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Attorney General

BUDGET ESTIMATES 2015-2016
Questions Taken on Notice
General Purpose Standing Committee No. 4

Question 1 (page 5):

The Hon. LYNDA VOLTZ: How many staff are there in the section that deals with ICAC referrals? Is that Group 6?

Mr CAPPIE-WOOD: I do not have that information in front of me. We can take that on notice.

The Hon. LYNDA VOLTZ: Will you take it on notice?

Mr CAPPIE-WOOD: Yes.

Answer:

I am advised that details of the number of employees at the Office of Director of Public Prosecutions is available in Budget Paper 3.

Question 2 (page 13):

The Hon. LYNDA VOLTZ: Could you provide us with the number of days that they were without sheriffs in Sydney and in the regional offices? I am not asking for that now. You can take that question on notice.

Mr CAPPIE-WOOD: Yes.

Answer:

I am advised by the Department of Justice that Sheriff's staff allocation is addressed on the basis of risk assessment.

Question 3 (page 13):

The Hon. SHAOQUETT MOSELMANE: What is the status of the Australian Federal Police [AFP] review of security in courts?

Ms GABRIELLE UPTON: I will ask the secretary to address that matter.

Mr CAPPIE-WOOD: The AFP review of security in courts was undertaken prior to the increased security alert in respect of the lift from medium to high. As a consequence of that, work is presently being undertaken to further review that in relation to the lift in the security levels to make sure that we have the appropriate responses available.

The Hon. SHAOQUETT MOSELMANE: When will that report be available?

Mr CAPPIE-WOOD: Work is currently underway on that. I can provide it to you. I will check as to when it will be finalised.

Answer:

The Sheriff's Office is in discussions with the ASIO Protective Security Unit to develop new Terms of Reference to reflect the security environment following the increase in the National Terrorism Public Alert System Level to high.

The review will take approximately four to five months to complete.

Question 4 (page 13):

The Hon. SHAOQUETT MOSELMANE: How many full-time positions are there in the Sheriff's Office?

Mr CAPPIE-WOOD: There are 234 uniformed officers.

The Hon. SHAOQUETT MOSELMANE: Sorry, how many?

Mr CAPPIE-WOOD: There are 234 uniformed sheriff officers; however, there are additional resources within the Sheriff's Office that relate particularly to the management of juries. I will get you the total number of resources available within the Sheriff's Office—both uniformed and non-uniformed.

The Hon. SHAOQUETT MOSELMANE: Can you take on notice the question of how that compares to staffing in 2012, 2013 and 2014?

Mr CAPPIE-WOOD: We will do that.

Answer:

I am advised by the Department of Justice that at 31 July 2015 there were a total of 347 staff within the Sheriff's Office including Sheriff Officers, Court Officers and Administration Officers.

I am advised by the Department of Justice that total staff numbers were as follows:

01.01.14 – 334

01.01.13 – 335

01.01.12 – records are not available for this period.

Question 5 (page 18):

Mr DAVID SHOEBRIDGE: What proportion of those received recognition payments?

Mr THOMAS: A significant proportion. We can provide you that data.

Answer:

I am advised Victims Services will provide data profiles as part of the annual reporting process to be released later this year. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>

Question 6 (page 19):

Mr DAVID SHOEBRIDGE: But I am not talking about the proportion of those who seek recognition payments getting them. I am talking about the proportion of victims of domestic violence who come to Victims Support. What proportion of them are getting recognition payments?

Mr THOMAS: I would suggest that all victims who are coming to the Victims Support Scheme from experiencing domestic violence are informed of the option for lodging an application for recognition payment.

Mr DAVID SHOEBRIDGE: But how many of them are doing it and getting it? That is what I am asking you?

Mr THOMAS: I can take that on notice—what proportion that are contacting us are actually lodging the application. But of those who are lodging the application, 86 per cent of them are getting those applications determined.

Answer:

I am advised Victims Services will provide data profiles as part of the annual reporting process to be released later this year. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>

Question 7 (page 19):

Mr DAVID SHOEBRIDGE: Could you provide on notice all the figures that you have on financial assistance, on immediate needs, on recognition payments, and on counselling?

Mr THOMAS: We can provide you figures for all the applications that have come in, the nature of those applications by client type, the success rates for those, and the average payments.

Answer:

I am advised Victims Services will provide data profiles as part of the annual reporting process to be released later this year. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>

Question 8 (page 20):

Mr DAVID SHOEBRIDGE: Can you give me the details about the average time frame, the longest time frame and the short time frame for immediate needs?

Mr THOMAS: Yes.

Mr DAVID SHOEBRIDGE: And the classes of assistance that are covered by that?

Mr THOMAS: We can.

Answer:

I am advised Victims Services will provide data profiles as part of the annual reporting process to be released later this year. The data profiles will be available at <http://www.victimsservices.justice.nsw.gov.au/>

Question 9 (page 21):

Mr DAVID SHOEBRIDGE: The Legal Aid guidelines for the funding of contested criminal matters in the Local Court were changed so that funding was only provided where there was "a real possibility of a term of imprisonment being imposed". How many cases have had their funding refused because they failed to meet that test in the last financial year?

Mr GRANT: I cannot give you a case number. We will take that on board. There are a couple of different ways of looking at it. We can look at what saving that initiative has made to our budget and we can give you that figure.

Answer:

While there has been some change in Legal Aid NSW expenditure on crime matters between 2012-13 and 2014-15, this is not entirely attributable to the change to the Local Court Defended Hearing Policy.

Question 10 (page 21):

Mr GRANT: There is also a refusal rate and we can look at whether it has been refused on that ground. We can give you that figure. The figure I cannot give you is how many people may have applied had the policy been in existence.

Mr DAVID SHOEBRIDGE: I understand people have been discouraged from applying because of the existence of the policy so it will not be a fair reflection on the unmet need.

Mr GRANT: We can give you the two other figures and let you have those.

Answer:

I am advised that the refusal rate for summary crime matters in 2013-14 and 2014-15 was 20%.

Correction to page 4 of the transcript:

Original record:

The Hon. SHAOQUETT MOSELMANE: It reveals a \$3.9 million underspend on wages at the Office of the Director of Public Prosecutions [DPP] in 2014-15. What is the explanation for this?

Ms GABRIELLE UPTON: Are we looking at the line items "Financial indicators: Employee related"? The 2014-15 revised figure versus the budget figure, is that what it is?

The Hon. SHAOQUETT MOSELMANE: Yes.

Ms GABRIELLE UPTON: Can you refer me to the figures you are talking about?

The Hon. SHAOQUETT MOSELMANE: It shows an underspend of \$3.9 million.

Ms GABRIELLE UPTON: Is that the difference between \$92 million and \$88 million, the revised figure?

The Hon. LYNDA VOLTZ: You had forecast and then revised, yes.

Ms GABRIELLE UPTON: And your question is?

The Hon. SHAOQUETT MOSELMANE: What is the explanation for the underspend?

Ms GABRIELLE UPTON: I will ask the Secretary to answer that.

Mr CAPPIE-WOOD: From information of how they applied their resources, we understand that the underspend relates to a specific sub-element of their budget that covers contracted barristers. Therefore it is indicating that they have underspent on their budget for contracted barristers.

The Hon. SHAOQUETT MOSELMANE: Did that have an impact on any positions in the Director of Public Prosecutions [DPP] office?

Mr CAPPIE-WOOD: I understand not. That is just their line item for contracted barristers.

Correct answer:

I am advised by the Department of Justice that the \$3.9 million underspend in wages is primarily due to vacancies. There is also a corresponding overspend in Other Operating Expenses of \$4.4 million primarily due to the use of private barristers.