs budget, there has been a marginal funding reduction in only one program area - Crime Prevention Council grants have been reduced by \$241,000 per annum on an ongoing basis.

5. Have you made cuts to any local court diversion programs, including Drug and Alcohol MERIT, Circle Sentencing, CREDIT, or Forum Sentencing?

No budgetary cuts were made to CREDIT, Forum Sentencing or Circle Sentencing for the 2012/2013 financial year. MERIT programs are funded by the Commonwealth Government.

6. How much funding has been allocated this financial year to the NSW Crime Prevention Grants program?

\$2,989,000. This includes new funding for the Volunteer Graffiti Removal Program.

7. How much funding was allocated last financial year to the NSW Crime Prevention Grants program?

\$2,260,000. In the 2011/2012 financial year the budget was reduced to comply with Department-wide savings initiatives.

8. Which councils were awarded crime prevention grants last financial year?

Crime prevention grants were awarded to 18 councils in the 2011/2012 financial year, including Albury, Bankstown, Blacktown City, Burwood, Canada Bay, Fairfield, Great Lakes, Kempsey, Leichhardt, Lithgow, Liverpool, Maitland, Manly, Marrickville, Newcastle, City, Ryde, Shoalhaven and Wyong Councils.

9. What is the current status of the Court Referral of Eligible Defendants into Treatment (CREDIT) program?

- a. Will it be expanded following its recent positive evaluation by BOCSAR?**
- b. Or have you cut it?**

The CREDIT program will continue to operate at its current locations and will not be expanded this financial year.

10. Does the Anti-Graffiti Action Team still exist?

- a. If so, when did it last meet?**

No. The Anti-Graffiti Action Team was replaced by the Graffiti Management Strategy Group, which was convened in August 2011. The Group's most recent meeting was in May 2012.

11. Have you cut funding to or reduced FTE staff numbers at the NSW Anti-Discrimination Board?

No. FTE staff numbers at the NSW Anti-Discrimination Board (ADB) have not been reduced. Like all program areas across the Department however, the ADB has had the Government's efficiency dividends and savings requirements applied to their budget allocation and it is considering how this will be achieved.

12. Have you cut funding to or reduced FTE staff numbers at Victims Services?

No. However, a review of Victims Compensation has been completed and is being considered by the Government.

13. When did the Victims Advisory Board last meet?

- a. How many times has it met since March 27 2011?**

3 October 2012.

(a) 6.

14. How many pending claims are currently before the Victims Compensation Tribunal?

I refer the Honourable member to the statements made by the Director General, Department of Attorney General and Justice, at the 2012/2013 Budget Estimates hearing. As at 10 October 2012 there were 22,280 claims pending.

15. What is the total value of pending claims currently before the Victims Compensation Tribunal?

The contingent liability is \$229.1 million.

16. What was the average time between lodgement and determination of a victims compensation claim as at 30 June 2012?

As at 30 June 2012 the average time between lodgement and determination of a claim was 31 months.

17. Exactly how much funding is allocated to victims' services in 2012/13?

\$68.1 million.

18. In how many victims claims do you expect to be finalised this financial year.

a. on page 2-9 of Budget Paper No. 3 the number of applications received by the Victims Compensation Tribunal is predicted to fall from 8,000 in 2011/12 to 7,000 in 2012/13 – a reduction of 12.5%?

b. Are you expecting this drop to occur as a result of any legislative changes you have planned?

c. If so, what are those plans?

In the 2011/2012 financial year the actual number of applications received was 7263, which was 17.97 per cent fewer than in the 2010/2011 financial year. Page 2-9 of Budget Paper No 3 states that 7000 applications are expected to be received in the 2012/2013 financial year. This prediction is based on the number of actual applications received for the previous financial year. The predicted drop in applications is based on the experience of the last three financial years where the number of applications received dropped from 9245 (2009/2010) to 8854 (2010/2011) to 7263 (2011/2012).

19. What is the progress of your review into the Victims Compensation Scheme?

20. When will the results of the review be released?

21. When will there be a Government response to the review?

22. Isn't the Government's intention to abolish lump sum payments?

23. Will you rule out putting forward legislation that reduces, removes or limits the current availability of compensation to any categories of victims of crime?

24. Will you give a guarantee that you will not put forward legislation that takes away or limits the rights that sexual assault and domestic violence victims currently have to obtain compensation under the Victims' Compensation Scheme?

The review has been completed and is being considered by the Government.

25. Has the former NSW Sheriff, Chris Allen, been appointed to conduct a review of the Sheriff's Office and related services?

No. Prior to leaving the Department, Mr Allen was engaged in a review of the Sheriff's Office functions related to debt collection duties.

26. If no. Can you explain why earlier this year Mr Allen and an Assistant were based in the Industrial Relations Court complex on Phillip Street and were inviting representatives of non-government organisations to meet and discuss possible reforms to the operation of the Sheriff's office?

Mr Allen and his assistant were co-located at the Industrial Relations Commission in order to facilitate their work on the review of debt collection duties.

27. What is the current status of this review?

During the course of the review it was determined that some of the functions of debt collection currently undertaken by the Sheriff might more effectively be undertaken by the State Debt Recovery Office (SDRO). The Department is currently in discussions with the SDRO about that proposal.

28. If the Review has been abandoned – how much did it cost to engage Mr Allen and his Assistant, and provide rooms and support at the NSW Industrial Relations court complex?

Not applicable.

29. If the Review is ongoing – does Mr Allen's review recommend privatizing or outsourcing any of the Sheriff's office current functions, including security and the seizure of goods?

The review only examined the debt recovery role of Sheriff's Officers.

30. Will you rule out privatizing or outsourcing any of the Sheriff's office's current functions?

No

31. Why is your Chief of Staff, Mr Damien Tudehope, listed as a Principal Solicitor at the firm Tudehope & Partners?

Mr Tudehope is the Legal Owner of the practice. He has declared this interest. To the best of my knowledge he has not worked in the practice since commencing in his position as my Chief of Staff.

32. Is Mr Tudehope still practising law at his old firm?

a. Has Mr Tudehope performed any work for or received any income from the firm Tudehope and Partners since becoming you Chief of Staff?

b. If so, who have been his clients?

No

a. To the best of my knowledge Mr Tudehope has not performed any legal work since commencing as my Chief of Staff. He may have received some income from the practice on account of monies owing to him prior to commencing as my Chief of Staff.

b. Not applicable.

33. What steps have you taken to ensure Mr Tudehope avoids any perceived or actual conflicts of interest between his roles as your Chief of Staff and as a Principal Solicitor at a private law firm?

See my answer to question 31.

34. Did Mr Tudehope disclose to you his conflict of interest in performing work for a private law firm, as required under the DPC Code of Conduct?

See my answer to question 31.

35. Can you give a guarantee that Mr Tudehope has not undertaken any private legal work either from your office or during periods of time that he was not on approved leave from your office?

To the best of my knowledge Mr Tudehope has not carried out any legal work whilst he has been my Chief of Staff.

36. Did Mr Tudehope seek the permission of the Director General of the Department of Premier and Cabinet prior to undertaking work for Tudehope and Partners, as required under the DPC Code of Conduct?

See my answer to question 31.

37. Why did you allow your Chief of Staff, Damien Tudehope, to consider and then determine the Hon Adam Searle's GIPA application – which sought documents relating to alleged paedophile Father Finian Egan – when Mr Tudehope carried a glaring conflict of interest given his past provision of legal assistance to Father Egan?

It was entirely appropriate for Mr Tudehope to make the decision in his capacity as Chief of Staff. All obligations under the GIPA Act were complied with and if the applicant was dissatisfied, the decision could have been externally reviewed by the Information Commissioner or the Administrative Decisions Tribunal.

38. Did Mr Tudehope declare his conflict of interest, as required under the DPC Code of Conduct?

a. If no, why not?

b. If so, why did you still allow him to consider the application?

38. See my answer to question 37.

a. See my answer to question 37.

b. See my answer to question 37.

39. Has your office requested or obtained any briefing notes or reports from the Office of the Director of Public Prosecutions or the NSW Police Force relating to Father Finian Egan and can you guarantee that your Chief of Staff did not have access to such documents?

Advice was sought from the New South Wales Office of the Director of Public Prosecutions in order to answer the Legislative Council Question on Notice '1092—Attorney General — Sexual Abuse Matters'. This was the only occasion on which advice was requested or the Office of the Director of Public Prosecutions was contacted in relation to this matter.

40. Have you or your office discussed Finian Egan's case with either DPP or any other member of the DPP's office?

See answer to question 39.

41. Have you or your office asked any officer within your Department to obtain information from either the DPP of his office concerning Father Finian Egan?

See answer to question 39.

42. How much compensation are you seeking from Ray Hadley in your defamation action against him?

This is a private legal matter and not relevant to any of my portfolio responsibilities.

43. Approximately how much time have you spent preparing your defamation case against Ray Hadley?

This is a private legal matter and not relevant to any of my portfolio responsibilities.

44. Have you attended any mediation sessions with Ray Hadley?

a. If so, when were they and how long did they last?

This is a private legal matter and not relevant to any of my portfolio responsibilities.

a. This is a private legal matter and not relevant to any of my portfolio responsibilities.

45. Should any constitutional issues arise in the case – for example, issues relating to the implied constitutional right to free speech – will you exercise your power as Attorney General under section 78B of the Judiciary Act to intervene in your own case?

I do not intend to speculate about this hypothetical scenario.

46. Have any human or physical resources from either your department or your office – including the preparation of any briefs or legal advice – been used to further or support your claim against Ray Hadley?

No

47. What is your response to consorting laws being used against those with intellectual disabilities who are clearly not gang members?

The consorting laws aim to address behaviour that forms or reinforces criminal ties. Police are best placed to make a judgement about whether a person's behaviour meets this criterion.

48. Why did it take you four months to publicly respond to the NSW Sentencing Council's report on High Risk Violent Offenders?

The Government was carefully considering the report before responding and this was entirely appropriate.

49. In your media release dated 24 September 2012, you stated that, "an audit by Corrective Services identified 14 high-risk offenders due for release in three years?"

a. Were any of these offenders released between 1 May and 24 September 2012?

b. If yes – why then did you sit on the Sentencing Council's report for four months?

a. I am advised:

One offender identified in the audit who had been released at the expiry of his full sentence on 27 October 2011 was again released between 1 May and 24 September 2012 after serving a short custodial sentence of 9 months. Simply because an offender was identified in the audit does not mean that the offender would have been subject to any continuing detention and extended supervision scheme.

b. See answer to question 48.

50. When are each of the remaining eleven high risk offenders identified in the Corrective Services Audit eligible for release?

Seven of the fourteen offenders identified in the audit were released from custody before 24 September 2012. Of those seven, six were released prior to the release of the Sentencing Council Report. Seven, and not eleven, offenders remain in custody.

Of the remaining seven offenders, six offenders will be eligible for release at the end of 2012 when they will have satisfied their non parole period. Any release of these offenders will be a matter for the State Parole Authority.

One offender was released, but is presently being held on remand awaiting further charges.

If an offender has been identified in the audit, this in no way guarantees that the offender will be subject to the proposed continuing detention and extended supervision scheme.

Any decision to release any of the offenders identified in the audit was made according to the current law and procedures, which include safeguards for the protection of the community.

51. When will you introduce your promised laws to allow high-risk offenders to be kept in jail beyond the end of their sentence?

In accordance with parliamentary procedures I will move a notice of motion to introduce the Bill into the House when appropriate.

52. Will any of the remaining eleven high risk offenders identified in the Corrective Services Audit become eligible for release before the legislation is introduced?

I am advised:

All offenders are currently eligible for release. If an offender has been identified in the audit, this in no way guarantees that the offender will be subject to the proposed continuing detention and extended supervision scheme.

53. Did you recommend that Cabinet appoint Mr Peter Feather as a magistrate of the NSW Local Court?

I recommended that Cabinet approve the appointment.

54. Were you aware that Mr Feather had appeared with Federal Opposition Leader, Tony Abbott, at a press conference in August 2010 to join with Mr Abbott in criticising the Federal Labor Government's BER program?

No.

55. If so, did you consider that this might create a perception of political bias behind Mr Feather's appointment?

Not applicable.

56. Was there a merit selection process which led you to select Mr Feather?

An independent selection panel recommended Mr Feather's appointment as a magistrate.

57. Did Tony Abbott provide a reference for Mr Feather or was he put forward as a referee?

I am advised that Mr Abbott was not nominated as a referee and did not provide a reference.

58. Did you have any discussions with Tony Abbott about Mr Feather before his appointment?

No

59. What was the funding for the Industrial Court/Industrial Relations Commission Library in 2011-2012?

\$300, 588

60. What is the funding for the Industrial Court/Industrial Relations Commission Library in 2012-2013?

\$326,562. The budget has increased due to an increase in price of online and print subscriptions.

61. Is there any plan or any consideration being given to either abolishing this library or merging it with any other facility? If yes, what are those plans or considerations?

There are no current plans for abolishing or merging the Industrial Relations Commission Library.

62. The Government response to the Law and Justice Committee report on possible Consolidation of Tribunals was due on 24 September 2012 and you, as Attorney General, were one of the Ministers who referred the matter to the Law and Justice Committee.

a. Has the Government developed a response to the Law and Justice Committee report on possible Consolidation of Tribunals ?

b. When will a Government response be made public?

(a & b) Yes, the Government's response was tabled on 26 October 2012.

63. I note the answer of the Minister for Industrial Relations in his Estimates hearing on Tuesday 9 October, p57, to a question about the low level of resourcing of the Industrial Relations Commission and the need for additional appointments to that body. I further note the answer of the Minister and Ms

Telfer of the Office of Industrial Relations that an appointment, or possibly appointments, are being considered. I assume those to be Commissioner appointment(s), given the Minister's area of responsibility.

a. Are any appointments to the Industrial Court of NSW being considered? If yes, when?

b. Having regard to the changes to the jurisdiction of the Industrial Court over time, the judicial work for judges of the Industrial Court will be at an all time low by next year. Is your government considering expanding the jurisdiction of the Industrial Court?

c. Is your Government considering appointing the remaining 5 judges of the court to the Supreme Court, as suggested in one of the options referred by you to the Law and Justice Committee?

d. If no to the above questions, what steps will you take to ensure the justices of that court have an appropriate level of work to perform as judges?

a) The Government is not considering making any new appointments to the Industrial Court, as the current judicial workload does not justify the appointment of additional Judges.

b) No. The referral of industrial relations powers to the Commonwealth in 2009 significantly reduced the jurisdiction of the Industrial Court. It is estimated that only 10 – 15 per cent of the NSW workforce still falls within its jurisdiction, primarily public sector and local government workers. This means that opportunities to provide the Judges of the Industrial Court with new judicial work are extremely limited.

c & d) The Government's response to the Standing Committee's Report was tabled on 26 October 2012. Judges of the Industrial Court make a valuable contribution to the jurisprudence of the State and a number already serve as judicial members of various tribunals.

Justice

1. How many juveniles are held in the prison system?

As at 7 October 2012, there were 17 offenders aged under 18 years in Corrective Services NSW custody. The offenders were held at Kariong Juvenile Correctional Centre.

2. By how much do you expect the prison population to be reduced as a result of your review of the Bail Act?

The Government is giving detailed consideration to the Law Reform Commission's recommendations, and intends to finalise its response by the end of this year. This response will inform the Government's further action in relation to the laws of bail.

I do not intend to speculate on the content of the response or any reduction in the prison population.

I note that there has already been a reduction in the prison population in this State. As at 1 July 2012, there were 9,688 inmates compared to 10,010 inmates as at 3 July 2011.

3. Do you propose a separate Bail Act for children and young people?

The Government is giving detailed consideration to the Law Reform Commission's recommendations, and intends to finalise its response by the end of this year. This response will inform the Government's further action in relation to the laws of bail.

4. a. Do you concede that there must be un-occupied capacity within the prison system to run it efficiently?

b. How many Intensive Corrections Orders have been made by Courts in these periods;

- i. 1/10/10-30/6/11;
- ii. 1/7/11-30/6/12; and
- iii. 1/7/12-date?

c. How does this compare to the historical level of Periodic Detention Orders made by courts?

I am advised:

a. Unoccupied capacity within the prison system is required for it to function efficiently and effectively. Prisons require spare capacity to cater for the transfer of prisoners between prisons and courts, special-purpose accommodation such as mental health units, protection units, separate facilities for males and females and different security levels, and to manage short-term fluctuations in prisoner numbers.

b. Corrective Services NSW registered the following number of ICO orders for these periods:

- (i) 591
- (ii) 1,418
- (iii) 359 (until 30 September 2012)

These figures are based on when Corrective Services NSW registered the orders. There can be a small delay between a court making an order and it being registered by Corrective Services NSW.

c. In 2009/10, which was the last financial year prior to the abolition of periodic detention as a sentencing option in October 2010, a total of 1,316 offenders were received into custody on a sentence of periodic detention.

5. How many contractors has Corrective Services retained since 1/7/11 and at what cost?

I am advised:

Since 1 July 2011, Corrective Services NSW has retained the services of 46 contractors at a cost of \$2,572,365.03.

6. What has been the level of recruitment for Correctional Services since 1/7/11?

I am advised that in 2011/2012, Corrective Services NSW filled 618 positions through the merit selection process, both internally and externally. Of those 618 positions filled, 47 were external appointments. The majority of the positions have been filled on a temporary basis.

7. How many prospective employees have graduated from the Bush Farm facility since 1/7/11?

I am advised that there have been three (3) graduating classes of correctional officers/overseers since 1 July 2011. This includes:

Class	Course dates	Total participants	No of Casual Correctional Officers:	No of Overseers	Current status of participants (as at 19 October 2012)
Class 11/04	2 March 2011 – 15 July 2011	27	17	10	Casual Correctional Officer: 9 Temporary Correctional Officer: 6 Overseer: 10 Probation and Parole Case Manager ¹ : 1 Terminated: 1
Class 11/05	20 June 2011 – 2 September 2011	24	24	0	Casual Correctional Officer: 14 Temporary Correctional Officer: 10
Class 12/01	27 February 2012 – 4 May 2012	6	0	6	Overseer: 6

8. Have any of those graduated since the announcement in 2011 of the closure of several prisons?

¹ Note: This person has been employed by Corrective Services NSW as a Casual Correctional Officer since May 2011. As at 16 July 2012, this person has been employed under a Temporary Appointment as a Case Manager for a period of four months.

On 6 September 2011, the NSW Government announced the closure of Berrima Correctional Centre, Kirkconnell Correctional Centre, and Parramatta Correctional Centre.

As noted in Question 7, there were six (6) course participants who graduated since September 2011, all of whom are currently employed as overseers by Corrective Services NSW.

9. As at 30/6/12 how many staff had accrued recreation leave greater than 40 days?

I am advised that as at 30 June 2012, 1,703 employees of Corrective Services NSW had accrued recreation leave greater than 40 days.

10. How many deaths in custody occurred in Correctional Services for the year ending 30/6/12 and at what times?

a. How many of the deceased were Aboriginal?

I am advised that during the 2011/2012 financial year, there were nineteen (19) deaths in NSW correctional facilities and one (1) death of a home detainee.

Each of these incidents of a death in custody occurred on:

- 19 July 2011
- 28 July 2011
- 16 August 2011
- 3 September 2011
- 5 September 2011
- 24 September 2011
- 27 September 2011
- 3 October 2011
- 15 October 2011
- 19 December 2011
- 12 January 2012
- 13 February 2012
- 13 February 2012
- 20 March 2012
- 20 March 2012
- 29 March 2012
- 30 March 2012
- 22 April 2012
- 16 June 2012
- 19 June 2012

a. Of the twenty (20) deaths that occurred during 2011/2012, two (2) of these inmates had an Aboriginal/Torres Strait Islander background.

11. Do you propose to pursue the phone jamming trial at Lithgow?

a. If not, why not?

b. If you do, have you since 1/7/11 made any representations at all to ACMA for the appropriate exemption?

Yes.

a. Not applicable.

b. Yes. I am advised that ACMA has subsequently issued draft instruments to key stakeholders as part of its process of targeted consultation. On receipt of final comments from stakeholders, it is expected that ACMA staff will refer the matter to the ACMA Authority for its consideration and decision.

12. In light of the Hamburger Report will the number of staff in the Ministerial Liaison Unit be increased or decreased?

The recommendation in the Knowledge Consulting Review relating to the decentralisation of handling Ministerial correspondence is not being implemented.

13. Why are there more staff in the Ministerial Liaison Unit than are proposed for the staff or Inspector of Custodial Services?

The staffing of the CSNSW Ministerial Liaison Unit is related to the volume of Ministerial and other correspondence handled. The staffing of the office of the Inspector of Custodial Services, when determined, will be for the functions of that office.

14. On how many known occasions have electronic ankle bracelets used by Corrective Services to monitor community based offenders malfunctioned?

a. When and where did these malfunctions occur?

b. How did these malfunctions come to Corrective Services attention?

c. Where any of the bracelets being worn by serious sex offenders when they malfunctioned?

I am advised that in the period 1 January 2012 – 30 September 2012, there were 174 maintenance events, that is, incidents in which monitoring devices required some level of maintenance intervention. It is important to note that not all of these incidents were “malfunctions” of the monitoring device, but may have been simple maintenance issues such as the replacement of batteries and issues of wear and tear to straps and clips.

(a) I am advised that maintenance events occur at different locations, depending on the location of the offender. As such, to appropriately respond to this question, it would be necessary to list up to 174 different locations and periods of time, each of which is recorded manually by CSNSW as it occurs.

(b) I am advised that CSNSW becomes aware of these maintenance events by virtue of its rigorous monitoring and testing processes. An Electronic Monitoring Centre (**EMC**) operates from Blacktown. The EMC operates 24 hours per day, 7 days per week, and monitors data received in relation to

location and curfew breaches, as well as equipment failure or maintenance issues.

If a monitoring device fails or requires maintenance, and if an offender tampers with (or attempts to tamper with) his or her monitoring device, an alarm sounds on the actual monitoring device, and an alert message appears on the screen at the EMC. CSNSW Officers are immediately despatched to investigate the alert, and to repair or replace the device if needed.

In terms of GPS equipment, which is usually reserved for Serious Sex Offenders subject to Extended Supervision Orders, the on-duty Monitoring Officer conducts an hourly check on each offender. Part of this check is to ensure that the GPS equipment is functioning correctly.

(c) I am advised that 18 of the 174 maintenance events that occurred between 1 January 2012 and 30 September 2012 related to monitoring devices that were being worn by Serious Sex Offenders subject to Extended Supervision Orders.

15. Have any breaches of orders or conditions occurred while a supervised offender was wearing an electronic ankle bracelet?

a. If so, what breaches occurred?

Yes. I am advised that a contravention or a “breach” of an order can occur irrespective of the presence of an electronic monitoring device. For example, an offender who is wearing an electronic monitoring device may return a positive urinalysis result, indicating the presence of illicit drugs in the offender’s system. This is a contravention of the order, but is not preventable by virtue of the electronic monitoring device. It is important to note that CSNSW employs other methods of monitoring and offender management such as random drug and alcohol testing to ensure that the contravention of orders is minimised where possible, and where it does occur, is dealt with expeditiously and appropriately.

(a) I am advised that breaches may include, but are not limited to, moving beyond the exclusion zone, that is, the permitted area in which an offender may live and work; a positive urinalysis or breath test result; tampering with or disabling an electronic monitoring device; and refusing to obey a reasonable direction of a CSNSW supervisor.

16. Can the Attorney or the Commissioner give a guarantee that there will be no further malfunctions associated with electronic ankle bracelets?

It is not possible to provide such a guarantee as the electronic ankle bracelet, like any piece of electronic equipment, requires regular maintenance. CSNSW conducts regular and rigorous monitoring and testing of devices, and will continue to do so in order to respond in an effective and timely manner to any maintenance issues that may arise.

17. How many full-time equivalent staff are currently employed in Corrective Services NSW?

I am advised that there were 6,275 full-time equivalent staff employed in Corrective Services NSW as at 24 October 2012.

18. How many staff positions have been cut from Corrective Services since 1 July 2011?

I refer to my response to the question taken on notice at the hearing at page 43 of the transcript which states that 671 staff positions have been deleted from Corrective Services NSW since 1 July 2011 as a result of correctional centre closures and work place reforms.

19. How many of these positions were located at Berrima, Parramatta, Kirkconnell and Grafton jails?

I am advised that the following table shows the numbers of staff positions that were deleted at Berrima, Parramatta, Kirkconnell and Grafton jails since 1 July 2011:

Position deletions from 01/07/2011 to 24/10/2012

Location	Number
Closure – Berrima	48
Closure – Parramatta	136
Closure – Kirkconnell	52
Downsize – Grafton	82
Total Deletions	318

Note: Any positions deleted to create a new position are excluded from the tally.

20. Does your position remain that you would like to reduce the prison population by having more offenders serving community-based sentences, like Intensive Correction orders?

Yes. The incarceration of an offender, as well as being a more expensive sentencing option, can also result in increased community dislocation with the possible loss, for example, of employment, housing and family contact. As these factors are known to potentially increase the likelihood of re-offending, they require the application of resources to address in re-integrating an inmate back into the community. In appropriate cases, it is preferable to allow an offender to remain in the community while addressing the issues that contributed to the offending behaviour.

21. If it is your intention to have more offenders serving sentences out of prison, why have you slashed the budget for the supervision of offenders in the community by \$4.9 million?

Corrective Services NSW is undergoing an organisational restructure to achieve improved efficiencies by removing duplication in functions and improving coordination.

The Corrective Services NSW budget for the 2012/13 financial year has been reduced across all programs, corporate services and support. This budget reduction represents an equal share of those reductions.

22. In 2011 -12, what was the daily average number of persons supervised by Corrective Services under community based orders?

I am advised that the daily average number of offenders supervised by Corrective Services NSW under community based orders was 16,373 in the 2011/12 financial year.

23. Since July 2012, what has been the daily average number of persons supervised by Corrective Services under community based orders?

I am advised that the daily average number of offenders supervised by Corrective Services NSW under community based orders from July 2012 to end September 2012 was 16,611.

24. If this has increased – does this mean you have slashed the budget for supervising community-based offenders at a time when their numbers are actually increasing?

I refer to my response to Question 21 which states that Corrective Services NSW is undergoing an organisational restructure to achieve improved efficiencies by removing duplication in functions and improving coordination.

I am advised that this will not change current arrangements in 24 hour monitoring of offenders but aims to strengthen Corrective Services NSW's focus on compliance and case management.

25. What changes to offender supervision are occurring as a result of the \$4.9m cut in this year's budget to Offender Supervision?

I am advised that there is no intention to reduce the level of supervision of offenders. Corrective Services NSW is undergoing an organisational restructure to achieve improved efficiencies by reducing duplication whilst maintaining a strong focus on case management and compliance.

26. Will community-based offenders be subject to the same levels of supervision and monitoring – including random home visits and urinalysis – as they were before 30 June 2012?

I am advised that the levels of supervision and monitoring applied to offenders, including random home visits and urinalysis, are determined by their order type and an individual risk assessment. If an offender's assessed risk level changes, so does the level of supervision and monitoring.

27. How many FTE staff were employed to undertake offender supervision in 2011/12 and how many will there be by the end of this financial year?

I am advised that the following table shows how many Full-Time Equivalent (FTE) staff were employed in the Community Offender Management Division of Corrective Services NSW to undertake offender supervision on 1 July 2011 and 30 June 2012:

	Community Compliance & Monitoring Group	Community Offender Support Program Centres	Probation & Parole Service	Total
01/07/2011	218.00	127.90	929.41	1275.31
30/06/2012	255.80	190.63	945.15	1391.58

At this time, it is impossible to determine how many FTE staff there will be employed to undertake offender supervision by the end of this financial year.

It should be noted that Corrective Services NSW is currently undergoing a major restructure of the management of offenders in the community. This includes the merger of the Community Offender Services Division (Probation and Parole Service) and the Community Compliance and Monitoring Group. It is envisaged that this merger will result in efficiency savings whilst maintaining the service delivery needs of the community offender population.

28. In which locations are these cuts occurring?

I am advised that it is unknown at this time how many FTE staff there will be employed to undertake offender supervision by the end of this financial year. I refer to my response to Question 27 where I stated that Corrective Services NSW is currently undergoing a major restructure of the management of offenders in the community.

29. As part of your nearly \$30 million in budget cuts to offender programs and custody management, has funding been reduced for:

- a. Addiction programs?**
- b. Aggression and violence programs?**
- c. Employment programs?**
- d. Education programs?**
- e. Drug treatment?**
- f. Mental health services?**
- g. Therapeutic treatment for violence and sexual offending?**

a. There has been no specific reduction in funding for addiction programs. In fact, funding was increased to commence the Intensive Drug and Alcohol Treatment Program (IDATP).

b. There has been no specific reduction in funding for aggression and violence programs.

- c. There has been no specific reduction in funding for employment programs.
- d. There has been no specific reduction in funding for education programs. In fact, funding was increased to commence a series of education initiatives.
- e. There has been no specific reduction in funding for addiction programs. In fact, funding was increased to commence the IDATP.
- f. There has been no reduction in funding for mental health services in Corrective Services NSW. Many mental health services in correctional centres are delivered by Justice Health and Forensic Mental Health Network.
- g. There has been no specific reduction in funding for therapeutic treatment for violence and sexual offending programs.

30. If yes to any of the above, how much funding has been cut?

Not applicable

31. As part of your nearly \$30 million in budget cuts to offender programs and custody management, have or will there be reduction in relation to any of the following staff positions:

- a. Psychologists
- b. Counsellors
- c. Social workers
- d. Mental health workers
- e. Other medical staff
- f. Teachers and trainers

I am advised that apart from staff reductions stemming from the closures of Berrima, Kirkconnell and Parklea Correctional Centres and the downsizing of Grafton Correctional Centre, there has been no reduction in relation to any of the staff positions listed above.

32. If yes to any of the above, how many staff position will go?

Not applicable. I refer to my response to Question 21 which states that Corrective Services NSW is undergoing an organisational restructure to achieve improved efficiencies by removing duplication in functions and improving coordination.

I am advised that the review of Corrective Services NSW is in progress and any impact of this review on staffing is yet to be determined.

33. Has funding for or the number of staff allocated to the CUBIT program been cut?

There has been no funding or staff reduction for the CUBIT program.

34. How many inmates are currently participating in the CUBIT program?

I am advised that as at 30 October 2012 there were 47 participants in the program

35. How many inmates were participating in the CUBIT program on the following dates –

- a. 1 May 2011;**
- b. 1 September 2011;**
- c. 1 December 2011;**
- d. 1 May 2012;**
- e. 1 September 2012?**

I am advised that:

- a) On 1 May 2011, there were **49** inmates participating in the CUBIT program;
- b) On 1 September 2011, there were **51** inmates participating in the CUBIT program;
- c) On 1 December 2011, there were **50** inmates participating in the CUBIT program;
- d) On 1 May 2012, there were **41** inmates participating in the CUBIT program; and
- e) On 1 September 2012, there were **35** inmates participating in the CUBIT program.

36. Which recommendations of the Hamburger Review have not been implemented by either the Government or Corrective Services?

I am advised:

1. The Knowledge Consulting *Independent Review of Corrective Services NSW Organisational Management Structure* (the Hamburger Review) dated 11 January 2012 made 61 recommendations, including that a further 14 reviews be undertaken.

The Director General, Department of Attorney General and Justice, commissioned a second report to ensure that implementation of the recommendations was proceeding according to plan.

On 2 August 2012, Knowledge Consulting provided a second report which resulted in a number of recommendations made in the Hamburger Review being superseded.

I can advise that, as at 8 October 2012, the implementation status of the Hamburger Review recommendations is as follows:

20 recommendations have been implemented;
15 recommendations have been partially implemented;
17 recommendations have not yet been implemented; and
9 recommendations were superseded by the second report.

37. How many jobs have or will be lost as a result of the Hamburger Review's implementation?

I am advised:

To date, 28 positions have been deleted as a result of implementation of recommendations of the Hamburger Review. It is not possible to estimate the number of positions that will be deleted in the future.

38. How many positions are currently in the Commissioner's media unit?

I am advised that there are currently **three** (3) positions within the Commissioner's media unit. That includes:

- 1 x Senior Officer; and
- 2 x Clerk Grade 9/10 – one is currently vacant.

39. How many other media, communications or public relations staff are employed in Corrective Services?

One (1) Corporate Communications Co-ordinator is employed by CSNSW.

40. Have any staff in the Commissioner's media unit or any other Corrective Services media, communications or staff been transferred to other divisions in the Department of Attorney and Justice?

No

41. Have any staff in the Commissioner's media unit or any other Corrective Services media, communications or staff been transferred to the Minister's office?

No

42. Are any staff employed by Corrective Services NSW performing media-related duties in the Minister's office?

No

43. How many people were wrongfully detained by Corrective Service in 2011/12?

I am advised that for the financial year 2011/2012 and including up to 22 October 2012, there were seven (7) unlawfully detained inmates.

**44. Did any of these incidents lead to claims for compensation?
a. If so, how many?**

I am advised:

In relation to the seven (7) incidents of wrongful detention identified in the response to Question 43, one (1) claim for compensation was made in the 2011/12 financial year.

45. What was the total amount of compensation paid out to persons wrongfully detained by Corrective Services?

I am advised that no compensation has been paid in relation to the claim for compensation for wrongful detention identified in the response to Question 44.

46. What were Corrective Services' total legal expenses associated with settling or contesting claims relating to wrongful detention?

I am advised that no legal costs have been paid to settle or contest the claim for compensation for wrongful detention that was identified in the response to Question 44.

47. How many inmates are currently participating in the Intensive Drug and Alcohol Treatment Program at the John Moroney Correctional Complex?

62

48. How many inmates have successfully completed the program?

As at 30 October 2012, 40 inmates participating in the Intensive Drug and Alcohol Treatment Program (IDATP) have completed the intensive treatment phase (Stage 1) of the program. Of the 40 inmates:

- 2 have been released from custody (Stage 3 - reintegration) to supervised parole;
- 8 are participating in Stage 2 - Pre-release programs at Oberon Correctional Centre, which includes IDATP maintenance; and
- 30 are attending IDATP maintenance and education/employment programs at John Morony Correctional Centre prior to moving into Stage 2 or 3.

49. How many have failed?

Drug use is a chronic relapsing condition and it is recognised that not all offenders will be ready for change. As such, the IDATP applies individualised strategies to address motivation and readiness and to improve behaviour management and participation. The IDATP is based on a system of rewards and sanctions for program participation.

I am advised that as at 30 October 2012, 12 inmates have been removed from the IDATP owing to serious breaches of correctional centre security and/or potential to disrupt the good order and discipline of the correctional centre. Of the 12 inmates:

- 2 inmates have been identified as no longer suitable to participate in the program; and
- 10 inmates are eligible to be assessed for return to the program following a period of behavioral stability.

50. Have any overdoses or other drug-related health incidents or emergencies occurred at the Intensive Drug and Alcohol Treatment jail since 1 January 2012?

a. If so, how many?

I am advised:

No.

a. Not applicable.

51. Have random searches of inmates and their cells occurred at the Drug jail since its inception earlier this year?

a. If so, how many?

I am advised:

Yes.

a. Since 27 February 2012, the Corrective Services NSW (CSNSW) State Emergency Unit conducted 249 searches of inmates participating in the Intensive Drug Treatment Program and 98 cell searches including K-9* searches. The State Emergency Unit conducts both targeted and random searches of inmates in correctional centres across NSW.

This figure is in addition to 1,683 cell searches and 340 inmate and cell searches conducted by correctional centre staff at John Morony Correctional Centre over the same period.

*K-9: Detector Dog

52. Are all visitors to the Drug Jail searched for illicit drugs and other contraband material?

a. If so, how are such searches conducted?

I am advised:

Yes.

a. If so, how are such searches conducted?

In addition to powers available to correctional staff to stop, detain and search visitors under the *Summary Offences Act 1988*, clause 90 of the *Crimes (Administration of Sentences Regulation 2008* allows an authorised officer to direct a visitor to:

- (a) to submit to an inspection and search of personal possessions, to scanning by means of an electronic scanning device and to being sniffed by a dog;
- (b) to empty the pockets of the visitor's clothing; and
- (c) to make available for inspection and search any vehicle under the visitor's control that is on the premises of a correctional centre.

53. Have any illicit drugs or other contraband material been found in the possession of either inmates at or visitors to the Intensive Drug and Alcohol Treatment Centre at the John Moroney Correctional Complex?

a. If so, on how many occasions and what action was taken?

I am advised:

Yes.

a. There have been 6 instances of discovery of contraband by John Morony correctional officers. Of these 6 instances, CSNSW notified NSW Police who laid charges in respect of 3 inmates. Appropriate action was taken by the correctional centre management regarding the other inmates.

I am advised that 7 visitors have been denied entry into the John Morony Correctional Complex. Of the 7 visitors, 1 Police charge has been laid.

54. Prior to Commissioner Severin's appointment as NSW Commissioner, were you aware of incidents that occurred under his watch in South Australia involving the shackling inmate giving birth and another terminally ill with Motor Neurone disease? 55. Did the Commissioner declare that these incidents had occurred when you were considering him for the position of NSW Commissioner for Corrective Services?

54. No

55. No

56. If not, do you consider it a breach of trust that he didn't raise these matters with you prior to his appointment?

No

57. Have you discussed these incidents with Commissioner Severin?

a. If not, why not?

b. If so, what was his explanation and did you find it satisfactory?

Yes.

a. Not applicable.

b. His explanation was consistent with the South Australian Department for Correctional Services response to the Ombudsman's Report. His explanation raised no doubts in my mind as to the suitability of his appointment.

58. How many Aboriginal prisoners were formally detained at Kirkconnell jail?

I am advised:

As at 4 September 2011 (one month prior to closure) there were a total of 22 Aboriginal offenders held at Kirkconnell Correctional Centre.

59. Where have these prisoners been transferred to?

The majority of the inmates held at Kirkconnell were transferred to the minimum security wing at Bathurst Correctional Centre. Other inmates were released from custody or sent to locations close to the inmates' families.

60. Was care taken by Corrective Services NSW to ensure that these prisoners were transferred to locations as close as possible to the place of residence of their families, as recommended by the Royal Commission into Aboriginal Death in Custody?

Yes. All inmates were invited to discuss placement options with an Inmate Classification and Case Management Branch representative including a Manager, Classification and Placement Aboriginal Programs. Inmates at Kirkconnell were specifically asked to nominate in writing the centre to which they wished to be transferred, as the inmate profile at Kirkconnell meant that many of the inmates would have required a protection placement at other centres.

61. What steps have been taken to facilitate contact between Aboriginal prisoners formally detained at Kirkconnell prison and their families?

CSNSW recognises the importance of maintaining contact between inmates and family members, and places inmates close to their family wherever possible, subject to an inmate's security classification, the availability of accommodation in a correctional centre of the relevant security classification, and operational requirements.

62. Does Corrective Services NSW separate prisoners according to their ethnic and/or religious background?

a. If so, which groups are separated?

I am advised:

The location of an inmate within a correctional centre is the prerogative of that correctional centre's management. For example, Goulburn Correctional Centre has a flexible regime of clustering of inmates in some locations within the centre according to some ethnic backgrounds as a means of facilitating an effective duty of care within the centre.

63. How are prisoners' ethnic and religious backgrounds identified?

I am advised:

This is identified on reception by officers completing the Inmate Identification and Observation Form, which is undertaken on behalf of all inmates upon reception into CSNSW custody. From the information provided on reception, CSNSW records inmates' cultural heritage, citizenship and religion on the CSNSW Offender Integrated Management System (OIMS).

64. Where are the following prisoners currently detained:

- a. Ivan Milat;**
- b. Matthew Milat;**
- c. Bilal Skaf; and**

d. Bassam Hamzy.

It is not appropriate that I provide this information due to privacy and security considerations.

65. Have there been any security or other incidents involving any of the following prisoners:

- a. Ivan Milat;**
 - b. Matthew Milat;**
 - c. Bilal Skaf; and**
 - d. Bassam Hamzy.**
- i. If so what occurred?**

It is inappropriate to discuss any security incidents involving these inmates in this context.

66. Has any member of the public sought to have contact with Ivan Milat since 1 July 2011? If so:

- a. Who sought the contact?**
- b. Was it granted: and**
- c. If so, why?**

I am advised that, since 1 July 2011, two people applied to have visitation rights with inmate Ivan Milat. To this regard,

- a) it is inappropriate to disclose the names of these new visitors due to their privacy rights;
- b) Permission for visitation rights was granted to both applicants; and
- c) Visitation access was granted following relevant security checks being undertaken and clearance was given.

67. Has Matthew Milat had any contact with his Uncle Ivan Milat since his conviction for murder?

I am advised that there has been no physical contact, telephone communication or written communication between inmate Ivan Milat and inmate Matthew Milat since inmate Matthew Milat's conviction for murder.

68. Since 1/7/11 how many of the following have there been from which Correctional Services Centres?

- a. Erroneous releases**
- b. Escapes and absconding.**

I am advised that, since 1 July 2011:

- a) there have been two (2) erroneous releases. Only one of these erroneous releases was from a NSW Correctional Centre, namely the Metropolitan Remand and Reception Centre. The other incident occurred from the Central Court Cells.

I am further advised that on both occasions, the inmate was apprehended by the NSW Police and returned to custody within 48 hours.

b) there have been fourteen (14) escapes from a NSW Correctional Centre. The following table details from which Correctional Centres the escapes occurred:

Correctional Centre	Number of inmate escapees
Broken Hill	3
Compulsory Drug Treatment	3
Glen Innes	2
Goulburn	1
Mannus	1
Oberon	4
Total escapes from a NSW Correctional Centre	14

69. On how many occasions have escaped or erroneously released prisoners' committed offences while at large?

Since 1 July 2011, of the 14 escapes from a NSW Correctional Centre, two escapees committed an offence whilst at large.

The two inmates who were erroneously released were not charged with any offences whilst at large.

70. The latest BOCSAR quarterly crime statistics show a dramatic 24% increase in escapes.

a. Can you explain how this has been allowed to occur?

b. What steps are you taking to address this recent explosion in the escape rate?

I am advised:

Note 1 of the BOCSAR June 2012 quarterly crime statistics states that the recorded criminal data in the report is based on information derived from the NSW Police Force Computerised Operational Policing System (COPS), so only those incidents which are reported to, or detected by police are included in the report.

Corrective Services NSW recorded 24 escapes by inmates in 2011-12, a decrease from 29 escapes in the previous year.

71. Has responsibility for perimeter security been transferred to private operators at any NSW Correctional Centres?

a. If so, which centres?

b. How many escapes have occurred at each of those centres?

Yes

a. Lithgow Correctional Centre, John Morony Correctional Complex and Silverwater Correctional Complex.

b. In 2011-2012 there were no escapes from any of these centres or complexes.

72. For the year ending 30/6/12 how many:

a. Inmate assaults on staff;

b. Inmate assaults on inmates were there in Correctional Centres?

I am advised:

In the year ending 30 June 2012 there were a total of 141 assaults by inmates on correctional centre staff. Of these, two (2) were classified as serious, 63 involved non-serious injury and 76 involved nil injury.

In the year ending 30 June 2012 there were a total of 1715 assaults by inmates on inmates in correctional centres. Of these, 19 were classified as serious, 1197 involved non-serious injury and 499 involved nil injury.

73. How many inmate assaults on staff and inmate assaults on inmates occurred in the previous financial year?

I am advised:

In the year ending 30 June 2011 there were a total of 103 assaults on staff and 1,935 on inmates in correctional centres.

Of the 103 assaults on staff, nil (0) were classified as serious, 34 involved non-serious injury and 69 involved nil injury.

Of the 1,935 assaults on inmates, 13 were classified as serious, 1,318 involved non-serious injury and 604 involved nil injury.

74. On how many occasions did Corrective Services staff require medical attention following an inmate assault?

I am advised:

Staff injuries are reported in accordance with CSNSW policies and procedures.

Based on information provided by CSNSW's insurer, in 2011/12 there were 72 claims made by staff following an assault.

Data in respect of each occasion on which staff received medical attention following an assault, if not reported, is not centrally collated.

75. How many inmate assaults involved the use of a weapon?

I am advised:

Data on whether inmate assaults involve the use of weapons is not collated.

76. What weapons were used?

I refer to my previous answer.

77. Has compensation been paid to any inmates or staff following an assault within a prison?

a. If so, how much in total has been paid out?

I am advised that in 2011/12, staff received compensation in the amount of \$589,392.

No inmates received compensation.

78. How many of the following were carried out in financial year 2011/12 across the NSW

Correction Centre system:

- a. Inmate searches;**
- b. Searches of inmate's cells; and**
- c. Visitor searches.**

I am advised:

- a. 72,995
- b. 19,735
- c. 62,852

These figures record the number of searches carried out at centres by the Corrective Services NSW State Emergency Unit. They do not include searches conducted by the staff of correctional centres. Data on searches conducted by correctional centre staff is not centrally collated.

79. How many were carried out the previous financial year?

I am advised:

In the financial year 2010 – 2011 the State Emergency Unit conducted:

- a. 87,871 inmate searches,
- b. 22,179 cell searches, and
- c. 68,741 visitor searches.

Data on searches conducted by correctional centre staff is not centrally collated.

80. What was the total amount of contraband seized in the financial year 2011/12?

I am advised:

The table below records the total amount of contraband seized from inmates and visitors by the State Emergency Unit in financial year 2011-2012.

State Emergency Unit CONTRABAND FINDS 2011/12	Inmate	Visitor	Total
Green Vegetable Matter (GVM) (grams)	1525.73	570.25	2095.98
Powder (grams)	134.85	69.45	204.3
Syringes	315	523	838
Needles	501	117	618
Drug Implement	205	73	278
Steroids	68		68
Tablets	1818.25	728.3	2546.55
Drugs Liquid (mls)	2351	373.5	2724.5
Weapons	119	61	180
Firearms/Rounds	3	3	6
Brews (gaol made)(ltrs)	3059		3059
Alcohol (mls)	16322.25	47468.67	63790.92
Mobile phone	80		80
Mobile charger	83		83
Tattoo gun	36		36
Sim Card	37		37
Money Aust. Currency	300.7		300.7
Tools Misc.	54		54

Data on searches conducted by correctional centre staff is not centrally collated.

81. Are searches sufficiently randomised?

Yes. Regular and random searches of inmates and centres are carried out in accordance with applicable legislation and policies. Searches are carried out by centre staff under the instruction of the General Manager, and by the State Emergency Unit, which carries out extensive search operations at correctional centres across the State.

82. Are inmates given advance warning of searches?

No

83. Are all visitors to Correctional Centres searched and observed?

All visitors to correctional centres are searched and observed in accordance with applicable legislation and policy.

84. What is your response to the recent statement made by Counsel Assisting the Independent Commission Against Corruption that screening procedures and interventions at NSW prisons are, and I quote: "not sufficiently

randomised, unanticipated, or conducted rigorously enough to give rise to a real concern by officers that they may be detected".
Are you taking steps to address this?

Corrective Services NSW has taken a number of measures in connection with the ICAC inquiry to which the Honourable member refers. These measures include:

- rotating staff who work in prison gatehouses,
- regular reviews of CCTV footage of staff searches to ensure compliance with search policies and procedures,
- random searches of staff by the Manager of Security where a prison gatehouse does not have CCTV equipment installed,
- relocating staff lockers so that staff store their personal property in lockers before entering a designated staff search area,
- use of clear plastic bags by staff and authorised visitors to bring work related and personal property into a prison, and
- use of metal detectors and screening wands to search staff.

85. What is the highest number of full-time custody offenders during any one day in the periods:
a. 25/10/11 – 31/12/11;
b. 1/1/12 to date?

I am advised:

- a. The highest number of inmates in full-time custody during the period 25 October 2011 to 31 December 2011 was 9,843. This occurred on 18 November 2011.
- b. The highest number of inmates in full-time custody from 1 January 2012 to date was 9,801. This occurred on 10 and 11 February 2012.

86. How many Intensive Corrections Orders have been made by Courts in these periods:
a. 1/10/10 – 30/6/11;
b. 1/7/11 – 60/6/12; and
c. 1/7/12 – to date?

I refer to my answer to Question on Notice 4(b) which states that Corrective Services NSW registered the following number of ICO orders for these periods:

- (i) 591
- (ii) 1,418
- (iii) 359 (until 30 September 2012)

These figures are based on when Corrective Services NSW registered the orders. There can be a small delay between a court making an order and it being registered by Corrective Services NSW.

87. What are the current figures for full-time custody prisoners in NSW Jails?

I am advised:

The full-time custody prisoner population as at 30 September 2012 was 9,624.

88. How many contractors has Corrective Services retained since 1/7/11 and at what cost?

I refer to my response to Question 5 which states that since 1 July 2011, Corrective Services NSW has retained the services of 46 contractors at a cost of \$2,572,365.03.

89. What has been the level of recruitment for Correctional Services since 1/7/11?

I refer to my response to Question 6 which states that in 2011/2012, Corrective Services NSW filled 618 positions through the merit selection process, both internally and externally. Of those 618 positions filled, 47 were external appointments. The majority of the positions have been filled on a temporary basis.

90. How many prospective employees have graduated from the Bush Farm facility since 1/7/11?

I am advised that there have been three (3) graduating classes of correctional officers/overseers since 1 July 2011. This includes:

Class	Course dates	Total participants	No of Casual Correctional Officers:	No of Overseers	Current status of participants (as at 19 October 2012)
Class 11/04	2 March 2011 – 15 July 2011	27	17	10	Casual Correctional Officer: 9 Temporary Correctional Officer: 6 Overseer: 10 Probation and Parole Case Manager ² : 1 Terminated: 1
Class 11/05	20 June 2011 – 2 September 2011	24	24	0	Casual Correctional Officer: 14 Temporary Correctional Officer: 10
Class 12/01	27 February	6	0	6	Overseer: 6

² Note: This person has been employed by Corrective Services NSW as a Casual Correctional Officer since May 2011. As at 16 July 2012, this person has been employed under a Temporary Appointment as a Case Manager for a period of four months.

	2012 – 4 May 2012				
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91. As at 30/6/12 how many staff had accrued recreation leave greater than 40 days?

I refer to my response to question 9 which states that, as at 30 June 2012, **1,703** employees of Corrective Services NSW had accrued recreation leave greater than 40 days.

92. How many deaths in custody occurred in Correctional Services for the year ending 30/6/12 and at what times? How many of the deceased were aboriginal?

I refer to my response to Question 10 which states that during the 2011/2012 financial year, there were nineteen (19) deaths in NSW correctional facilities and one (1) death of a home detainee.

Each of these incidents of a death in custody occurred on:

- 19 July 2011
- 28 July 2011
- 16 August 2011
- 3 September 2011
- 5 September 2011
- 24 September 2011
- 27 September 2011
- 3 October 2011
- 15 October 2011
- 19 December 2011
- 12 January 2012
- 13 February 2012
- 13 February 2012
- 20 March 2012
- 20 March 2012
- 29 March 2012
- 30 March 2012
- 22 April 2012
- 16 June 2012
- 19 June 2012

a. Of the twenty (20) deaths that occurred during 2011/2012, two (2) of these inmates had an Aboriginal/Torres Strait Islander background.

93. How many offenders as at 30/6/12 were subject to Home Detention?

I am advised that as at 30 June 2012, there were a total of **86** offenders subject to a Home Detention Order: 68 male offenders and 18 female offenders.

94. What has been the average time out of cells in each correctional centre :

- a. 1/7/11 – 31/12/11;
- b. 1/1/12 – 30/6/12; and
- c. 1/7/12 – to date?

I am advised:

The following tables provide details of the time out of cells for inmates held in open and secure custody at each correctional centre for the year ending 30 June 2012.

CORRECTIONAL CENTRE	Daily average out of cell hours based on regular daily routine	Daily average hours lost to routine Lockdowns ¹	Daily average hours lost to routine irregular lockdowns ²	Total Time-out-off cells (hours)
OPEN CUSTODY				
Bathurst	11.63	0.52	0.26	10.85
Bolwara TC	24.00	0.00	0.00	24.00
Brewarrina	24.00	0.00	0.00	24.00
Broken Hill	24.00	0.00	0.00	24.00
Cessnock	11.77	0.23	0.34	11.20
Compulsory Drug Treatment	24.00	0.00	0.00	24.00
Dawn de Loas	9.79	0.00	0.38	9.41
Dillwynia	24.00	0.00	0.00	24.00
Emu Plains	24.00	0.00	0.00	24.00
Glen Innes	24.00	0.00	0.00	24.00
Goulburn	11.58	0.26	0.16	11.16
Grafton	24.00	0.00	0.00	24.00
Ivanhoe	24.00	0.00	0.00	24.00
Junee	11.00	0.57	0.12	10.32
Kirkconnell	24.00	0.00	0.00	24.00
Mannus	24.00	0.00	0.00	24.00
Metro Special Programs	10.43	0.88	0.43	9.12
Mid-North Coast	24.00	0.00	0.00	24.00
Oberon	24.00	0.00	0.00	24.00
Outer Metropolitan Multi-Purpose	24.00	0.00	0.00	24.00
Parklea	24.00	0.00	0.00	24.00
Parramatta TC	24.00	0.00	0.00	24.00
Silverwater	24.00	0.00	0.00	24.00
South Coast	24.00	0.00	0.00	24.00
St Heliers	24.00	0.00	0.00	24.00
Tamworth	24.00	0.00	0.00	24.00
Wellington	24.00	0.00	0.00	24.00
SUB-TOTAL OPEN	18.58	0.20	0.14	18.23

CORRECTIONAL CENTRE	Daily average out of cell hours based on regular daily routine	Daily average hours lost due to routine Lockdowns	Daily average hours lost due to routine irregular lockdowns	Total Time-out-off cells (hours)
SECURE CUSTODY				
Bathurst	7.64	0.39	0.47	6.77
Berrima	10.75	0.26	0.05	10.43
Broken Hill	8.00	0.20	0.28	7.52
Cessnock	6.35	0.13	0.28	5.94
Cooma	7.77	0.33	0.71	6.73
Dillwynia	23.03	0.00	0.34	22.69
Goulburn	6.81	0.52	0.25	6.04
Grafton	7.00	0.12	0.46	6.43
High Risk Management	6.00	0.43	0.70	4.88
John Morony 1	7.03	0.20	0.42	6.41
Junee	10.31	0.57	0.07	9.68
Kariong	5.55	0.26	0.34	4.95
Lithgow	6.56	0.44	0.17	5.95
Long Bay Hospital	6.71	0.00	0.26	6.45
Metro Remand and Reception	6.36	1.31	0.43	4.63
Metro Special Programs	7.47	0.92	0.51	6.04
Mid-North Coast	7.80	0.43	0.26	7.12
Parklea	6.85	0.57	0.04	6.24
Parramatta	6.00	0.43	0.15	5.43
Silverwater Womens	6.27	0.38	0.20	5.68
South Coast	8.00	0.52	0.27	7.20
Special Purpose Centre	6.50	0.13	0.39	5.98
Tamworth	7.50	0.26	0.36	6.88
Wellington	8.00	0.66	0.08	7.26
Police/Court Cells	0.00	0.00	0.00	0.00
SUB-TOTAL SECURE	7.72	0.58	0.28	6.86
TOTAL	11.70	0.44	0.23	11.03

95. What is the current level of Aboriginal employment within Juvenile Justice, both in detention and community sectors?

a. How has that changed since 1/11/11?

b. What program's have you introduced to alter the level of Aboriginal employment within Juvenile Justice since 1/7/11?

As at 30 June 2012, 10.7% of Juvenile Justice staff voluntarily identified as Aboriginal and/or Torres Straight Islander. ³

³ Data capture is Annual Workforce Profile at the agency level only

a. The total number of staff who voluntarily identified as Aboriginal and or Torres Strait Islander increased by 0.5% from June 2011 to June 2012. Data is captured as part of the Annual Workforce Profile report at the whole of agency level.

b. Juvenile Justice launched the *Aboriginal and Torres Strait Islander Recruitment and Retention Strategy 2011-2015*. The strategy articulates the objectives and actions required by the agency to achieve successes in the recruitment, development and retention of Aboriginal and Torres Strait Islander staff.

Strategies related to employment and retention include:

- Recruiting/advertising Aboriginal Cadetships
- Targeting identified staff for professional development and leadership training opportunities
- Facilitating awareness of and access to scholarship opportunities for secondary and tertiary qualifications
- Providing career pathways for identified staff including the development of career plans.

96. How many sexual assaults have occurred within Justice Centres since 1/7/11?

a. At which Centres did these incidents occur?

In 2011/12 one assault occurred.

a. This incident occurred at Orana Juvenile Justice Centre.

97. How many assaults on staff by detainees and at which Juvenile Justice Centres have occurred since 1/7/11?

a. Since 1/7/11, how many;

b. escapes and;

c. incorrect releases

d. have occurred, and from which Juvenile Justice centres?

In 2011/12 there were 4 assaults on staff per 1,000 admissions. These assaults occurred across all juvenile justice centres, excluding the Broken Hill Shelter.

b. Nil

c. Nil

d. N/A

98. How many wrongful detentions, at which Juvenile Justice centres and for how long have occurred since 1/7/11?

In 2011/12 there was one wrongful detention at Juniperina Juvenile Justice Centre. The young person was admitted late on a Friday evening and was released the following Monday.

99. What is the current maximum capacity of Juvenile Justice Centres?

Frank Baxter

120

Acmena	45
Juniperina	46
Reiby	57
Reiby Waratah	10
Cobham	64
Emu Plains	40
Riverina	45
Orana	30
Broken Hill	8

**100. What is the average number of detainees in the period of 1/7/11 to date?
a. What is the number of detainees as at today's date?**

Between 1 July 2011 and 10 October 2012 the average daily number in custody was 351.

a. On 10 October 2012 there were 320 detainees in custody.

101. How many young offenders have been detained in Juvenile Justice Centres since 1/7/11?

In 2011/12 there were 4732 admissions to juvenile justice centres.

102. How many new staff have been employed by Juvenile Justice since 1/7/11?

a. Since 1/7/11, how much has been spent on charter air flights to transport detainees of Juvenile Justice?

Since 1 July 2011, 178 new staff have been employed.

a. In 2011/12, \$484,371 was spent on charter air flights to transport Juvenile Justice detainees, a reduction of \$52,606 from the previous year.

103. How many times, for how long and at what Juvenile Justice Centres have detainees been segregated or separated since 1/7/11?

Between 01/07/2011 to 30/06/2012 Juvenile Justice detainees were segregated as follows:

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	31	61	45	4	0	2	2	4	0	111 detainees segregated on 149 occasions
Cobham	187	439	224	44	7	6	13	28	86	406 detainees segregated on 1034 occasions

										occasions
Emu Plains	268	274	118	17	6	1	3	4	5	285 detainees segregated on 696 occasions
Frank Baxter	49	47	36	14	2	1	8	2	9	137 detainees were segregated on 168 occasions
Juniperina	243	392	42	18	12	4	2	4	25	241 detainees were segregated on 742 occasions
Orana	613	189	66	47	12	13	17	17	1	257 detainees were segregated on 975 occasions
Reiby	210	304	132	115	20	3	74	1	0	345 detainees were segregated on 859 occasions
Riverina	51	69	47	21	9	2	11	11	8	150 detainees segregated on 229 occasions

Number of Separations by Time Range and Juvenile Justice Centre for 2011-12

JJC Name	Time Range in hh:mm								
	0:00 - 2:59	3:00 - 5:59	6:00 - 8:59	9:00 - 11:59	12:00 - 23:59	24:00 - 71:59	72:00 - 143:59	-	>144:00
Acmena	147	2	3	2	9	12	5		2
Baxter	185	86	71	63	191	65	10		8
Broken Hill Shelter	29	0	0	0	0	0	0		0
Cobham	1098	6	1	0	2	3	24		29
Emu Plains	733	50	0	0	0	0	0		1
Juniperina	372	6	0	1	0	1	0		0
Orana	559	29	16	48	40	1	0		1
Reiby	40	9	5	1	2	0	0		0
Riverina	187	24	12	11	48	20	6		1
TOTAL = 4277									

Source: DAGJ/JJ RPELive Database. Extracted 26 Oct 12. As this is taken from a live database, figures are subject to change. & JJ Region Offices

104. How many and at what locations does Juvenile Justice have current psychological and drug and alcohol counsellors?

Juvenile Justice provides counselling services at the following locations:

Kariong: 6 including 2 AOD counsellors and 4 psychologists
Gosford: 4 including 1 AOD counsellor and 3 juvenile justice counsellors
St Marys: 6 including 2 AOD counsellors and 4 psychologists
Lidcombe: 3 including 1 AOD counsellor, 1 juvenile justice counsellor and 1 psychologist
Airds: 5 including 1 AOD counsellor, 2 juvenile justice counsellors, 2 psychologists
Wollongong: 5 including 1 AOD counsellor, 3 juvenile justice counsellors, 1 psychologist
Batemans Bay: 1 AOD counsellor
Dubbo: 8 including 3 AOD counsellors, 3 juvenile justice counsellors, 2 psychologists
Wagga Wagga: 5 including 2 AOD counsellors, 2 juvenile justice counsellors, 1 psychologist
Orange: 1 AOD counsellor
Broken Hill: 1 AOD counsellor
Albury: 1 AOD counsellor
Grafton: 4 including 1 AOD counsellor, 2 juvenile justice counsellors and 1 psychologist
Lismore: 1 AOD counsellor
Kempsey: 1 AOD counsellor
Maitland: 2 including 1 AOD counsellor and 1 juvenile justice counsellor
Glen Innes: 1 AOD counsellor
Tamworth: 1 AOD counsellor
Metro: 5 including 3 AOD counsellors and 2 juvenile justice counsellors
Petersham: 4 including 3 juvenile justice counsellors and 1 psychologist
Surry Hills: 2 juvenile justice counsellors
Blacktown: 5 including 4 juvenile justice counsellors and 1 psychologist
Fairfield: 4 juvenile justice counsellors
Penrith: 4 juvenile justice counsellors
Campbelltown: 3 juvenile justice counsellors
Moss Vale: 1 juvenile justice counsellor
Griffith: 1 juvenile justice counsellor
Newcastle: 3 including 2 juvenile justice counsellors and 1 psychologist
Coffs Harbour: 1 psychologist
Armidale: 1 psychologist

105. How many instances have there been of discovery of contraband at Juvenile Justice Centres:

a. since 1/7/11?

a. In 2011/12 there were 172 instances when contraband was discovered at juvenile justice centres. Contraband includes items such as unacceptable literature, money and chewing gum.

106. Since 1/7/11, how many detainees have been:

a. Enrolled in Education and Training units; or

b. Placed in a TAFE course

	2011 ¹	2012 ²
Total Education and Training Unit enrolments	1,786	1,109
TAFE enrolments	1,266	596
Enrolled in School Certificate (renamed record of school achievement (ROSA) in 2012)		207
Enrolled in Higher School Certificate (full credential)		39
Enrolled in Higher School Certificate single subjects		64
School Certificate completions	137	N/A
Higher School Certificate completions	3	N/A
Higher School Certificate single subject completions	40	N/A

Notes:

1 Figures for complete school year January to December 2011.

2 Figures for young people enrolled in courses up to 30 June 2012. Completion figures not available until school year completed.

107. How many unfilled vacancies are there for staff at Juvenile Justice, and how long have these vacancies been unfilled?

There are 99 unfilled vacancies. This includes part-time positions. The vacancy period for these positions varies, from one month to four years. Eighty three per cent of these vacancies are in centres, where numbers of detainees have been dropping, and positions were purposely kept vacant to reflect decreased demand.

108. How many detainees over the age of 18 years were there in Juvenile Justice Centres as at:

a. 1/1/12

b. 1/7/12

a. 25

b. 26

109. How many drug detections have there been in Juvenile Justice Centres since 1/7/11?

In 2011/12 there were 42 findings of suspected illegal drugs in juvenile justice centres, following detainee and centre searches and K9 search finds.

110. How many K9 searches have been conducted with Juvenile Justice Centres since 1/7/11?

In 2011/12, 274 K9 search operations were conducted in juvenile justice centres.

111. How many visitors to Juvenile Justice Centres have been screened by K9 units since 1/7/11?

In 2011/12, 1,627 visitors to juvenile justice centres were screened by the K9 unit.

112. How many visitors have been refused access to Juvenile Justice Centres since 1/7/11 due to an indication of illicit substances following a K9 unit screen?

In 2011/12, 10 visitors were refused access to juvenile justice centres due to an indication of an illicit substance, following a K9 unit screen.

113. How many drug and alcohol tests have been carried out since 1/7/11? How many of those returned a positive result?

In 2011/12, 902 urinalysis tests were conducted. Of those, 25 returned a positive result.

114. Have there been any deaths of detainees in Juvenile Justice Centres since 1/7/11?

a. If so, how many and in which Centres?

No

115. What has been the rate of detainee self-harm since 1/7/11?

In 2011/12, there were 43 instances of self-harm per 1,000 young people admitted to a centre.

116. What is the average age of staff in Juvenile Justice Centres?

44.2 years (data provided by NSW Businesslink)

Miscellaneous Questions

117. How many blackberries are assigned to your staff?

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

118. For each phone, how much was each bill in the 2011/12 financial year?

The total expenditure on mobile phones by the Premier's office and Ministers' offices as represented in the Department's financial system is set out in the table below. Please note that this expenditure may include mobile phone purchase costs as the financial system does not separate the purchase costs and mobile usage charges.

	2008-09	2009-10	2010-11	2011-12
Premier's Office	\$103,152	\$76,457	\$68,475	\$27,570
Ministers' Offices	\$475,539	\$358,396	\$120,285	\$169,655
TOTAL	\$578,691	\$434,854	\$188,761	\$197,226

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

119. How many have phones have been lost in your office?

For Premier's office and Ministers' offices, the number of phones lost was:

	2011/12
<i>Premier</i>	1
<i>Ministers</i>	5
Total	6

120. What is the cost of replacing those phones?

The cost is the normal contract price and this cost is claimed through the NSW Treasury Managed Fund.

121. How many iPads does DPC assign to your Ministerial office and to whom have they been issued?

For Premier's office and Ministers' offices the number of iPads issued was as follows.

	2011/12
<i>Premier</i>	10
<i>Ministers</i>	43
Total	53

122. How many iPads have you purchased for your office and to whom have they been issued?

iPads are supplied by the Department of Premier and Cabinet and have not been purchased by Ministers' offices.

123. How many iPhones does DPC assign to your Ministerial office and to whom have they been issued?

124. How many iPhones have you purchased for your office and to whom have they been issued?

In 2011/12, 179 phones were assigned to the Premier's and Ministers' offices.

125. How many iPhones have been lost in your office?

For the Premier's office and Ministers' offices, the number of phones lost was:

	2011/12
<i>Premier</i>	1
<i>Ministers</i>	5
Total	6

126. How many iPads have been lost in your office?

For Premier's office and Ministers' offices, the number of iPads lost or stolen was as follows.

	2011/12
<i>Premier</i>	1
<i>Ministers</i>	0
Total	1

127. What is the cost of replacing those phones or iPads?

The cost is the normal contract price and this cost is claimed through the NSW Treasury Managed Fund.

128. How many media or public relations advisers are employed for each of your portfolio agencies?

I refer the member to question on notice no 2525. There are currently six media / public relations officers positions across the portfolio as follows:

Attorney General's Division	1
Corrective Services NSW	3 (one vacant)
Supreme Court	1
Office of the Director of Public Prosecutions	1

Juvenile Justice has a Corporate Planning and Communications Unit, comprising two officers and a small part of the Unit's role is media. In addition, Corrective Services NSW currently has one vacant media officer position that will be filled in the near future.

129. What is the forecast for 2012-13 for the number of media or public relations advisers to be employed and their total cost?

It is estimated that six media / public relations officers will be employed in portfolio agencies at a cost of approximately \$712,000.

130. Have any of your overseas trips in the past year been paid for in part or in full by using public money?

Information regarding Ministerial travel is available on the relevant Minister's appropriate agency website, in accordance with Ministerial Memorandum M2009-10 "Release of Overseas Travel Information".

131. If so, did any of your relatives or friends accompany you on these trips?

Information regarding Ministerial travel is available on the relevant Minister's appropriate agency website, in accordance with Ministerial Memorandum M2009-10 "Release of Overseas Travel Information".

132. What is the annual remuneration package for your chief of staff?

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

133. What is the annual remuneration package for your head media advisor?

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_numbers.

134. What is the annual remuneration package for each of your staff?

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_number_s.

135. What is the estimated expenditure for your office budget in 2012-13?

The total budget allocation for the Premier's and Ministers' offices in 2012-13 is \$40,103,650, with \$5,744,883 allocated to the Premier's office and \$34,358,767 to the Ministers' offices.

136. Have any office renovations or fit outs been undertaken in your ministerial office since April, 2011? 137. If so, could you give details of contracted costs?

Information on the assets balances for leasehold improvements are available in the Department of Premier and Cabinet Annual Report.

138. What is your Ministerial office budget for 2012/13?

The budget allocations for the Premier's office and Ministers' offices are as follows.

	2008-09	2009-10	2010-11	2011-12	2012-13
Premier	\$7,002,312	\$8,500,000	\$9,075,038	\$5,309,465	\$5,744,83
Ministers	\$39,673,567	\$40,334,000	\$40,978,962	\$31,516,017	\$34,358,767
TOTAL	\$46,675,879	\$48,834,000	\$50,054,000	\$36,825,482	\$40,103,605

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

139. How many political advisors are in your office?

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_number_s.

140. How many administration staff?

Ministerial staff numbers and salary bands are available on the Department of Premier and Cabinet website at

http://www.dpc.nsw.gov.au/about/publications/premiers_and_ministers_staff_number_s.

141. How many Department Liaison Officers are assigned to your office?

The Number of Department Liaison Officers (DLOs) for the Premier's office and Ministers' offices are as follows:

	<i>Number of DLOs as at 5/09/2012</i>
<i>Premier</i>	<i>1</i>

Ministers	57
TOTAL	58

142. How many staff in the Department are assigned to Ministerial support duties?

I refer the member to question on notice no 2886. 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.

143. Are any contractors or consultants working in your ministerial office?

144. If so, in what capacities?

145. How much did your Ministerial office spend on contractors or consultants?

143. No

144. Not applicable

145. Not applicable

146. How much did your Ministerial office spend on taxi fares, including Cabcharge in the 2011/12 financial year?

Taxi expenditure by the Premier's office and Ministers' offices as represented in the Department's financial system is represented in the table below.

	2008-09	2009-10	2010-11	2011-12
Premier	\$26,418	\$32,525	\$27,600	\$15,485
Ministers	\$133,697	\$143,251	\$32,678	\$80,609
TOTAL	\$160,155	\$175,776	\$60,277	\$96,094

Note. 2010-11 figures are a combination of 9 months of Keneally Government and 3 months of O'Farrell Government.

147. Are any of your portfolio agencies undergoing a restructure?

The Department of Attorney General and Justice is undergoing a restructure.

148. How many jobs are expected to be cut as a result of that restructure?

It is too early to ascertain the exact number of jobs that could be cut as a result of the restructure.

149. How many people are expected to have their wages cut as a result of that restructure?

It is too early to ascertain the impact of the restructure on position gradings.

150. How many voluntary redundancies were offered in your Departments since April 2011?

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

151. How many voluntary redundancies were accepted from employees in your Departments since April 2011?

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

152. How many voluntary redundancies are expected to be offered in 2012/13?

As outlined in the 2012/13 budget, the Government's 2011-12 program of voluntary redundancies remains on track to reach its target of 5,000 positions.

A labour expense cap has also been introduced as a new savings measure across the public sector with the target of a 1.2 per cent per annum reduction in labour costs growth.

Directors General will be given as much flexibility as possible to achieve the savings in the most appropriate way to meet the service requirements of their agencies. If it was solely achieved through headcount this would equate to up to 10,000 jobs over four years.

153. How much did your Departments spend on catering in 2011/12?

The Department of Attorney General and Justice spent \$536,417 on catering in the 2011/2012 financial year. This includes:

- Corrective Services NSW* \$400,000
- Juvenile Justice NSW* \$136,417

*Excluding inmate/detainee catering costs.

As catering in Attorney General's Division is paid for by individual business centres, this information is not collected at the Divisional level.

154. How much did your Departments spend on stationary in 2011/12?

The Department of Attorney General and Justice spent \$5,535,042 on stationery in the 2011/2012 financial year. Expenditure across the Department includes:

- Attorney General's Division – \$3,752,907
- Corrective Services NSW – \$1,452,000
- Juvenile Justice NSW – \$330,135

155. What is your Department's catering budget?

The total budget for catering in the Department of Attorney General and Justice for 2012/2013 is \$327,483. This includes:

- Corrective Services NSW – \$200,000
- Juvenile Justice NSW – \$127,483

*Excluding inmate/detainee catering costs.

As catering in Attorney General's Division is paid for by individual business centres, this information is not collected at the Divisional level.

156. What is your Department's stationary budget?

The total Department of Attorney General and Justice budget for stationery in 2012/2013 is \$5,558,972. Expenditure across the Department was as follows:

- Attorney General's Division – \$3,644,084
- Corrective Services NSW – \$1.5 million (approximately)
- Juvenile Justice NSW – \$414,888

157. Since April 2011 have any of the agencies in your Department(s) changed their branding?

The Department of Attorney General and Justice was created in April 2011 as part of the new administrative arrangements for the public sector to support the NSW Government. This necessitated a rebranding process which cost \$7,320.50 and was reported to the Estimates Committee in October 2011. Juvenile Justice changed some signage at the Juvenile Justice Central Office in Sydney in 2011/2012 at a cost of \$1253. Otherwise, there have been no further costs incurred for the rebranding of the Department.

I also refer the Honourable member to previous answers to questions on notice on this issue.

158. If so, how much was spent on rebranding the agency?

See answer to question 157.

159. How long is the average turnaround for responding to correspondence in your Departments?

The Department's recommended time frame for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Department's receipt of the correspondence.

However, it is not always possible to comply with this time frame for any number of reasons including: the nature and complexity of the matter; stakeholder consultation; or further information required from other Departments and sources.

160. How many pieces of correspondence have been outstanding for more than 60 days?

The Department's recommended time frame for completing responses to correspondence from Ministers, Members of Parliament and members of the public is 20 working days from the Department's receipt of the correspondence.

However, it is not always possible to comply with this time frame for any number of reasons including: the nature and complexity of the matter; stakeholder consultation; or further information required from other Departments and sources.

161. In 2011/12 how many invoices has your Department(s) failed to pay a supplier or contractor for more than 30 days?

As the Premier stated in Parliament on 23 August 2012, the 30 day bill payment policy formally commenced on 1 January 2012. The first quarterly performance report is currently being finalised for release. In the first quarter almost 92 per cent of invoices were paid within 30 days, consistent with our policy and initiative. 31 small businesses have already been eligible to receive automatic interest charges on overdue accounts.

162. As a result of late payment, how much penalty interest has been paid to contractors since 1 January 2011?

As the Premier stated in Parliament on 23 August 2012, the 30 day bill payment policy formally commenced on 1 January 2012. The first quarterly performance report is currently being finalised for release. In the first quarter almost 92 per cent of invoices were paid within 30 days, consistent with our policy and initiative. 31 small businesses have already been eligible to receive automatic interest charges on overdue accounts.

163. How many invoices have been outstanding for longer than 60 days?

As the Premier stated in Parliament on 23 August 2012, the 30 day bill payment policy formally commenced on 1 January 2012. The first quarterly performance report is currently being finalised for release. In the first quarter almost 92 per cent of invoices were paid within 30 days, consistent with our policy and initiative. 31 small

businesses have already been eligible to receive automatic interest charges on overdue accounts.

164. Does your department provide recurrent grant funds to non-government organisations?

If yes,

- a. What are the names of all organisations in receipt of funding?
- b. What is the total amount of funding received by each organisation including goods and services tax?
- c. On what date was the funding advanced?
- d. What was the purpose for each grant or funding advance?
- e. Was any funding withheld or returned?
- f. If so, what were the reasons for withholding or requiring the funding to be returned?
- g. What is the indexation rate applied to non-recurrent grant funds in 2011/2012?
- h. What are the details of any costs involved in each study, audit, taskforce or review?

The Department of Attorney General and Justice publishes information about grants to non- government organisations in its Annual Report. The 2011/2012 Annual Report for the Department will be tabled in Parliament shortly. Information on the purpose of each grant is included in the Annual Report.

I am advised that Corrective Services NSW withheld funding in two instances. Firstly, it withheld funding from the Judge Rainbow Memorial Fund to recover surpluses accrued in previous financial years. Secondly, it withheld funding from Link-Up NSW as the organisation was unable to provide services in 2011/2012. Otherwise, no funding was withheld or returned in respect to any grants provided by DAGJ in 2011/2012. In addition, the Department of Attorney General and Justice does not have any non-recurrent grants. I refer the Honourable member to the answer on this issue reported to the Estimates Committee in October 2011.

165. How many contractors has your Department(s) retained since 1 July 2012 and at what cost?

There is no central registry of contractors for the Attorney General's Division of the Department of Attorney General and Justice (DAGJ). However, DAGJ is in the process of establishing a central registry for all contractors. Expenditure on contractors from 1 July 2012 to 30 September 2012 was \$3.189 million.

Between 1 July 2012 and 30 September 2012 the Juvenile Justice Division of DAGJ retained 204 contractors at a cost of \$475,719. For accounting purposes, Juvenile Justice defines contractors as people who carry out short-term assignments (excluding temporary employees).

166. What is the current level of Aboriginal employment within your Departments?

167. How has that changed since 1 July 2011?

2009, 2010 and 2011 data can be found as published in the annual Workforce Profile Snapshot Reports.

2012 data is due to be released when the State of the Public Sector Report is released, late 2012.

These reports can be found on the PSC website: <http://www.psc.nsw.gov.au/>

Additionally, NSW Treasury Circular 11/03 prescribes the Equal Employment Opportunity (EEO) Disclosure Requirements, requiring that NSW public sector agencies include EEO data in their annual reports.

168. Since 1 July 2011, how much has been spent on charter air flights by your Departments?

All official travel within Australia and overseas is in accordance with M2009-04 "Official Travel within Australia and Overseas" available at www.dpc.nsw.gov.au. Details regarding travel costs are published in the Department's Annual Report.

169. In relation to feasibility studies, audits, taskforces and reviews:

Is your department currently undertaking any feasibility studies, audits, taskforces or reviews? If so; then;

- a. What are the terms of reference or details of each study, audit, taskforce or review?**
- b. Who is conducting the study, audit, taskforce or review?**
- c. Was each study, audit, taskforce or review was publically advertised seeking expression of interest or competitive tenders?**
- d. Is there a contract in place detailing terms of engagement for the study, audit, taskforce or review?**
- e. What is the timeline of each study, audit, taskforce or review?**
- f. What are the details of any costs involved in each study, audit, taskforce or review?**

As with previous NSW Governments, the Government undertakes feasibility studies, audits, taskforces and reviews to inform government decision making. A number of feasibility studies, audits, taskforces and reviews are currently being undertaken across the NSW Government.

170. Have any agencies within your Departments engaged consultants in the 2011/12 financial year?

171. If yes, which companies were engaged for consultancy services in the 2011/12 financial year?

172. For what purpose has your Department engaged consultants?

173. How much have your agencies spent on consultants in the 2011/12 financial year?

174. What is your Department budget for consultants in the 2012/13 financial year?

Financial statements, including expenditure on consultants, are available in agency annual reports.

175. Have any agencies within your Departments sponsored any organisations or events in the 2011/12 financial year?

176. If yes, which organisations and events were sponsored in the 2011/12 financial year?

177. How much did your agencies within your Departments spend on sponsoring organisations and events in the 2011/12 financial year?

Yes. The table below shows sponsorship of organisations/events by agencies within my Department for the 2011/2012 financial year:

Agency	Organisations/events sponsored	Sponsorship Amount (\$)
NSW Trustee and Guardian	Fellow in Elder Law Sponsorship (University of Western Sydney)	108,000 (excl. GST)
	Seniors Week (Department of Ageing, Disability and Homecare)	65,000 (excl. GST)
CSNSW	Although CSNSW does not sponsor organisations/ events, the Corrective Services Industries donates products/funds to organisations/events at no cost, dependent on revenue received from the sale of its products.	

178. What is your Department(s) budget for sponsorship in the 2012/13 financial year?

The sponsorship budget for the NSW Trustee and Guardian for the 2012/2013 financial year is \$218,000. The Department of Attorney General and Justice otherwise does not have a sponsorship budget.

179. Has the Minister been provided with Speech, Voice or Media Training since becoming Minister? If so, then;

a. Who conducted the training?

b. When was it conducted?

c. Where was it conducted what were the costs of the training?

d. Who paid for the training?

Yes

- a) Image Media Services
- b) December 2011
- c) Image Media Services; \$2,000
- d) Paid through Logistic Support Allocation

180. Can you please list all travel related costs for your Parliamentary Secretary incurred in their capacity as Parliamentary Secretary since 1 July 2011

- a. kilometres travelled**
- b. accommodation,**
- c. air fares**
- d. meals/entertaining?**

Travel related costs* for the Premier's and Ministers' Parliamentary Secretaries was as follows.

	2011-12
<i>Premier's Parliamentary Secretaries</i>	0
<i>Ministers' Parliamentary Secretaries</i>	\$19,609
TOTAL	\$19,609

**Flights, accommodation and hire car expenses as detailed in travel contractor report.*

- a. Information not available
- b. The total cost of accommodation for travel by Ministers' Parliamentary Secretaries during 2011/12 was \$1,925.
- c. The total cost of flights for Ministers' Parliamentary Secretaries during 2011/12 was \$17,477.
- d. Information not available

181. Can you please provide details of the following activities undertaken by your

Parliamentary Secretary since 1 July 2011;

- a. meetings attended in their capacity as Parliamentary Secretary?**
- b. functions attended in their capacity as Parliamentary Secretary?**

Parliamentary Secretaries provide assistance to the Premier and other Ministers, including signing correspondence; receiving deputations; undertaking special tasks; officiating at functions; and relieving the Premier and Ministers of some of their duties. The duties to be performed are those allocated by the Minister, or which have the Minister's endorsement.

182. How often do you meet with your Parliamentary Secretary?

- a. Are these meetings documented?**
- b. Who attends these meetings?**

Parliamentary Secretaries provide assistance to the Premier and other Ministers, including signing correspondence; receiving deputations; undertaking special tasks; officiating at functions; and relieving the Premier and Ministers of some of their

duties. The duties to be performed are those allocated by the Minister, or which have the Minister's endorsement.

183. Who provides instructions and direction to your Parliamentary Secretary, you or your Chief of Staff?

Parliamentary Secretaries provide assistance to the Premier and other Ministers, including signing correspondence; receiving deputations; undertaking special tasks; officiating at functions; and relieving the Premier and Ministers of some of their duties. The duties to be performed are those allocated by the Minister, or which have the Minister's endorsement.

184. Has the Parliamentary Secretary been provided with Speech, Voice or Media Training since becoming Parliamentary Secretary? If so, then;

a. Who conducted the training?

b. When was it conducted?

c. Where was it conducted what were the costs of the training?

d. Who paid for the training?

The Department of Premier and Cabinet's financial system does not show any record of speech, voice or media training for the Premier or any other Minister or Parliamentary Secretary.

The Hon. David Shoebridge MLC

Attorney General

Victims Compensation Tribunal

1. Is there a current stop on listing victims compensation claims in the Victims Compensation Tribunal?

a. If so, who authorised this stop?

b. If so, what is the justification for not listing further claims?

c. If so, when is it anticipated that claims will be listed again?

The Director, Victims Services and the Registrar of the Victims Compensation Tribunal decided to cease listing claims for determination for 2012 due to the current level of demand. Victims Services Assessors are currently determining claims listed for May 2012 and over 3500 matters are listed for determination.

Victims Services will reassess the situation in January 2013. However, urgent and interim payments are being listed and finalised as soon as requested by victims.

This decision was taken to manage the expectation that once a matter is listed, finalisation is imminent. This expectation can cause victims additional distress. This temporary hold will allow for matters to be listed so that they are considered by a compensation assessor within a reasonable time of the listing date.

Illicit Firearms Research

2. National Illicit Firearms Assessment and Establishment of Firearms Intelligence and Targeting Team national intelligence assessment into the illegal firearms market?

This question is unclear.

[3. There is no question 3]

4. Noting evidence given by Deputy Commissioner Nick Kaldas in the Senate Estimates hearing on 11 October 2012 that 'matters of false swearing of affidavits or similar matters are not matters in which the police have the sole-decision making role; they are matters that normally the Attorney General, whether it is Federal or State, has the final say' what involvement have you had in the determination of whether to prosecute Mr Cansdell? Have you or your department reviewed the determination not to prosecute Mr Cansdell? If so when? If so, what was the result of this review?

a. If not, why not?

Neither my Department nor I have been involved in, or reviewed, the determination whether to prosecute Mr Cansdell by either the NSW or Commonwealth DPP.

a. Determinations in relation to prosecutions are generally made independently of the government, by the NSW Police Force, and where appropriate, the Director of Public Prosecutions. There are no specific provisions requiring the involvement of

the Attorney General in relation to offences applicable to swearing false affidavits.

5. Has your office reviewed the material in relation to Mr Cansdell to determine if prosecution is appropriate or should be considered pursuant to s319 of the Crimes Act?

No

Corrective Services

Norma Parker Centre

6. What steps have been taken in the last 5 years to undertake maintenance and other works on the iconic NSW heritage listed Norma Parker Centre?

7. What funding has been expended over the last 5 years for maintenance and works on the iconic NSW heritage listed Norma Parker Centre?

8. What plans are there for ongoing maintenance and other works on the iconic NSW heritage listed Norma Parker Centre?

6. Continuous maintenance has been provided through detainees and offenders on Community Service Orders as set out in my response to Question 7. An annual inspection is undertaken by a Regional Asset Manager to identify any additional remediation works that need to be planned for at the site.

7. The below table sets out maintenance and minor works costs for Norma Parker Centre.

Period	Maintenance Facilitated By	Comments	Average Annual Cost (\$)	Minor Works (\$)
2008/9	Silverwater Periodic Detention Centre (Detainees)	Maintenance conducted by supervised Detainees	3,000	
2009/10	Silverwater Periodic Detention Centre (Detainees)	Maintenance conducted by supervised Detainees. Additionally renovation works were undertaken at the site in 2009/10	13,036	343,943
2010/11	Community Service Order Team	Maintenance conducted by supervised offenders on CSO orders	21,104	

2011/12	Community Service Order Team	Maintenance conducted by supervised offenders on CSO orders	28,792	
2012/13	Community Service Order Team	Maintenance conducted by supervised offenders on CSO orders	28,000	

8. Cost effective maintenance will continue to be provided using in-house resources with annual site inspections being undertaken to identify any remediation works that need to be facilitated from CSNSW's Minor Works Program.

Smoking in prisons

9. Is access to tobacco used as a compliance tool in prisons?

10. What power do Correctional Officers have to confiscate tobacco products in non-smoking areas of correctional facilities?

11. What data is collected regarding inmates smoking in their cells?

12. What data is collected regarding inmates smoking in non-smoking areas of correctional facilities?

9. Corrective Services NSW's (CSNSW) policies in relation to smoking in correctional centres adhere to the *Work Health Safety Act 2011* and the *Smoke Free Environment Act 2000*.

Inmates who choose to smoke may do so in designated smoking areas.

Inmates are encouraged to quit smoking. When an inmate expresses interest in quitting, they are referred to CSNSW Alcohol and Other Drug counsellors or Justice Health for assistance.

In certain circumstances, tobacco may be offered to an inmate smoker, for example, if the inmate is at risk to himself or herself and is either threatening to, or carrying out acts of self harm and or violence.

10. The *Crimes (Administration of Sentences) Regulation 2008* ("the Regulation") enables the designation of non-smoking areas in correctional centres; provides that inmates, visitors and staff must not smoke in non-smoking areas in correctional centres; and contains consequences for contravention of these non-smoking provisions. As part of their general duties, all correctional officers must ensure that the provisions of the Regulation are upheld.

11. With the exception of the inmates at Lithgow Correctional Centre, NSW inmates are generally permitted to smoke in their cells. CSNSW does not collect any centralised data in relation to inmates smoking in their cells.

12. CSNSW does not collect any centralised data in relation to inmates smoking in non-smoking areas of correctional centres.

Juvenile Justice

Kariong Correctional Centre

13. What plans are there for returning the operation and administration of Kariong Juvenile Correctional Centre to Juvenile Justice, in order to avoid having two agencies manage children and young people in custody?

There are no plans to return the operation and administration of Kariong Juvenile Correctional Centre to NSW Juvenile Justice.

Bail Assistance Line

14. Is the Bail Assistance Line still operational in Dubbo?

a. If no, what steps have been taken to ensure those needing these services are available?

b. If no, what steps were taken prior to the line being closed?

15. Was there a period where the Bail Assistance Line was not operational in Dubbo?

Following lower than anticipated referrals from the Orana area, a review of the progress of the Bail Assistance Line confirmed that the service was not being utilised to its expected capacity. Resources providing supported accommodation in Dubbo were diverted to enhance bed availability for metropolitan Sydney in September 2011.

Police at the Orana Local Area Command can contact the after hours 1300 number and speak to a Bail Coordinator from Juvenile Justice, who is able to provide information, advice and referral to services where required.

Bail Reform Savings

16. Has the Government forecast a reduction in the number of children being placed on remand as a result future reforms to the Bail Act?

17. What savings to the Juvenile Justice budget do you anticipate making as a result of this saving?

18. Can you guarantee this saving will be reinvested within the Juvenile Justice system?

The Government is giving detailed consideration to the Law Reform Commission's recommendations, and intends to finalise its response by the end of this year. This response will inform the Government's further action in relation to the laws of bail.

I do not intend to speculate on the content of the response or any reforms that may follow at this stage. It would be inappropriate for me to speculate on any reduction in the number of children on remand.