

05-812 / 19-02

New South Wales Government



Department of Corrective Services

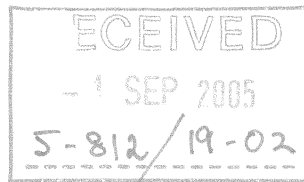


The Hon Christine Robertson MLC
Committee Chair
Legislative Council Standing Committee
On Law and Justice
Parliament House
Macquarie Street
SYDNEY 2000

Roden Cutler House
24 Campbell Street
Sydney NSW 2000

Telephone: (02) 9289 1333
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Chris Quilkey
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Our Reference:

Your Reference:

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 by Probation and Parole Service District Office managers at regional hearings at Bourke, Griffith and Bega in June 2005. No questions were taken on notice by the District managers attending the Inverell hearing.

Yours faithfully


Ron Woodham
Commissioner

17 August 2005

→ Beverley

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 at Regional Hearings.

Questions taken at Bourke 15 June 2005

1. Mr Pearce asked Ms Jeffrey:

“Are there agencies available at the moment to take people on community service orders in both your areas? ... Could you send us a copy of the listing?” (Hansard page 29, 30)

Response:

The Department of Corrective Services provided the Committee with a Statewide list of all community service agencies with whom the Department works, in response to Questions on Notice taken by Ms Ruis and Mr Ruse on 6 June 2005. Those agencies are matched to Probation and Parole District Offices, under the heading “Location” (column 3). Bourke District Office is listed as “BKEDO.” Dubbo District Office is listed as “DUBDO”.

2. Mr Pearce asked Ms Jeffrey:

“When you provide that list of agencies, would you give an indication of which ones have taken people over the last three years?”

Response:

Agencies which have taken community service workers over the past three years are:

Dubbo:

Dubbo Baptist Church	Church of the Good Shepherd	CDEP
Countrylink	Dubbo Greyhound Club	Dondullimal Homestead
Dubbo City Council Animal Shelter and RSPCA		Emmanual Care Centre
Gordon Community Centre	Old Dubbo Gaol	Dubbo PCYC
City of Dubbo Turf Club	Australian Red Cross	Western Plains Zoo
Uniting Church Dubbo	Smith Family Store	Apollo House
Salvation Army Store	Dubbo Kart Club	

Wellington:

Macquarie Regional Library	Wellington Community Child Care Centre
Wellington PCYC	Salvation Army Family Store
Wellington Aboriginal Community Health Service	

Trangie:

Trangie United Services Memorial Club

Yeovil:

Obley Rivercare Group

Gilgandra:

Gilgandra CDEP
Jack Towney Hostel

Gilgandra Visitors Centre
Gilgandra Adolescent Support Project

Narromine:

St Augustine's Church
Narromine Golf/Race Course

CDEP
Narromine Community Skill Share

Nyngan:

Bogan Shire Council

Nyngan Pony Club

Warren:

Warrana CDEP
Warren Pony Club.

Warren Council Community Workers

Questions taken at Griffith 27 June 2005

1. Mr Pearce asked Mr Neville and Mr Nickle:

“Do you have a list of people who provided employment, the community service time? ... Could you provide the Committee with a list of providers of spaces for community service work?” (Hansard page 24)

Response:

As noted above, the Department of Corrective Services has provided the Committee with a Statewide list of all community service agencies with whom the Department works. In that list, Griffith District Office is listed as “GRFDO” and Wagga Wagga District Office is listed as “WGWDO”.

Questions taken at Bega 28 June 2005

1. Mr Pearce asked Mr Costas:

“Do you have a deed, agreement or something that you enter into, or how do you do that (indemnify community agencies)? Could you take that question on notice and let us have a copy of whatever it is that you give to the other agencies?” (Hansard page 19)

Response:

Section 120 of the *Crimes (Administration of Sentences) Act 1999* provides:

- (1) *No act or omission of an offender by whom community service work is performed gives rise to civil liability on the part of any person involved in that work if the act or omission occurs in the course of that work.*

- (2) *A civil action that would, but for subsection (1), lie against a person involved in community service work lies instead against the Crown.*
- (3) *Subsections (1) and (2) do not have effect if the act or omission concerned was, or was a necessary part of, an act or omission that was expressly required by the person involved in that work but neither approved nor required by the Commissioner.*

Section 26D of the *Children (Community Service Orders) Act 1987* is written in substantially identical terms.

The Department advises community service agencies and voluntary organisations “The NSW Government (the Crown) is liable for loss or damage caused by CSO workers engaged in approved CSO work, and for any injuries suffered by a person whilst performing approved CSO work.” See attachment “A”.

2. Mr Pearce asked Mr Costas:

“You said you had done some work publicising schemes in communities, and that you had even put a dollar value on it. Could you dig out whatever bits of paper you use for that and let us have those?” (Hansard page 19)

Response:

Mr Costas’ remarks were: “In other areas we have tried media approaches, publicising the scheme, outlining the dollar value of a scheme to a community.” (Hansard, page 18). These remarks specifically related to an exercise conducted by Mr Costas in relation to community service work performed for the Queanbeyan Racing Club. See Attachment “B” for a media article and costing exercise.

Errata

Bourke Transcript, page 30:

“... anti-graffiti work around the O’Reilly cycleway” should read “anti-graffiti work around the Tracker Riley Cycleway.”

Bourke Transcript, page 34:

“Dubbo YindaYemalah program” should read “Dubbo Yindyama la program”.

Workers Inability to Attend: If for any reason, the CSO worker is unable to work as directed they are obliged to contact the CSO Organiser. Workers may contact the agency as well. All absences should be noted on the *Attendance Sheet* - ie 2.2.99 contacted agency advised sick

Absences: CSO workers are excused from work with permission if;

- * they are medically unfit to perform CSO work (a medical certificate must be provided within 7 days and left at the agency when they next attend or brought to the office of the CSO Organiser)

- * required to attend paid employment

- * **urgent family business arises** This may happen from time to time and permission should be sought from the CSO Organiser prior to the absence. However permission is not always sought and the agency supervisor is encouraged to use their discretion and commonsense in this situation. You should note the attendance sheet at all times.

Bad weather or other conditions cancelling work: Should the weather prevent work being performed or provided, the *Attendance Sheet* should be noted -ie work cancelled due to rain.

Agency supervisors are advised to contact the CSO Organiser to advise in advance if possible if work is not able to be provided. Under no circumstances should the agency need to contact the worker direct. All contact should be via the Service, unless specific special arrangements have been made between the worker and agency. In the situation when a worker arrives for work and work is cancelled due to weather, the *Attendance Sheet* should be noted and worker signed on and off. This Service will credit hours according to the time the worker was sent home. Therefore, the need for the worker to sign on and off and a notation on the *Attendance Sheet* is essential.

Meal and Tea Breaks: All Community Service workers are entitled to a tea break of 10 minutes duration in each period of 3 hours continuous work. A worker who has performed work for 4 hours is entitled to a *meal break of 45 minutes*.

Many agencies stop for a full 1 hour and this is acceptable. However, should a worker request to leave the work-site at lunch time they **MUST** sign off on the attendance sheet and on when they return.

If a worker leaves the work-site for lunch and has not returned within the 1 hour, they may not be credited for the lunch break.

Work Assigned & Dress Code: Work should be assigned to a CSO worker that would not normally be performed by a paid employee and not be of a private nature to benefit others. Work performed should remain within the work normally performed by volunteers and that meets the objectives of your organisation.

CSO Workers are expected to attend the work-site appropriately dressed (ie shoes, hats & no thongs)

There is no obligation on the CSO worker to provide tools and equipment to undertake the assigned work.

All equipment should be returned in a clean and reasonable condition after use. This Service is not responsible for the maintenance or provision of equipment. CSO workers are NOT expected to operate machinery or tools beyond their competence or ability. All safety equipment should be provided by the agency. **All supervisors should provide training on the job in the use of equipment and the wearing of safety gear. This is most important when your worker first commences work at your agency.**

COMMUNITY SERVICE ORDERS SCHEME

GUIDE TO AGENCIES AND VOLUNTARY SUPERVISORS

**Department of Corrective Services
Probation and Parole Service**

**Suite 1, Level 1, 7-9 Morisset St
QUEANBEYAN**

PO Box 823

QUEANBEYAN NSW 2620

Phone: 6298 0000

Fax: 6297 4775

CSO Organiser

Karen Hamlin

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Sessional Supervisor

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*

District Manager

Chris Costas

"A"

"A"

THE SCHEME

The *Community Service Orders Scheme*, introduced in NSW in 1980, provides Courts with a further sentencing option and is an alternative to a period of imprisonment.

Objectives of the Scheme

Community Service requires offenders to make restitution to the community for their offending. They are penalised by the loss of their leisure time rather than being isolated in prison.

The Scheme encourages offenders to work in the Community and gives them an opportunity to utilise their skills, talents & interests and make constructive use of their leisure time.

With the co-operation of *Community Organisations* (Agencies) the community becomes involved in the criminal justice system.

Whilst it is expected that CSO workers will be extended the same regard as other volunteers or workers employed by agencies, it should be remembered they are subject to Orders made by the Court and need to meet certain obligations.

Administration of Community Service Work

The CSO *Organiser* and *Administration Assistant* from the Probation and Parole Service administer the CSO Scheme in Wollongong under the guidance of the *District Manager*.

The team liaise with community organisations and offenders. The telephone numbers for these staff are listed on front cover for your attention.

The CSO *Organiser* and the *Administration Assistant* are in regular contact with all agencies and offenders at their work-site. The CSO *Organiser* or representative maintains weekly contact unless other arrangements are in place.

RESPONSIBILITIES & OBLIGATIONS

Your agency will be asked to nominate a supervisor. The supervisor is generally responsible for supervising the workers at the work-site and recording all hours worked on the *Attendance Sheet* (provided by this Service). The supervisor also provides the equipment and training of use of the equipment at the work-site.

This Service must be able to contact the nominated supervisor when required and the *Attendance Sheet* must be available to this Service for the collection and must accurately record all hours worked.

To enable the CSO Scheme to meet all legal requirements **ALL ATTENDANCE RECORDS MUST BE UP TO DATE.**

Should any changes occur within the agency this Service should be notified immediately of a new supervisor.

Equipment Used by Agencies

All equipment used at work-sites must be in good condition and safe to use. *Training* at the work-site must be provided by agency supervisors. Even equipment as simple as a lawn mower requires an explanation in its use. **ALL COMMUNITY AGENCIES ARE REQUIRED TO FOLLOW THE NSW GOVERNMENT'S OCCUPATIONAL HEALTH & SAFETY GUIDELINES AT ALL TIMES**

Compensation: Should a CSO worker be injured at the work-site the agency should:

- * arrange medical attention immediately
- * notify CSO *Organiser* or Probation Service immediately
- * note the *Attendance Sheet* with all details of the injury and circumstances

Please Note: The NSW Government (the Crown) is liable for loss or damage caused by CSO workers engaged in approved CSO work, and for any injuries suffered by a person whilst performing approved CSO work.



PLACEMENT PROCEDURES

All clients are assessed at a 2 hour group induction program. A client is assigned work and a placement is arranged during this program.

The CSO worker understands that a *failure to comply* with obligations may lead to breach action and the client being brought back to Court to answer the alleged breach.

Your agency may require an interview with the client before being placed at your agency. This can be arranged. You may like to prepare your own *internal guidelines / rules* and discuss this with your assigned worker prior to them commencing at your work-site.

Confidentiality: As you would appreciate discussing client situations, including the offences they have committed is not permitted however you may need to be aware of the offence type.

Attendance Sheet: All workers are issued with an *Attendance Sheet* and it is the responsibility of each worker to bring this with them on their first day. Offenders are required to sign on each time they work and sign off at the conclusion of their days work. Supervisors are required to counter sign this sheet - as an accurate account of the times worked.

All supervisors are requested to keep this *Attendance Sheet* up to date at all times and not to change or alter the instructions to work unless approval has been sought from the CSO *Organiser*. Changes in situations both with agencies and workers do happen, however the CSO *Organiser* **MUST** be notified of any changes immediately they occur.

Conduct: All CSO workers are required to work at a "satisfactory standard". They are not permitted to work under the *influence of alcohol or drugs*. All agency supervisors should notify the CSO *Organiser* should a worker attend the work-site in an unsuitable state or not be performing their work in a satisfactory manner.

Sport



GRIN AND BEAR IT: The Queanbeyan Bears Softball Club has again established themselves as one of the region's premier clubs after taking the Women's B Grade, C Grade, C Reserves and D Grade premierships over the weekend. Unfortunately the Men's side missed out in their grand final. Pictured are the four victorious Women's sides (with the Bear mascot, of course).

A little help from QRacing friends aids Cup success

■ RACING

THE Queanbeyan Racing Club have completed another successful Queanbeyan Cup, with thanks to some additional support at the local racecourse.

For more than four years QRacing staff have been aided by additional assistance provided by the Probation and Parole wing of Department of Corrective Services.

Under the Community Service Order Scheme, the racing club has been provided with almost 3000 man hours over the past eight months that would otherwise cost in excess of \$42,000.

With the majority working under the supervision of Track Supervisor Richard White, the working relationship has proved very beneficial for labourers and QRacing alike.

"After four years we've had nothing but success," White said. "They've been very reliable workers and we understand that everyone makes mistakes."

With recent racing Occupational Health and Safety legislation insisting that courses must now repair race tracks between races, the program has also enabled QRacing to provide a compulsory service that many other country

"After four years we've had nothing but success"

- Richard White

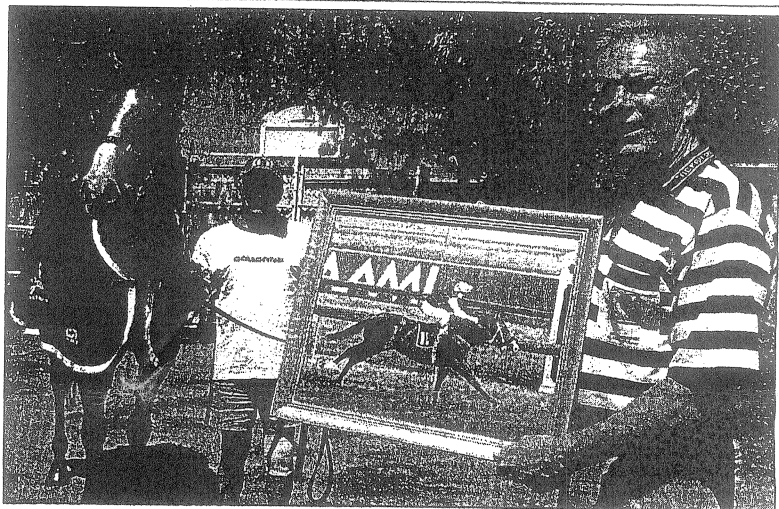
racecourses cannot afford.

With many "small offenders" also juggling full-time work, the seven-day-a-week racecourse offers an ideal solution to repay the community whilst providing for a family.

Where possible the scheme, in association with QRacing, has also aimed to utilise the workers' existing skills with many having provided painting, brick-laying and plastering assistance during the four-year partnership.

QRacing administration have also received a helping hand in the office, with assistants helping prepare for race meetings and collate race books while obtaining valuable on-the-job training.

"A lot of these people get a tremendous amount of confidence after such work experience," Probation and Parole Queanbeyan Office Unit Leader Franc Woods said. "If they can pay back the community while gaining valuable skills at the same time, it can often put them on a pathway towards a vocational course, which benefits everyone."



CAPTURED: Barry Cranston, right, with his painting of the Joe Janiak-trained Takeover Target.

Cranston rates Takeover Target as picture perfect

■ RACING

IF it's true that a picture paints a thousand words, several may need to be painted to tell the Takeover Target story.

But QRacing board member and Queanbeyan Art Society president Barry Cranston has attempted to do so, combining his two loves to capture Takeover Target's win in the \$500,000 Saling Stakes at Flemington during last year's Spring Carnival.

Cranston presented trainer Joe Janiak with the painting of his golden gelding last week, coinciding with the four-year-old resuming trackwork for his next racing assault.

Janiak has already earmarked several major races for his unbeaten charge, that he picked up for just \$1400 at the 2003 Winter Thoroughbred Sale, including April's BTC Cup (1200m), May 21's Doomben 10,000 (1350m) and the \$1 million dollar

Stradbroke Handicap (1400m) at Eagle Farm on June 11.

With seven wins from as many starts, Takeover Target has created the ultimate fairytale for his "mate", Janiak.

Sporting the black and red colours, stemming from Janiak's rugby league playing days with the Springwood Football Club in the Blue Mountains, here's hoping that Takeover Target can provide another subject for Cranston's next masterpiece.

Norris returns to social bowling

Queanbeyan Women's Bowling Club

LAST Tuesday evening saw the completion of the Bantam's Triples. In a twilight event played to encourage our new bowlers, this four-week event was extremely successful and concluded with a supper and presentation. The results were very close between the six teams, with Lorraine Holmes, Reg Genge and Carolyn Connor just taking the prize from runners up, Rebecca Roberts, Pat Woods and Fay Solway. Congratulations to all players for making this event so successful, and we look forward to having our new bowlers continue on with the game.

Last Saturday saw the first games of the Consistency played for the current season. Maggie Johnston defeated Kay Turner, Margaret Bacchetto defeated Coral McMurray, Marie Whittaker defeated Kerry Mynott and Shirley Genge defeated Reta Pattinson.

On Saturday March 19 the next round of games will

be played as follows: Maggie Johnston v Margaret Bacchetto, Neryle Pearson v Lynn Murray, Fran Tonge v Val Bryant, Lorraine Holmes v Marg Davies, Carolyn Greenland v Christine Cave and June Ceretti v Debbie Howell. Good luck to all players.

Our Night Pennant team went off to the presentation night last Wednesday to come home with a fourth place result. The first four teams were in fact very closely placed with only one point dividing them and a count back system used to separate the teams for a result. Congratulations to our players on representing our club so well!

On Thursday March 10 social mixed bowls were played in sunny conditions with great attendance. Winners were Rob Bryant and Shirley Genge. On Tuesday there was a small, enthusiastic gathering of ladies bowlers. It was lovely to have Nicole Norris return for a game from the Solomon Islands. Enjoy your stay!

Been Photographed Lately?

If the **Queanbeyan Age** photographer has taken your photo, why not buy a colour copy to keep?

6" x 4" prints \$10 ea
 6" x 8" prints \$15 each
 8" x 10" prints \$20 each

The Queanbeyan Age

30 Morisset Street, Queanbeyan Phone 6297 3033

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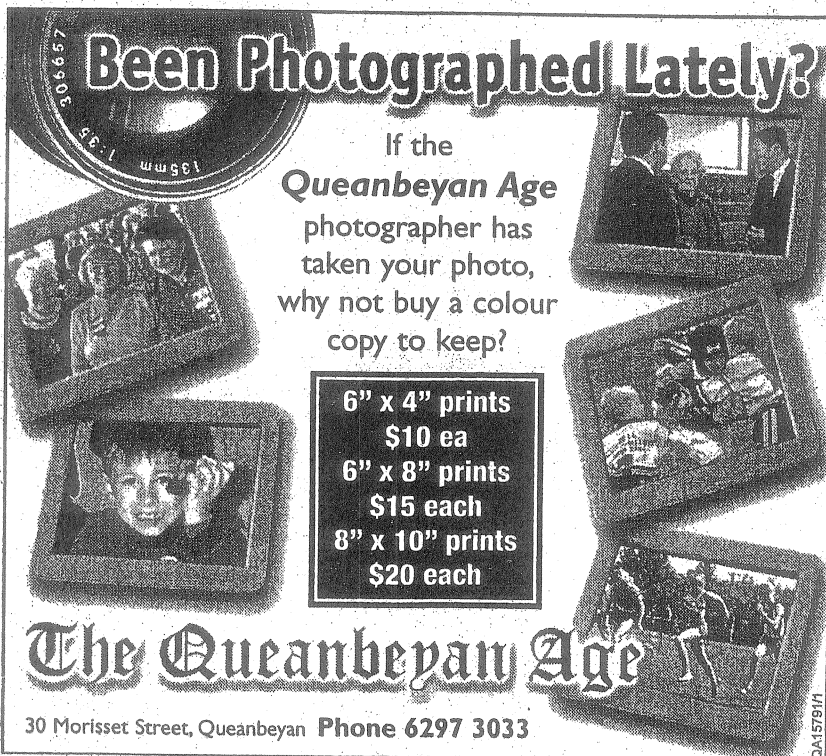
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*Queanbeyan District Office
CSO Program - Tally of hours worked.*

MONTH	AGENCY	HOURS	CLIENTS	
July 2004	Salvo's Tuggeranong	5.5	1	
	Salvo's Fyshwick	20.5	1	
	Salvo's Jamieson	16.5	1	
	Salvo's Queanbeyan	62.5	3	
	Salvo's Belconnen	7	1	
	Salvo's Phillip	41.5	2	
	Salvo's Mitchell			
	Mac's Reef Tip	145.5	3	
	Racecourse	135.5	9	2032.5
	Munjuwa	27	2	
	Queanbeyan Child Care	30.5	1	
	Boomanulla Oval			
TOTAL HOURS		492	24	
August	Salvo's Tuggeranong	28.5	1	
	Salvo's Fyshwick	13.5	1	
	Salvo's Jamieson	5.5	1	
	Salvo's Queanbeyan	60	2	
	Salvo's Belconnen	15	1	
	Salvo's Phillip	22.5	2	
	Salvo's Mitchell			
	Mac's Reef Tip	190	3	
	Racecourse	242.5	10	3637.5
	Munjuwa			
	Queanbeyan Child Care			
	Boomanulla Oval			
TOTAL HOURS		577.5	21	
September	Salvo's Tuggeranong	30.5	1	
	Salvo's Fyshwick	8.5	1	
	Salvo's Jamieson	11.5	1	
	Salvo's Queanbeyan	38	2	
	Salvo's Belconnen	23.5	1	
	Salvo's Phillip	22	1	
	Salvo's Mitchell			
	Mac's Reef Tip	257	5	
	Racecourse	383.5	14	5752.5
	Munjuwa			
	Queanbeyan Child Care			
	Boomanulla Oval			
TOTAL HOURS		774.5	26	
October	Salvo's Tuggeranong	36.75	1	
	Salvo's Jamieson	5	1	
	Salvo's Queanbeyan	56	4	
	Salvo's Phillip	25.5	1	
	Mac's Reef Tip	197.5	5	
	Racecourse	339	12	5085
	Munjuwa	2.5	1	
	Programs	20	1	
TOTAL HOURS		685.25	25	

November	Salvo's Tuggeranong	41.5	1	
	Salvo's Jamieson	10	1	
	Salvo's Queanbeyan	27.25	5	
	Mac's Reef Tip	75.5	2	
	Racecourse	409.5	15	6142.5
	Munjuwa	3	1	
	Programs	0	3	
TOTAL HOURS		566.75	25	8501.25
December	Salvo's Tuggeranong	21	1	
	Salvo's Queanbeyan	27.5	1	
	Mac's Reef Tip	47.5	2	
	Racecourse	292.5	17	4387.5
	Munjuwa	0	1	
	Programs			
TOTAL HOURS		388.5	22	6month tot: 3484.5
January 2005	Salvo's Queanbeyan	50.5	2	
	Mac's Reef Tip	38	1	
	Racecourse	300.5	20	4507.5
	Munjuwa	8	1	
	Salvo's Weston	0	1	
	Salvo's Mitchell	23	1	
	Programs	13	4	
TOTAL HOURS		433	26	6495
February	Salvo's Queanbeyan	54.25	3	
	Mac's Reef Tip	38	1	
	Racecourse	730.75	23	10961.25
	Munjuwa	10.25	1	
	Salvo's Weston	5	1	
	Salvo's Mitchell	32.25	1	
	Programs	26	4	
TOTAL HOURS		896.5	34	13447.5
March	Salvo's Queanbeyan	190.5	8	
	Mac's Reef Tip	38	1	
	Racecourse	483.75	20	7256.25
	Munjuwa	3.25	1	
	Salvo's Tuggeranong	22	2	
	Braidwood Police	74.25	2	
	Salvo's Belconnen	13	1	
	Salvo's Fyshwick	6	1	
	Salvo's Mitchell	103	2	
	Programs	16	2	
TOTAL HOURS		949.75	38	14246.25

2/3

3/3