



Department of Corrective Services



The Hon Christine Robertson MLC
Committee Chair
Legislative Council Standing Committee
On Law and Justice
Parliament House
Macquarie Street
SYDNEY 2000

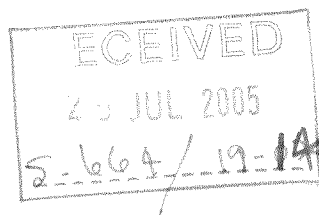
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Dear Ms Robertson

Re: Inquiry into Community Based Sentencing Options for Rural and Remote Areas and Disadvantaged Populations

Please find enclosed responses to Questions from the Committee which were taken on notice at the Committee's hearing on 6 June 2005.

Commissioner Woodham had previously advised you that Ms Catriona McComish, Senior Assistant Commissioner, Community Offender Services, would represent the Department at Committee hearings. Ms McComish was on leave when the hearing took place in Sydney and, at the request of the Secretariat, nominated Ms Ruis and Mr Ruse.

I am informed that it was made clear by Ms McComish to the Committee Secretariat that in appearing before the Committee, Ms Ruis and Mr Ruse would be speaking on the basis of their particular expertise as Executive Directors of Community Offender Services South-West and North West Regions respectively. Ms McComish also informed the Committee that Ms Ruis and Mr Ruse were not involved in compiling the Department's submission to the Inquiry, and could not speak authoritatively on all its contents. Ms Ruis reiterated these points in her opening statement.

It would be appreciated if questions taken on notice by officers representing the Department were forwarded through the Commissioner's Office, and not directly to the officers concerned.

Yours faithfully

Ian McLean
Acting Commissioner

18 July 2005

Legislative Council Standing Committee on Law and Justice
Inquiry into Community Based Sentencing Options for Rural and
Remote Areas and Disadvantaged Populations
Questions taken on Notice 6 June 2005.

1. Mr Pearce asked Ms Ruis:

“Do we have statistics on the number of indigenous offenders?” (Hansard page 7)

Response:

The monthly average number of offenders (persons) on a community-based order for 2003-04 was 16,840. Of this number, an average of 2,425 (14.4%) were listed as Aboriginal and Torres Strait Islander; 12,542 (74.5%) were listed as Non-Aboriginal/Torres Strait Islander; and 1,868 (11.1%) were listed as Status Unknown.

Aboriginal and Torres Strait Islander status is self-reported by offenders upon registration, and is not verified by the Department.

2. Mr Clarke asked Mr Ruse:

“Are there any statistics to show the success of that program over, for instance, other programs (about the program that has been running in Lismore since about 1999 called Rekindling the Spirit)?” (Hansard pages 7-8)

Response:

No. It is noted from Hansard’s transcript that Mr Ruse had already responded to this question (p.7)

3. Mr Pearce asked Ms Ruis:

“Can you give us the costs on a daily basis for each individual program?” (Hansard pages 13-14)

Response:

The cost per offender per day, based on 2003-04 figures, is as follows:

Home Detention: \$64.42

Community Service Orders: \$3.77

Supervision (includes Bonds, Suspended Sentences and Parole): \$5.05

4. Chair asked Ms Ruis:

“Does this (stage ones may be participating in some community work) mean that stage one periodic detention, when it is just turning up and sitting in there for two days, is equivalent to the six months or less gaol terms, which means that the people do not join programs or get involved?” (Hansard page 14)

Response:

Stage one periodic detainees who do not perform community service work attend periodic detention centres for their detention periods and receive no therapeutic programs to address their offending behaviour. In this respect, stage one detainees are in the same position as inmates serving short gaol sentences, who also do not receive programs to address their offending behaviour. Sentences of 6 months or less full time imprisonment are generally too short for an inmate to complete or benefit from therapeutic programs.

5. Mr Pearce asked Ms Ruis:

“Could you give us the list of other agencies that you work with?” (Hansard page 14)

Response:

Please see the attached listing of active Community Service Order Agencies as at 16 May 2005.

Note: due to the many instances of individuals’ names appearing on this list, it is requested that the list not be published – it should be for the use of the Committee only.

Erratum

The Hon Amanda Fazio misquoted the Department’s submission to the Inquiry when she said “In paragraph 44 of your submission, you note that for offenders who are convicted of domestic violence offences a non-custodial sentence is inappropriate.” (Hansard page 10)

Paragraph 44 of the Department’s submission actually said “These home detention (eligibility and suitability) criteria effectively exclude home detention as a sentencing option for many offenders, particularly offenders from rural/remote Aboriginal communities, because of the prevalence of domestic violence and alcohol and solvent abuse in those communities.” This statement referred to the practical outcome of a domestic violence conviction; it made no comment on appropriateness or otherwise of a non-custodial sentence.