

Budget Estimates

HALE Questions 1-2

NSW Interagency Plan To Tackle Child Sexual Assault in Aboriginal Communities

1. Would the Minister please advise the Committee on:
 - a. what the agencies in his portfolio are doing to ensure that they are participating fully in implementing the Actions in the NSW Interagency Plan To Tackle Child Sexual Assault in Aboriginal Communities: 2006 – 2011, including the Actions which require them to fund joint initiatives and work effectively with other agencies in and beyond the portfolio;
 - b. and whether he is satisfied with the portfolio agencies' progress in funding and implementing the Interagency Plan?

2. Will the Minister undertake to adopt for his own portfolio a transparent, publicly accessible reporting regime for the funding and implementation of the Actions in the NSW Interagency Plan To Tackle Child Sexual Assault in Aboriginal Communities: 2006 – 2011, including a publicly available annual report covering at least:
 - a. the amounts and sources of all resources for each of the Plan's Actions relevant to the portfolio;
 - b. the results to be achieved through these resources; progress in achieving the results;
 - c. if the results have not been achieved:
 - d. the reasons for the failure to achieve them;
 - e. the action to be taken to ensure they will be achieved in future?

ANSWER

I am advised:

1. A copy of the Plan and agency's responsibilities is available at www.lawlink.nsw.gov.au. I am advised that all of the key responsibilities of the Attorney General's Department and the Department of Corrective Services are currently on track or have been completed.

2. I refer to my previous answers to questions 467 and 540.



**Silvia Hale-
Fleet Cars**

Q. 3. What is the percentage of hybrids in the car fleet associated with the Department of Justice?

ANSWER:

There is no agency titled Department of Justice. The policy of the Department of Corrective Services is to maintain a minimum of 1% of the passenger fleet as hybrids. The current figure is 1.4%.

Q. 4. Is there a mechanism within the agency to reward staff who choose not to exercise an entitlement to a fleet vehicle as a part of their package but use public transport instead?

ANSWER:

No. The Department facilitates the purchase of annual rail passes for employees.

Q. 5. What car does the Commissioner drive?

ANSWER:

The Commissioner's motor vehicle forms a part of his remuneration package.


(John Hatzistergos)

**Ajaka
Officer Classification**

Q. 6. What changes has the Department made over the last three years with respect to the employment contracts and arrangements of parole officers?

ANSWER:

I am advised-

The position of Parole Officer does not exist within the Department.

For approximately 12 months from May 2006 new Probation and Parole Officers were recruited on the basis that they agree to undertake weekend and evening work as a condition of their employment.

Q. 7. Have you changed the classification of any type of parole officer?

ANSWER:

I am advised-

No change has been made to the position of Probation and Parole Officer.

Q. 8. If so, what have these changes involved?

ANSWER:

Not applicable.

Q. 9. Were any new parole officer positions created?

ANSWER:

I am advised-

74.4 new Probation and Parole Officer positions (equivalent full-time positions) have been created in the past three years.

Q. 10. If so, what are the conditions of these contracts and how do they differ from the existing contracts of parole officers?

ANSWER:

I am advised-

The conditions of employment that apply to these positions are no different to any other Probation and Parole Officer positions within the Department.

As stated above in response to Q.6, some Probation and Parole Officers were recruited on the basis that they agree to undertake weekend and evening work.

The complete conditions of employment that apply to Probation and Parole Officers may be found on the Department of Premier and Cabinet web-site.

Q. 11. If any new positions were created with a different classification, were existing parole officers offered these new positions?

ANSWER:

I am advised-

New positions are not offered to any staff.

Vacant positions are advertised and filled on the basis of merit selection.

Q. 12. How have these changes impacted on overtime and the allotment of shifts?

ANSWER:

I am advised-

There has been no impact on overtime or the allocation of work.


(John Hatzistergos)

AJAKA

Bullying / Harassment within the Department of Corrective Services

- Q. 13.** Are you aware of complaints of bullying and harassment against Mr Greg O'Rourke of your department?
- Q. 14.** It has been alleged that Mr O'Rourke was promoted while under investigation for bullying and harassment is this true?
- Q. 15.** If his position was changed at any time, was this a position that attracted more pay? Is it a position that would be regarded on the public scales as a more senior position?
- Q. 16.** Was there also a complaint relating to the disclosure of confidential information against Mr O'Rourke which is now the subject of an internal review?
- Q. 17.** Why were two departmental officers, a Kathleen Crilly and Lyn Colley, flown around the state, at short notice, to explain the outcome of the investigation against Mr O'Rourke to Departmental employees who made the allegations?
- Q. 18.** How much did the flights, accommodation and expenses of this expedition cost the taxpayers of New South Wales?
- Q. 19.** Is it standard practice to send staff members out across the State to report on the outcome of an inquiry rather than communicate in writing?
- Q. 20.** Are you aware that staff members were told by Ms Crilley and Ms Colley that adverse findings were made against Mr O'Rourke in relation to bullying and harassment and that he was "counselled" by Assistant Commissioner Ian McLean and was also made the subject of a performance review?

Answer:

I am advised-

The Department has comprehensive policies that deal with allegations of bullying and harassment in the workplace. Allegations of misconduct are referred to the Professional Conduct and Management Committee which decides on the appropriate action to take. The Committee is oversighted by the ICAC. The action taken may include investigation, counselling, mediation, training or disciplinary action.

Positions in the Department are filled on the basis of merit as provided by the Public Sector Employment and Management Act.


(John Hatzistergos)

Prison Cost

- Q. 21.** Given that in New South Wales it costs more than the National Average to keep a prisoner in custody:
- a. What are the reasons for this additional cost compared to other states?
 - b. Has the Minister undertaken comparisons between Government-owned and run correctional centres and privately run centres in terms of cost and output, if so what have the results of your investigation shown?
 - c. What action is the Government taking to reduce this cost to taxpayers?

ANSWER:

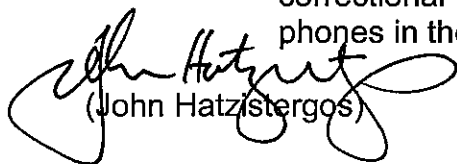
- a. Costs vary depending on a number of factors including profile of offenders, age of facilities, programs and services provided.
- b. The member is referred to the Commissioner's press releases related to the Way Forward.
- c. I am advised that this information is publicly available.

- Q. 22.** Last year you used the Australasian Prison Ministers Conference to claim that the Howard Government was 'dragging the chain' on prison mobile phone jamming devices. It has now been nearly a year since the Rudd Government was elected, what has happened with the installation of mobile phone jamming devices since its election?
- a. Where is the hold-up? Is it with you or with the Federal Government?
 - b. What actions have you taken to install mobile phone jamming devices in NSW prisons?

ANSWER:

I am advised:

- a. The deployment of jamming devices are prohibited under Australian law without exemption from the Australian Communications and Media Authority.
- b. The Corrective Services Administrators Council (comprising all Australian Corrective Services Departments) has re-convened its working party, which continues to meet with the Australian Communications and Media Authority (ACMA) and the Commonwealth Attorney General's Department to pursue further testing of emerging technology to jam mobile phones in correctional centres without interfering with lawful use of mobile phones in the surrounding environment.


(John Hatzistergos)

AJAKA

Indigenous prisoners

23. What rehabilitation programs and services have been specifically designed for Indigenous prisoners?

ANSWER:

I am advised that this information is publicly available in the Department's Annual Report; in the transcript of proceedings of the Legislative Council Social Issues Committee Inquiry into Overcoming Indigenous Disadvantage in New South Wales; and in the Department's Answers to Questions on Notice tabled in that Inquiry.

- Q. 24. What percentage of the Indigenous prisoner population take up these programs and services?

ANSWER:

I am advised that this information is in the transcript of proceedings of the Legislative Council Social Issues Committee Inquiry into Overcoming Indigenous Disadvantage in New South Wales and in the Department's Answers to Questions on Notice tabled in that Inquiry.

- Q. 25. Are you aware that the highly respected CEO of the NSW Aboriginal Legal Service, Mr Trevor Christian, has stated to the Standing Committee for the Inquiry into Overcoming Indigenous Disadvantage in NSW, quote:

"There is no rehabilitation in prison at all, and I have been going there since 1968. You would like to think there is rehabilitation in there but there is none."

Is this a clear indication that the programs you have in place are not rehabilitating but just filling time?

ANSWER:

I am advised that the programs developed and implemented by the Department are evidence based and targeted towards the specific criminogenic needs of offenders. Programs are directed at those offenders who are at greatest risk of re-offending.

I am further advised that information concerning the Departments commitment to rehabilitation is publicly available, as stated above in answers to Q.23 and Q.24.

Q. 26. What is the recidivism rate for Indigenous prisoners across the state?

ANSWER:

I am advised that in 2005-06 the rate of return to a full-time custodial sentence for Aboriginal offenders released on completion of a full-time custodial sentence was approximately 10% higher than that of the New South Wales average. The New South Wales average figure is publicly available.

Q. 27. Did the Commissioner appear before the inquiry into Overcoming Indigenous Disadvantage in NSW?

ANSWER:

The Commissioner was represented by Assistant Commissioner Luke Grant, who as Assistant Commissioner Offender Services and Programs, is directly responsible for Indigenous offender issues.

Q. 28. Given that the ABS' report into Corrective Services, June 2008, states that there were 2,072 Indigenous prisoners in NSW, which makes up nearly 21% of NSW's prison population, why did the Commissioner choose to ignore Indigenous disadvantage by not attending the Overcoming Indigenous Disadvantage in NSW inquiry?

ANSWER:

The premise of the question is false.


(John Hatzistergos)

AJAKA
Psychologist Positions

Q. 33. Last year before the Committee the Minister said that 34 psychologist positions would be moved from correctional centres into the community, but Mr Woodham claimed there were 50. Which one is it?

ANSWER:

34.


(John Hatzistergos)

AJAKA
Recidivism and rehabilitation

Q. 29. BOCSAR's recent research bulletin 112 claimed:

"There is little chance of achieving this (the Government's stated goal of reducing recidivism by 10% by 2016) goal through programs that only reach a small proportion of offenders coming into contact with the criminal justice system."

What is your response to this statement?

ANSWER:

I am advised that my response to these comments is available on the Lawlink web-site.

Q. 30. Why does NSW have the highest recidivism rate of any State in Australia?

ANSWER:

The apparently high recidivism rate in New South Wales reflects a tougher approach to sentencing. The Government makes no apologies for the fact that offenders re-appearing before courts in New South Wales are more likely to get a custodial sentence than in other jurisdictions.

A review of trends in the use of full time imprisonment as a sentencing option published by the Judicial Commission of New South Wales in November 2007, confirms that for offenders sentenced in Australia in 2006-07, New South Wales has the highest imprisonment rate for offences of sexual assault, robbery, more serious robbery offences, break and enter and burglary offences.

Furthermore, recidivism figures are affected by the intensity of policing and the profile of offenders.

Q. 31. A survey of Probation and Parole staff indicated there was a lack of access to suitable mental health, drug and alcohol services for offenders on supervised bonds, what measures are you undertaking to increase access to these services?

- a. What is the total cost increase of funding of these programs?
- b. Are there any new rehabilitation programs that you will be implementing?

ANSWER:

Provision of mental health and drug and alcohol services for all members of the New South Wales community, including offenders on supervised bonds, is the responsibility of New South Wales Health. Services are also provided by a range of non-government organisations, many of which are funded by New South Wales Health.

Q. 32. The Productivity Commission's Report on Government Services 2008 found that NSW had the highest rate of prisoners returning to prison within 2 years at 43.8%, do you have any forward estimates of this recidivism rate for the next year?

ANSWER:

No.


(John Hatzistergos)

Budget Estimates
AJAKA Questions 34- 37

Budget Infrastructure Statement

34. What involvement does the Attorney General have in the preparation and completion of the Department's budget?
35. Did you sign off on the accuracy of the budget?
36. Can you explain the \$1.733 million discrepancy in the budget infrastructure statement for the Attorney General's Department? The allocation for total major works is listed as \$37.661 million, while total major works projects, when tallied, only account for \$35.928 million.
37. Does this inaccuracy have a broader consequence for the entire budget paper's accuracy?

ANSWERS

I am advised

- 34-35. Budget Paper 3, Budget Paper 4 and the Department's Results and Services Plan are endorsed by the Chief Finance Officer and the Director General of the Department. They are then submitted to me for sign off.
36. The discrepancy is due to a printing error in Budget Paper 4. The Electronic Document and Records Management System allocated \$1.512 million should have been listed as Remote Witness Facilities allocated \$3.245 million. NSW Treasury has written to the Director General confirming that the printing error occurred after receipt of the final draft reviewed and signed off by me.
37. No. The Department's capital budget remains the same at \$50.869 million.


(John Hatzistergos)

Budget Estimates
AJAKA Questions 38- 46

Mini Budget

38. Do you anticipate a reduction to the budget of the Attorney General's Department or relevant agencies in the Mini-Budget?
39. What preparations have you made for the budget cuts across the Attorney General's Department and related agencies?
40. Are there any projects which you have earmarked to be axed, reduced or deferred, if so, by how much and how long?
41. Will this budget cut have an effect on the \$250 million Courts 2010 project?
42. Will the budget cuts have any impact on the completion of the new Armidale Court complex or the substance of the upgrade?
43. Will you guarantee that the Dubbo Court House upgrade will be delivered on time and on budget and not be impacted by the mini-budget?
44. You promised a \$1million facelift of Gosford Courthouse in August of this year, will you guarantee that this project, which you promised, will not be jeopardised by your mini-budget?
45. Will you guarantee the people of Goulburn that the \$2.5 million allocated for a new cell complex at Goulburn Courthouse will be maintained in this year's budget?
46. Will you guarantee funding to ensure that the Broken Hill and Wagga Wagga court upgrades are completed by 2014-2015?

ANSWERS

I am advised:

- 38-42. The Government will deliver a Mini-Budget in November 2008. NSW Treasury has been consulting with and seeking input from agencies on the development of proposals for inclusion in the Mini-Budget. Details of individual measures will be announced and tabled by the Government in Parliament.
43. The upgrade of Dubbo Courthouse will be completed on time and within budget.
44. I refer the honourable member to my answer to questions 38-42.
45. The works on the new cell complex at Goulburn Courthouse are complete and will not be affected by the Mini-Budget.
46. I refer the honourable member to my answer to questions 38-42.


(John Hatzistergos)

Budget Estimates

AJAKA

Questions 47- 52 Tax Offset for Retired Judges

47. Are you aware of the 10% tax offset provided by the Federal Government in the 2007/2008 Federal budget under section 300-100 of the Income Tax Assessment Act?
48. Do you agree that this deduction should be made from the PAYG amount on each pay period?
49. Has your Department complied with this directive since the introduction of the offset?
50. Are you aware of a letter from Ms Neville the Attorney General's Department which claims that "Effective from 1 July 2008 recipients of the Judges Pension scheme will be able to claim the 10% rebate"?
51. Do you agree that this letter shows a manifest error from your Department in that the rebate was available from 1 July 2007?
52. Will you reimburse retired judges who were denied the benefit and use of those extra incomes in 2007/2008 because of your Department's failings?

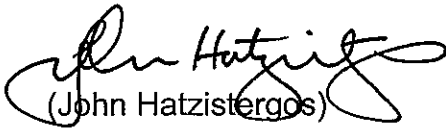
ANSWERS

I am advised

47. Yes. This offset is provided under section 301-100 of the *Income Tax Assessment Act 1997*.
48. Yes.
49. In November 2007 the Attorney General's Department received verbal advice from the Australian Taxation Office (ATO) and understood that the 10% rebate could only be claimed at the end of the financial year. Review of this offset arrangement has revealed this interpretation to be incorrect. The Department sought further advice from the ATO. From July 2008 the Department complied with the directive, and the judicial pensions database was amended to apply the 10% rebate for all retired judges.
50. Yes. The letter gave recipients of the Judges Pension Scheme an option to claim the 10% rebate either when submitting their tax return, or on a fortnightly basis administered through the Department's payroll. The letter requested that pensioners indicate their preferred option for claiming the 10% rebate for 2008/2009.
51. No. The letter was sent specifically to obtain information regarding a preferred option for the 10% rebate effective from the 2008/2009 financial year.

In respect of the 2007/2008 financial year, in April 2008 a separate letter was sent to all recipients of the Judges Pension Scheme providing information on the availability of the 10% rebate effective from 1 July 2007. The option available, as advised by the ATO, was to claim the rebate through tax returns.

52. No. Retired judges who were unable to access the 10% rebate on a fortnightly basis for the 2007/2008 financial year have been able to claim the rebate through the ATO.


(John Hatzistergos)

Budget Estimates

AJAKA

Question 53 Criminal Justice Sexual Offences Taskforce Recommendations

53. In the introduction to the budget you claim that you have implemented all legislative changes recommended by the Criminal Justice Sexual Offences Taskforce. Why have you refused to implement other changes recommended by the report like "one-stop shops" for victims of sexual assault and properly resourced specialist courts for sexual assault victims?

- a. Have you undertaken any studies as to the costs of implementing all measures and recommendations coming out of the Criminal justice Sexual Offences Taskforce?
- b. Will you commit to implementing these measures before the next election?

ANSWER

I am advised:

The Taskforce did not recommend that 'specialist courts for sexual assault victims' be established.

The recommendation for the establishment of one-stop-shops is being managed by the Department of Health in conjunction with the NSW Police Force.



(John Hatzistergos)

Budget Estimates

AJAKA

Questions 54-57 Videotaping of court proceedings

54. Do all courtrooms in New South Wales have video taping facilities with trained staff for recording evidence, especially in traumatic sexual assault cases?

55. What courtrooms do not have these facilities?

56. How does your department determine which courts are afforded these facilities and which are not?

57. When will all courtrooms in NSW have these facilities in place?

ANSWER

I am advised:

54-57. All courtrooms in New South Wales can provide witness testimony recording facilities through either permanent installations or portable equipment and trained staff are available to operate the equipment.


(John Hatzistergos)

Budget Estimates

AJAKA

Question 58 Remote Witness Facilities

58. In the 2007/2008 Attorney General's Department budget there is a \$12.898 million remote witness facilities program indicated in the infrastructure statement of the budget. The 2008/2009 budget has no indication of this item in the infrastructure statement, yet you state that it will receive \$3.25 million in funding this year.

- a. Why has the item been removed from the infrastructure statement?
- b. Out of what head of funding is the \$3.25 million in funding this year being taken out of?
- c. Is the total cost of this project still \$12.898 million, or has it changed?
- d. Will you guarantee that this \$3.25 million for remote witness facilities will be maintained after the mini-budget?

ANSWER

58. I refer the honourable member to the response given to question 36 and questions 38 to 42.


(John Hatzistergos)

Budget Estimates
AJAKA Question 59
BOCSAR domestic violence homicide

59. Has the Government asked the Bureau of Crime Statistics and Research to provide the most recently available statistics on domestic violence related homicide—their number, nature, socio economic status, location and any other variables considered relevant. Could those figures be provided to the committee please?

ANSWER

I am advised

59. Statistics are available from the NSW Bureau of Crime Statistics and Research.


(John Hatzistergos)

Budget Estimates

AJAKA

Question 60 Court Closures

60. With closing district courtrooms in Penrith and Campbelltown are you also going to be reducing the staff at, or closing down, the DPP and Legal Aid Offices at Penrith and Campbelltown?

- a. How many staff will be lost from these offices?
- b. Will they all be transferred to Parramatta?
- c. You claim that the decision to move the courts from Penrith was made after consultation between the District Court and stakeholders. Who were those stakeholders?
 1. Did you consult local legal practitioners?
 2. Did you consult the local law society, or the law society in general?
 3. Did you consult local businesses?
 4. Did you consult the Police?
 5. Did you consult Legal Aid and the ODPP?

ANSWER

60.

I am advised

No courtrooms have been closed. Courtrooms remain available for use by any jurisdiction wanting to sit at those venues. This is a matter for the head of jurisdiction.

a. & b It is not envisaged that any staff will be lost in total from Sydney West.

c. I am advised Chief Judge Blanch held consultations with the NSW Law Society, Legal Aid Commission, Aboriginal Legal Services and the DPP.



(John Hatzistergos)

Budget Estimates
AJAKA Questions 61- 67

ODPP Financial Controller

61. What are the policies in place to ensure that the Financial Controller doesn't have a say in the operation of cases.

62. Would the financial controller have any power to recommend that a case is dropped due to budgetary constraints?

63. What is the salary package of the financial controller?

Crown Prosecutor Appointments

64. How many crown prosecutors are currently in temporary or acting positions?

65. How many crown prosecutors have you appointed to permanent positions since the Crown Law Officers Legislation Amendment (Abolition of Life Tenure) Bill 2007 came into operation?

66. When did you fill the vacancy of the Deputy Director of Public Prosecutions?

DPP Cost matters

67. In the budget you have claimed that the matters in which costs are awarded against the ODPP will be reduced from 0.15% in 2007/2008 to 0.10% in 2008/2009, what measures have you implemented to bring about this significant change?

ANSWERS

ODPP Financial Controller

61, 62 and 63

I am advised:

The ODPP does not have a position of Financial Controller.

Crown Prosecutor Appointments

64. Six

65. The Governor has appointed 14

66. 6 November 2006

DPP Cost matters

67. The figures represent an estimation. I refer the Honourable Member to the 2008/2009 Budget Papers which amends the 2007/2008 assumption.


(John Hatzistergos)

Budget Estimates
AJAKA Question 68
Court Case Costs

68. Your budget projects an increase of \$102 to finalise a court case in the Supreme Court, and a \$122 increase in finalising cases in the District court over the 2008/2009 year.

- a. What are the cost pressures that are fuelling these increases?
- b. Why do you claim that over time the cost per case is expected to reduce when it has only been increasing in recent year?
- c. What measures are in place to achieve this anticipated reduction?
- d. What will be the projected magnitude of such a reduction?

ANSWER

I am advised

68. The increased costs were estimated on the basis of an increase in the Consumer Price Index. It is not true to say that costs have only been increasing in recent years.

A handwritten signature in blue ink, appearing to read "John Hatfield", is located in the lower right quadrant of the page.

Budget Estimates
AJAKA Question 69
Judicial Commission

69. Your budget papers comment that one of the services provided by the judicial commission is advice on the Commission's complaint function.
- a. How much has been spent on advertising/notification and in what form?
 - b. How many complaints were received against judicial officers in 2007/2008?
 - c. How many of these complaints were fully investigated?
 - d. How many of these investigations made negative findings against judicial officers?

ANSWER

I am advised

69. Information about the complaints function is included on the Commission's website and is available from the Commission. Details on the number of complaints received, investigated and finalised, including results, are published in the Judicial Commission's Annual Report.



**Budget Estimates
AJAKA Questions 70 and 79**

Legal Aid

70. In terms of your bi-annual satisfaction survey results, how many clients of Legal Aid are surveyed and what statistical sample does this represent?

“On Contract” Legal Aid

79. Can you provide the committee with information concerning the number of “on contract” and temporary appointments at the Legal Aid Commission of NSW?

ANSWER

I am advised:

70. The survey involved 507 clients of Legal Aid NSW. This sample size was recommended by the research company that conducted the survey.

79. I refer to my previous answer to this question on 27 October 2007.


(John Hatzistergos)

Budget Estimates
AJAKA
Jury Duty Payment

71. Given that the New South Wales Law Reform Commission's issues paper 28 outlines that in 1975 jury payments were in line with the average wage and now they are little over half the average weekly wage, what measures have you undertaken in response to this report to ensure that jury payments provide adequate compensation for those serving the community through jury service?

ANSWER

I am advised

71. I refer to my previous answer to this question on 27 November 2007.


(John Hatzistergos)

Budget Estimates

AJAKA

Question 72 The Office of the Protective Commissioner

72. The Office of the Protective Commissioner holds the power to sell a property on behalf of a client. In what circumstances would the Office of the Protective Commissioner decide to sell a house on behalf of some one?

- a. When a house is to be sold what steps are taken to ascertain the value?
- b. Are the client and family consulted regarding the decision to sell and the price being asked?
- c. What procedures are in place to deal with disputes with the relatives regarding price and decision to sell?
- d. What appeal rights exist for the relatives regarding decisions to sell and the price being asked?
- e. Can you provide the details of how many cases of this nature have been handled by the office of the Protective Commissioner this year?
- f. With acquisitions of properties under instruction from the OPC, are there any corporate investors or entities that have bought in excess of one property under the execution of the OPC?
- g. Can you furnish to the committee a list of all property sales under instruction by the OPC since 2005 and the entity/person who bought that property, the price paid, and the valuation of the property if one was undertaken?

ANSWER

I am advised:

Detailed information about the procedures undertaken by the Office of the Protective Commissioner ('OPC') when a property is sold on behalf of a client, and about rights of review, is publicly available.

Each property sale is managed by a real estate agent and the OPC does not maintain an overall register of purchasers of client properties.

Providing the information requested in subparagraph g. would be both an unjustifiable breach of the privacy of clients' financial affairs and an unjustifiable diversion of public resources.



(John Hatzistergos)

Budget Estimates

AJAKA

Question 73 Appeals from Local Court

73. Can you please supply statistics for the number of appeals from the local court to the district court for the calendar years 2005, 2006, 2007, and 2008 (to date) and the success rate of those appeals?

ANSWER

I am advised:

73. I refer the honourable member to the District Court's Annual Review 2007 for information on the number of appeals in the years 2005, 2006 and 2007. The number of appeals in 2008 will be published in the court's next annual review.

The Bureau of Crime Statistics and Research publishes data on appeals against conviction, severity and inadequacy of sentences in the NSW Criminal Courts Statistics Annual Report on their website.


(John Hatzistergos)

Budget Estimates

AJAKA

Question 74 Appeals

74. Can you advise the committee the break-up of:
- a. Sentence appeals by convicted persons;
 - b. DPP appeals against manifestly inadequate sentences
 - c. Conviction appeals
 - d. Appeals under Part 3 of the Crimes (Appeal and Review) Act 2001

ANSWER

74. I refer to my answer to the Honourable Member's question on notice number 588 from last year's Budget Estimates Hearing.

A handwritten signature in black ink, appearing to read "John Hatfield", is located in the lower right quadrant of the page.

Budget Estimates

AJAKA

Question 75 Magistrate Appeals

75. Do you keep statistics on the number of appeals from individual magistrates to the District Court and the success rate of those appeals?

- a. If yes, can these please be supplied to the committee?
- b. Do you also keep data on the success rate of these appeals?
- c. If no, why don't you keep these figures?
- d. Can you prepare these figures for the committee?

ANSWER

75. I refer to my answer to the Honourable Member's question on notice number 588 from last year's Budget Estimates Hearing.



Budget Estimates

AJAKA

Question 76 District Court Appeals

76. Do you keep statistics for the number of appeals from individual District Court Judges to the Court of Criminal Appeal and the success rate of those appeals?

- a. If yes, can these please be supplied to the committee?
- b. Do you also keep data on the success rate of these appeals?
- c. If no, why don't you keep these figures?
- d. Can you prepare these figures for the committee?

ANSWER

76. I refer to my answer to the Honourable Member's question on notice number 588 from last year's Budget Estimates Hearing.



Budget Estimates

AJAKA

Question 77 Magistrates

77. Can you please supply the committee with data on the number of magistrates, full and part-time, specifying those based at particular courthouses throughout New South Wales?

ANSWER

77.

I am advised:

I refer the member to the Local Court Annual Review.



(John Hatzistergos)

Budget Estimates

AJAKA

Question 78 Chamber Magistrates

78. Can you please supply the committee with information regarding the number of chamber magistrates?

ANSWER

I am advised:

The position of Chamber Magistrate no longer exists.


(John Hatzistergos)

Budget Estimates
AJAKA
Acting Magistrates and Judges

80. Can you provide the committee with information concerning the number of acting magistrates/judges?

ANSWER

I am advised

I refer the member to the Annual Reviews and Court websites of respective courts.


(John Hatzistergos)