

TON 1

The Hon. JOHN AJAKA: Could you outline to the Committee the number of on-contract and temporary appointments of prosecutors at the Director of Public Prosecutions?

The Hon. JOHN HATZISTERGOS: I do not have that with me. I think it is around 10 or so. That information is publicly available.

The Hon. JOHN AJAKA: You do not know offhand at this stage.

The Hon. JOHN HATZISTERGOS: It is around 10. I can find out for you.

ANSWER

I am advised:

Appointments of persons Acting Crown Prosecutors are published in the Government Gazette.

(John Hatzistergos)

TON 2

The Hon. DAVID CLARKE: These were the photographs that were flashed around in the media taken of Rodney Adler while he was in the correctional centre. Are you familiar with that, Commissioner?

Commissioner WOODHAM: No.

The Hon. JOHN HATZISTERGOS: I am not aware that he did an investigation into the photographing of Mr Adler at the correctional centre at Bathurst.

The Hon. DAVID CLARKE: Are you aware that—

The Hon. JOHN HATZISTERGOS: There was some photographing, which I understand was precipitated by a periodic detainee of Mr Rivkin, when he was in periodic detention at Silverwater. That was facilitated through a media outlet. There was a criminal investigation which resulted in some charges being brought. But I am not familiar with the Ombudsman in viewing any photographs—in fact, I am not actually aware there was a complaint made about the photographing.

The Hon. DAVID CLARKE: What was the outcome of the Rivkin investigation incidentally?

The Hon. JOHN HATZISTERGOS: The police investigated that. There were charges brought against an inmate. Apparently he was provided a camera by a media outlet. That resulted in charges being brought against that inmate. This was some time ago. This is just on the basis of my recollection. There were some recommendations that the media people might be investigated, but I do not know what happened out of that.

The Hon. DAVID CLARKE: I am advised that there were some photographs that appeared of Rodney Adler. Minister, would you be prepared to look into that matter?

The Hon. JOHN HATZISTERGOS: I am just trying to think. You are saying Bathurst. I do recall seeing some photographs at Kirkconnell. They were photographs of him when he was working out in the open. They were not outside the gate. Is that the one you are talking about? Do you remember there were some photographs?

Commissioner WOODHAM: Yes.

The Hon. JOHN HATZISTERGOS: Is that the one?

The Hon. DAVID CLARKE: Yes, that may well be.

The Hon. JOHN HATZISTERGOS: That was at Kirkconnell.

The Hon. DAVID CLARKE: I might expand that to any correctional centre.

The Hon. JOHN HATZISTERGOS: I am not aware of the Ombudsman having raised that. There are other issues that the Ombudsman did look at, but I am not aware of that specific one. I am happy to take that on notice.

The Hon. DAVID CLARKE: Could you take that on notice?

ANSWER:

I am advised that the Ombudsman's request for information on media articles concerning Rodney Adler has been finalised.

(John Hatzistergos)

TON 3

The Hon. DAVID CLARKE: Thank you. Minister, how many prisoners who received life sentences prior to the introduction of truth in sentencing and who have had their sentence re-determined are likely to be considered for parole within the next 12 months?

The Hon. JOHN HATZISTERGOS: I do not know. We have reports that detail that sort of information.

The Hon. DAVID CLARKE: Would you take that on notice.

The Hon. JOHN HATZISTERGOS: Yes, we will try and take that on notice. The Department of Corrective Services is not responsible for truth in sentencing.

The Hon. DAVID CLARKE: Can the Minister also provide the names of such prisoners?

The Hon. JOHN HATZISTERGOS: They would be matters of public record anyway, would they not?

The Hon. DAVID CLARKE: I do not know that that would be the case.

The Hon. JOHN HATZISTERGOS: They are. All of the judgments are printed. I am happy to provide information that is not on the public record. All the judgments are out there. You can go and read them. You can find out when they are going to be—

The Hon. DAVID CLARKE: Except that I think it would be beneficial to this Committee if we had a complete list of them before us.

The Hon. JOHN HATZISTERGOS: Do you want me to go out and research it for you?

The Hon. DAVID CLARKE: I think that the commissioner, no doubt, or your department—

The Hon. JOHN HATZISTERGOS: I will take the question on notice, but generally I do not do research for members of Parliament. We are very busy. When we have this information out there in the public we expect you to go and do your own research, but we will take it on notice.

The Hon. DAVID CLARKE: Minister, how many prisoners who received life sentences prior to the truth in sentencing have not yet applied to have their sentences re-determined?

The Hon. JOHN HATZISTERGOS: Again—

The Hon. DAVID CLARKE: I do not think that information is on the public record.

The Hon. JOHN HATZISTERGOS: No, it is not. But it is a matter of public record, because there are judgments that are available that can give you that information. So you look at those people who have life sentences where you have not heard it, and you can just assume that they have not had their sentences re-determined. Again, that is a matter of public record.

I go back to the issue that there was apparently a photograph taken of Rodney Adler in Bathurst. It was taken from the road, and the newspaper crew was cautioned by the officers of Bathurst. It was a newspaper group. I am not aware that the Ombudsman was involved in it, but again I will take that question on notice.

ANSWER:

All applications for parole are made in accordance with the Crimes (Administration of Sentences) Act 1999 and determined by the State Parole Authority.

Decisions on re-determination of sentences are made by the Courts, not the Department of Corrective Services. As advised during Estimates, there is a range of publicly available information. I suggest the member refer to that information.

(John Hatzistergos)

TON 4

The Hon. JOHN AJAKA: Can you provide the Committee with staffing levels at the Director of Public Prosecutions over the last four years, including the percentage of permanent Crown prosecutors and temporarily engaged prosecutors?

The Hon. JOHN HATZISTERGOS: I will give you the staffing profiles for all of the Director of Public Prosecutions. Its budget has gone up quite considerably over the last four years.

ANSWER

The member is referred to the Director of Public Prosecutions Annual Reports.

(John Hatzistergos)

TON 5

Ms SYLVIA HALE: Could you provide the total cost, that is, the establishment, capital and running cost, of the scheme?

The Hon. JOHN HATZISTERGOS: Of the Special Visitation Group?

Ms SYLVIA HALE: Yes.

The Hon. JOHN HATZISTERGOS: Or of the Offender Compliance Management Unit?

Ms SYLVIA HALE: Of the Special Visitation Group.

The Hon. JOHN HATZISTERGOS: Eventually we will be bringing them together. We will take that on notice and give you that information.

Ms SYLVIA HALE: Take it on notice. Thank you.

ANSWER:

The 2007-08 budget for the Commissioner's Compliance Group (Home-based) (formerly the Special Visitations Group) at Campbelltown is \$2.9 million, which accounts for recurrent costs. The group's accommodation requirements and associated fit-outs are being addressed as part of the Department's on-going state-wide accommodation strategy.

(John Hatzistergos)

TON 6

The Hon. JOHN AJAKA: The Government outlined in its 2006-07 budget:

Criminal case processing reforms are expected to provide enhanced justice outcomes through greater charge and sense and certainty and to significantly reduce the costs associated with late pleas of guilty.

Has the Government discontinued this initiative with the office of the Director of Public Prosecutions?

The Hon. JOHN HATZISTERGOS: No.

The Hon. JOHN AJAKA: Does the Government have any figures as to the success or failure of these reforms?

The Hon. JOHN HATZISTERGOS: Only the figures that the Director of Public Prosecutions has provided.

The Hon. JOHN AJAKA: Do you have those figures with you?

The Hon. JOHN HATZISTERGOS: I have some information.

The Hon. JOHN AJAKA: Can they be produced today?

The Hon. JOHN HATZISTERGOS: Yes. We will get them for you, if we can. I also have other information.

ANSWER:

The Government has announced a legislative trial of Criminal Case Conferencing will occur during 2008. The trial will be independently evaluated by the BOCSAR.

(John Hatzistergos)

TON 7

The Hon. DAVID CLARKE: How much has the Department of Corrective Services spent on consultancy fees since January 2006?

The Hon. JOHN HATZISTERGOS: They are in the annual report.

The Hon. DAVID CLARKE: The figures for 2006 up to the present?

The Hon. JOHN HATZISTERGOS: They will be in the next annual report. We can take it on notice, but we provide these things in the annual report. Consultants are required to be put in the annual report. They were in last year; they will be in next year's.

The Hon. DAVID CLARKE: How much has been paid to former members of the department during this period?

The Hon. JOHN HATZISTERGOS: I do not know, but they will be in the annual report presumably. I presume you are talking about Vern Dalton, are you?

The Hon. DAVID CLARKE: There may be others.

The Hon. JOHN HATZISTERGOS: Vern Dalton was also a former chief of staff to one of your former colleagues, Virginia Chadwick, just to be clear on that because I know Sylvia Hale likes to have the full profile of the people you are talking about out in the open.

Ms SYLVIA HALE: They often have very interesting connections.

The Hon. JOHN HATZISTERGOS: I thought you might just mention Vern Dalton—is that who you are referring to?

The Hon. DAVID CLARKE: What I am asking for is how much has been paid to former members of the department during this period.

The Hon. JOHN HATZISTERGOS: I imagine that is Vern Dalton; that is what you are referring to.

The Hon. DAVID CLARKE: Will you take that on notice.

The Hon. JOHN HATZISTERGOS: I think I have answered your question but if there is additional material for me to supply, I will take it on notice.

The Hon. DAVID CLARKE: The question to take on notice is: how much has been paid to former members of the department during this period? Can the Minister provide the names of these former employees and the amount each has been paid?

The Hon. JOHN HATZISTERGOS: As I said, a lot of that information is provided in the annual report. I am not going to give you advance information as to what is going to be in the annual report but it will come in the normal process. The Parliament obliges the department to provide an annual report every year. We go to great expense and trouble in providing that annual report and we have to submit that to the Parliament. I take the view that, if we have to provide all this information in an annual report, we should not give some people advance notice of what might be in it. You should get that information at the same time so, subject to that qualification, we will take it on notice.

The Hon. DAVID CLARKE: Yes, the names of the former employees and the amount that each has been paid.

The Hon. JOHN HATZISTERGOS: Do you have any particular employees?

The Hon. DAVID CLARKE: I would like to see the information that comes back from you, Minister.

The Hon. JOHN HATZISTERGOS: I have answered your question, but we will take such aspects of it as are appropriate on notice.

ANSWER:

I am advised:

Information concerning major consultancies, contractors and contracted employees engaged by the Department of Corrective Services is published in the Department's Annual Report.

NSW Government's Procurement Policy guidelines are underpinned by the principles of value for money; efficiency and effectiveness; probity and equity; and effective competition.

(John Hatzistergos)

TON 8

The Hon. ROY SMITH: Thank you. If you do not have these figures in front of you, you might be prepared to take this question on notice. Under justice policy and planning regulatory services, legal and support services and justice support services, a number of grants have been made for a significant amount of money in the form of grants, both recurrent and non-recurrent, to non-profit organisations. Can I have some advice as to what those grants are for and what organisations they are for?

The Hon. JOHN HATZISTERGOS: We will take that on notice.

ANSWER

I am advised:

The Attorney General's Department administers a number of grant programs and initiatives. Details of grants to non government organisations can be found in the Department's annual report. Details of other major grants that relate to the amounts shown in the Budget Papers described below.

Grants – Revised 2006/2007:

Safer Communities Development Fund Grants (\$1.16 M)

The Safer Communities Development Fund provides grants to eligible local government and community organisations to implement crime prevention projects. Grants are also made to councils who are conducting a trial of graffiti vandalism reduction methods to determine best practice in New South Wales.

Aboriginal Outstations (\$2.29 M)

Tirkandi Inaburra Cultural and Development Centre is a residential centre located near Griffith in southern NSW, that offers programs to Indigenous young males that strengthen cultural and personal identity and resilience as a means to reduce the risk of them participating in criminal and anti-social behaviour.

Aboriginal Justice Initiatives (\$1.37 M)

Funding is provided to organisations operating Aboriginal Community Patrols or Streetbeat projects. This provides communities with a safe transport and outreach program for people who are on the streets late at night, when other support services are not available. Grants are also made to support some Aboriginal Justice Groups.

Other grants include:

- National Pro Bono Resource Centre (\$0.04 M)
- Vanuatu Project (\$0.02 M)

- Commercial Disputes Centre (\$0.07 M)

Grants – “Budget 2007/2008”:

Major grants include:

- Safer Communities Development Fund Grants (\$2.05 M)
- Aboriginal Outstations (\$1.98 M)
- Aboriginal Justice Initiatives (\$1.13 M)

Grants to other agencies for recurrent purposes (\$1.46 M)

This grant relates to a new enhancement for the Domestic Violence Intervention Court Program Model which is a joint agency project led by the Attorney General’s Department. Grants will be made to NSW Police, the Department of Corrective Services and the Department of Housing.

Other grants include:

- National Pro Bono Resource Centre (\$0.04 M)
- Criminology Research (\$0.07 M)
- Australian Institute of Judicial Administration (\$0.07 M)
- Commercial Disputes Centre (\$0.08 M)
- Star Initiative Grants by Professional Standards Council (\$0.05 M)

(John Hatzistergos)

TON 9

Ms SYLVIA HALE: A report into the legislative review of the Privacy and Personal Information Protection Act 1998 was due on 30 November 2004. Can you explain the delay, three years later, and the failure to table the report?

The Hon. JOHN HATZISTERGOS: I actually think that has been tabled. Yes, it has been tabled.

Ms SYLVIA HALE: Can you give me the date on which it was tabled?

The Hon. JOHN HATZISTERGOS: Lee Rhiannon asked me about it and I made some inquiries. I am sorry, I may not have communicated with your office about it. I am pretty sure it has been tabled. We will get you a copy of it.

ANSWER

As advised during the hearing, the Report on the Review of the Privacy and Personal Information Protection Act 1998 was tabled in the Legislative Council on 19 July 2007. It was tabled in the Legislative Assembly on 25 September 2007.

(John Hatzistergos)

TON 10

Ms SYLVIA HALE: Thank you. Turning to the issue of domestic violence, I understand a review was undertaken in relation to services dealing with domestic violence. Has the review been completed; if so, are the findings of the review publicly available?

The Hon. JOHN HATZISTERGOS: I will take that question on notice at the moment. I might come back to you on it, if I can.

Ms SYLVIA HALE: My question is not only whether those findings will be made available but also will some indication be given of when the Government's response to those findings can be expected?

The Hon. JOHN HATZISTERGOS: I will come back to you on that. I have some information on it but I do not think it answers your question, so I will not waste your time.

ANSWER

I am advised:

The Attorney General's Department is a member of a cross agency steering committee that is reviewing domestic violence services provided by a number of agencies. The Department of Premier and Cabinet is the lead agency.

The review focuses on the Government's commitment to establish a Unit to oversee domestic violence policies, programs and services. The steering committee will provide advice to the Government in November 2007.

(John Hatzistergos)

TON 11

Ms SYLVIA HALE: Thank you. Given that there has been a 1.1 per cent increase in the number of new Local and Children's Court criminal matters between 1998-99 and 2005-06, an increase in the average number of times a matter goes before a court before it is finalised as the judiciary more intensively case manages individual matters, additional recurrent funding given to the Department of Corrective Services to handle the increased inmate population in correctional centres and the increased number of people on remand—and the staff in the department has received a four per cent increase in salary this financial year—why is the amount budgeted for employee related expenses for court services only 1.2 per cent more than that budgeted for in the 2006-07 financial year?

The Hon. JOHN HATZISTERGOS: There are a lot of things that you need to—

Ms SYLVIA HALE: I am just saying that obviously there is an increased workload. The things that I nominated are indicative of the increased workload on staff.

The Hon. JOHN HATZISTERGOS: Do not forget that the courts are now getting more and more efficient. The Local Court in particular, which you made reference to, has been leading Australia for the last four years consecutively. A lot of that has to do with the fact that we are using technology more than we have in the past; there is videoconferencing and matters of that kind, which mean that case disposition sometimes does not take as long. Your question suggests that we are doing things the same way we did them four years ago, which is not quite accurate.

Ms SYLVIA HALE: But you are in a situation where more work is being expected of the employees of the courts. You also anticipate that there will be an increased workload due to the increasing authorised police strength. Are you expecting your employees to do a lot more with virtually less money or the same static amount of money?

The Hon. JOHN HATZISTERGOS: I am not expecting them to do it in the same way they did it four years ago, and that will change more and more.

Ms SYLVIA HALE: So what is the principle?

The Hon. JOHN HATZISTERGOS: Are you asking me what the secret is to our having achieved the most efficient local court system for the last four years?

Ms SYLVIA HALE: My concern is that there has been a short-changing of everyone involved in the court system in the services available to them and the amount of work that is expected of the employees.

The Hon. JOHN HATZISTERGOS: I do have some material on this and I will provide it to you.

ANSWER

I am advised:

The total allocation for Court Services for employee related expenses in the 2007/2008 budget increased by 2.4 per cent from the 2006/2007 budget.

In the 2006/2007 financial year the Local and District Court head office operations were amalgamated to form Court Services. The amalgamation of the Local and District Court Registries resulted in streamlined processes and removal of duplication of functions, which were previously undertaken by two separate administrations. This has resulted in savings of approximately \$1.1 million.

The average staffing for Local and District Courts in 2007/2008 is predicted to be 1278.

There has been a steady streamlining of core business with the advancement of technology. Modern digital recording and storage technology is being piloted to ensure accurate transcriptions of court proceeding are easily and quickly made available to all parties involved.

The Government has made a \$23.3 million investment in Remote Witness technology to provide facilities for witnesses and victims of crime to present and record testimony away from the courtroom. Facilities have been installed in 81 NSW metropolitan and regional District Court locations.

The sharing and transfer of data from other government organisations has led to further increases in efficiency. Data transfer to the State Debt Recovery Office regarding fine enforcement is now completed electronically.

Other process improvements include the introduction of electronic forms for issuing AVO's, family law and transcripts. There is an ongoing continuous improvement program in place that, along with the implementation of JusticeLink provide as broad as possible range of improvements in office and support services to ensure that the focus of front line staff is on providing client service.

(John Hatzistergos)

TON 12

The Hon. JOHN AJAKA: What was the initial cost estimate for this when it first started?

Mr GLANFIELD: I do not have that figure, but the initial contract price that would have been stated, which is probably what you are referring to, has not changed. We are not paying KAZ any more than we contracted to pay Aspect.

The Hon. JOHN AJAKA: Can you take it on notice and produce the information as to the—

Mr GLANFIELD: The actual contract amount we have paid?

The Hon. JOHN AJAKA: Yes, from the beginning. Is the program you are now anticipating will be completed the same program as when it was first contracted or have you applied some—if I can use the word—"add-ons" to it?

Mr GLANFIELD: As part of the negotiations, I think we have gained a much better product. The technology has changed dramatically from what was originally sought in the tender. Just with the simple interface, if I can use that expression, the useability of the system takes account of changes in the whole web environment. The users of the system will now find a much simpler system to deal with. In fact, my staff in the Supreme Court who have been working on it have indicated that, compared with some of the earlier versions of the Quorum product they looked at, the new system is just fantastic. It is much simpler and much easier to use. If you are asking me whether we have a better product than we originally thought we would get out of Aspect, the answer is yes. However, as I say again, we are not paying more to KAZ for it.

The Hon. JOHN AJAKA: Can you tell me how much has been expended to date on the project?

Mr GLANFIELD: It is in the budget papers in the infrastructure.

The Hon. JOHN AJAKA: Can you take that on notice?

Mr GLANFIELD: I will take it on notice, but it is in the budget papers.

ANSWER

I refer to Budget paper number 4 of 2003/2004 and the 2007/2008 budget papers .

(John Hatzistergos)

TON 13

The Hon. JOHN AJAKA: My question to you was: does your contract have provision to allow you, as a form of safeguard, to relook at the contract if another company is going to take over the company that successfully won the tender?

Mr GLANFIELD: The contractual arrangements did not change. I do not know the answer to your question but, in any event, I do not think it is relevant.

The Hon. JOHN AJAKA: Can you take the question on notice?

Mr GLANFIELD: I do not think it is relevant. The fact of the matter is that there was a valid contract at all times.

The Hon. JOHN AJAKA: I would ask you to take on notice whether there is any provision in the contracts to allow you at least to have that safeguard. I would like to know about it.

Mr GLANFIELD: If it is a safeguard.

ANSWER

I am advised that:

Neither the Department nor the contractor have the right to unilaterally vary the contract in the circumstances described.

(John Hatzistergos)

TON 14

Ms SYLVIA HALE: How many times have preventative detention orders been made in New South Wales since the power was introduced?

The Hon. JOHN HATZISTERGOS: Do you mean continuing detention orders?

Ms SYLVIA HALE: Yes. I think they are commonly referred to as preventative detention orders.

The Hon. JOHN HATZISTERGOS: I know about them. There was obviously Tillman. There was Winters.

Ms SYLVIA HALE: I am talking about the anti-terrorism legislation and preventative detention.

The Hon. JOHN HATZISTERGOS: Sorry, I thought you were talking about sex offenders. I will have to take that on notice.

Ms SYLVIA HALE: Could you at the same time detail the circumstances for each incident and whether any complaints have been lodged regarding those incidents?

The Hon. JOHN HATZISTERGOS: Is this in New South Wales?

Ms SYLVIA HALE: Yes. Again, this is a range of questions on anti-terrorism. The Terrorism Legislation Amendment Warrants Act 2005 introduced covert search warrant powers. How many of these warrants have been issued in New South Wales since the power was introduced?

The Hon. JOHN HATZISTERGOS: I think you will find—and I am pretty sure if it—that is to be the subject of a report. I will take that on notice.

Ms SYLVIA HALE: When you are doing that, I would be interested in knowing how many have been issued, how many have been executed, whether any complaints have been made about the deployment of those powers and when you plan to review these powers.

The Hon. JOHN HATZISTERGOS: Okay.

Ms SYLVIA HALE: Have the expanded powers under the Terrorism Police Powers Act 2002 been used in the last 12 months?

The Hon. JOHN HATZISTERGOS: These questions are proper. I know I administer the legislation, but the actual actioning of them is for the police.

Ms SYLVIA HALE: But I understand that the Commissioner of Police is required to furnish you and the Minister for Police with a written report in the event of any exercise of these special powers.

The Hon. JOHN HATZISTERGOS: I am not aware that he has provided me with such a report. I am happy to take these questions on notice and to respond to you.

Ms SYLVIA HALE: I will go through these questions. I am asking you whether these expanded powers have been exercised. Last year you explained that only one authorisation had been given and that this authorisation had not been operationalised. Are you concerned that the Attorney General at the time argued so strongly that these powers were needed yet it appears they have not been used once since 2002?

The Hon. JOHN HATZISTERGOS: I am not sure what debate you had with Bob Debus last year. All of these powers are, as you would be aware, important powers. They are not powers that one would anticipate would be used with any sense of regularity. They would be used in circumstances where it would be appropriate to use those powers, and I am not sure whether those circumstances have necessarily arisen with any great degree of frequency. However, I am happy to take those issues on notice.

Ms SYLVIA HALE: There is no review and complaints mechanism in the Terrorism Police Powers Act to address community concerns about the lack of public accountability in this act. Will you table each written report from the Commissioner of Police on the use of the special powers? If the special powers of the Terrorism Police Powers Act have been used, will you table the Commissioner's—

The Hon. JOHN HATZISTERGOS: I am happy to take these questions on notice, even though there is no statutory obligation for me to do so.

Ms SYLVIA HALE: Section 36 of the act requires a yearly review of the act and it specifies that the report be tabled in each House.

The Hon. JOHN HATZISTERGOS: I think that is different from what you asked me for before. In any event, I will look at those issues.

Ms SYLVIA HALE: No report, as far as I know, has been tabled yet. Has a review of the act been conducted; if not, why not and, if so, when will the report be released?

The Hon. JOHN HATZISTERGOS: Of the Terrorism Police Powers Act?

Ms SYLVIA HALE: Yes, referring to section 36 of the act. Perhaps you can take those questions on notice.

The Hon. JOHN HATZISTERGOS: The review is currently under way.

Ms SYLVIA HALE: Good.

The Hon. JOHN HATZISTERGOS: I will get you a detailed answer.

ANSWER

The powers under the *Terrorism (Police Powers) Act 2002* have not been authorised or used in the past 12-month period. Any complaints about police misconduct in the exercise of the powers under this Act can be dealt with under existing oversight powers through complaints to the Police, the Ombudsman or to the Police Integrity Commission. Section 36 of the *Terrorism (Police Powers) Act 2002* requires the Attorney General to review the legislation 12 months after commencement and every two years after that.

The Review of the *Terrorism (Police Powers) Act 2002* is available on-line on the Attorney General's Department website. Amendments arising from the recommendations of that Review were made by the *Police Powers Legislation Amendment Act 2006*.

The next review of the *Terrorism (Police Powers) Act 2002* will be tabled during the current session of Parliament. This review not only relates to the powers under the Act but to Preventative Detention Orders and covert search warrants.

I can advise the Honourable Member that there have been no Preventative Detention Orders made in NSW since the commencement of the scheme on 16 December 2005. There were five covert search warrants issued in 2005. The operation of the covert search warrant scheme is subject to oversight of the Ombudsman.

(John Hatzistergos)

TON 15

Ms SYLVIA HALE: How much of the Public Purpose Fund has been spent on expanding the Legal Aid Commission's means test to enable more socially and economically disadvantaged people to have access to legal aid?

Mr GLANFIELD: The Public Purpose Fund has responded to a number of submissions from the Legal Aid Commission seeking additional funding to do that over the last few years. Each submission made by the Legal Aid Commission has been supported, and additional funds have been made available. As to the precise amount of the additional allocation from the fund for that purpose, we will need to take that on notice, but it has considerably improved the means test.

Ms SYLVIA HALE: Could you also provide some indication of the number of people who have benefited from the expansion of the provision of funds? Is there a correlation between the amount of money that has been available and the number of people who have now been able to access the fund?

Mr GLANFIELD: Certainly I can assure you that the number of people who have benefited as a result of the loosening up of those tests is considerable. I do not have specific figures with me, but we could take that on notice.

Ms SYLVIA HALE: Thank you. How much of the Public Purpose Fund has been spent on the Regional Solicitors Scheme?

Mr GLANFIELD: Again, this was an initiative of the Legal Aid Commission to try to ensure that there were in the regional areas of New South Wales—

The Hon. JOHN HATZISTERGOS: We will ask Mr Grant to address this issue.

BILL GRANT, Chief Executive Officer, Legal Aid Commission of New South Wales, sworn and examined:

Ms SYLVIA HALE: Mr Grant, do you want to expand on what has been said about the legal aid means test or about the Regional Solicitors Scheme?

Mr GRANT: The actual figures would have to be taken on notice. We have increased our means test twice substantially, the last means test increase being in September this year. It has brought our means test back to comparable levels with 1995. There had not been a significant increase in the legal aid means test for about eight or nine years. With the two increases, which were supported by the trustees of the Public Purpose Fund, we now have a means test that is fairly equivalent to the national means test across the country.

With the Regional Solicitors Scheme, which was supported by the Law Society of New South Wales, the Public Purpose Fund—from recollection, the figure was about \$700,000—enabled us to get 10 solicitors into regional New

South Wales. We have difficulty at the moment having the requisite number of private practitioners to undertake legal aid work.

ANSWER

The amounts allocated by the Public Purpose Fund are \$1.569 million in 2005/2006, \$3.385 million in 2006/2007, \$3.809 million in 2007/2008 and \$4.127 million in 2008/2009.

As at 26 October 2007, Legal Aid NSW has expended \$162,828 of its Public Purpose Fund allocation for the Regional Solicitor Program.

In addition, I refer the Honourable member to the statement made in the Legislative Council on 13th November.

(John Hatzistergos)

TON 16

Ms SYLVIA HALE: I agree. I now turn to the Government's response to the "Breaking the Silence" report. In that response the Government promised extra funding for victims services for indigenous people. How much additional funding has been provided for victims' services programs for indigenous people?

The Hon. JOHN HATZISTERGOS: We will have to take that on notice.

ANSWER

The NSW Government has committed additional recurrent funding of more than \$160,000 to improve victims' services for Indigenous people. I refer the member to the NSW Attorney General's website for further information.

(John Hatzistergos)