

REPORT OF PROCEEDINGS IN CAMERA BEFORE

STANDING COMMITTEE ON LAW AND JUSTICE

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INQUIRY INTO BACK-END HOME DETENTION

At Sydney on Thursday 17 March 2005

The Committee met in camera at 2.20 p. m.

PRESENT

The Hon. C. M. Robertson (Chair)

The Hon. D. Clarke

The Hon. G. S. Pearce

Ms L. Rhiannon

The Hon. E. M. Roozendaal

CORRECTED TRANSCRIPT

CHAIR: Welcome, and thank you very much for coming to speak with us today. Before we commence our in camera hearing, I would like to repeat some comments that I made at the beginning of today's hearing. The Committee has previously resolved to hear your evidence in camera. However, you need to be aware that following the giving of evidence the Committee may decide to publish some or all of your in camera evidence. Only evidence that has been published by the Committee can be used in the Committee's final report. Likewise, the House may, at a future date, decide to publish part or all of the evidence, even if the Committee has not done so. Committee hearings are not intended to provide a forum for people to make adverse reflections about others. The protection afforded to Committee witnesses under parliamentary privilege should not be abused during these hearings, and I therefore request that you avoid the mention of other individuals unless it is absolutely essential to address the terms of reference.

Evidence in camera by Mr XXX:

CHAIR: In what capacity are you appearing before the Committee? That is, are you appearing as an individual or as the representative of an organisation?

Mr XXX: As a private citizen.

CHAIR: Are you conversant with the terms of reference for this inquiry?

Mr XXX: Yes, I am.

CHAIR: Would you like to make an opening statement?

Mr XXX: Firstly, I would like to express my appreciation to the Department of Corrective Services, primarily the intensive supervision unit at Parramatta, for allowing me to attend here today. I understand that such a request has not been made by a home detainee before, and I appreciate that a lot of extra work must have been entailed on behalf of my supervising officer. In writing my submission for this inquiry, I found it very difficult to remain focussed on the terms of reference and withhold from straying into areas where I accept the Committee has not extended its terms of reference.

Having had the opportunity to read many documents and reports, especially Committee reports, going back over the last few years concerning things such as prisoner population and children of prisoners, I have found it somewhat disheartening that so many good recommendations which have come out of these committees have not been taken up by the Government. I do hope that this inquiry may be able to carry sufficient persuasion to enable a better understanding of the home detention system and the benefits a back-end home detention system would have, not just to inmates but to the wider community.

If my submission and my evidence here today achieves nothing else, I hope that I may be able to convey to the Committee that home detention, as it currently operates in this State, is a punitive punishment. It is classified as a term of imprisonment and, whilst I accept that the aesthetic conditions are nothing like those in a minimum security prison in New South Wales, I feel that it is extremely important that the community realise that the conditions and requirements placed on a home detainee are far greater than those of an inmate in prison.

The opinions expressed in two of the submissions that the Committee has published are very misinformed, so much so that they border on being offensive to a person in my situation. The very nature of home detention exposes the detainee to programs and assistance that he or she would never receive proper access to in prison. However, it is worth noting that, at the same time, there is an added burden on detainees of having to identify themselves as a prisoner wherever they go in the community. This is not something that a prisoner has to cope with whilst in custody. This can be very embarrassing. In my own case, for example, I have to take my three-year-old daughter to preschool twice a week. As part of doing that, I am required to have a form verified to say that I have dropped her off and picked her up. That, obviously, is displayed to people around the child-care centre, which

means her teacher and some of the other parents are obviously becoming aware that I am on home detention.

Nevertheless, I accept that I have been given a great privilege and a responsibility in being admitted to this program. It does have its faults, but I only need remind myself of the distress and overwhelming grief and despair that I experienced when separated from my wife, and especially my three-year-old daughter, to know that this program has great benefits for anyone willing to give it a go. It is my strong belief that home detention per se should be made available to the great majority of offenders who will, as we are aware, one day be released to parole.

The rigours of the parole supervision process are not anywhere near as intensive as the rigours of home detention, and it would appear to me to be a logical progress from sentence in gaol, to release to home detention, to then be released to parole. Such a scheme can, with appropriate funding and resources, be made available to medium- and long-term offenders and those especially in the juvenile justice system, particularly those at Kariong, which is now under the control of the Department of Corrective Services. Finally, I would like to express my thanks to the members of the Committee for inviting me to attend here today, and to the Committee staff, who have been very welcoming and helpful since I made contact with them some weeks ago.

CHAIR: I would like to hear about some of the conditions that are attached to your home detention order and the process that has to be followed if you want them changed.

Mr XXX: There are a number of standard conditions that are part of the legislation. I think there are about 28 standard conditions that range obviously from not to commit any new offences, not to consume alcohol, not to take drugs and to advise immediately of any change in circumstances to the supervising people. I am under all of the standard conditions of the order. I am also under a condition that restricts alcohol being in our house, which means that people coming to the house cannot consume alcohol while they are in the house. My wife cannot drink alcohol whilst she is at home. They are pretty much the only conditions that I am under, apart from the normal conditions that I cannot just go where I please and do what I want.

The Hon. GREG PEARCE: You mentioned earlier that you drop your daughter off at primary school?

Mr XXX: Preschool.

The Hon. GREG PEARCE: What sorts of restrictions are there? How does the travel aspect work? Do you drive your own car?

Mr XXX: No. I am not allowed to drive. Her preschool is about a three-minute walk from our house. I have pre-approved absences, so on Monday I am approved to be out of the house between 9.00 a.m. and 9.30 a.m., which is when I take her, and again at 4.00 p.m. and 4.30 p.m., which is when I pick her up. Any deviation outside that time period is not allowed without permission. That is something that I would like to address. In evidence given today by some of the other witnesses, in particular, Corrective Services, they mentioned that 43 per cent of people on this program have breached. That gives the impression perhaps that half the people doing home detention are out robbing banks, or driving recklessly, or whatever.

A breach, as it is defined, is a very wide-ranging aspect. For example, today I have to be home by 4.30 p.m. If my taxi breaks down on the way home, I have no control over that. However, if I am home at 4.31 p.m., I have breached and that breach is recorded. Whether or not my supervisor decides to take that breach to a further step is up to her and to the intensive supervision team. I think it is important just to take that in the context that it is—a breach does not necessarily mean that someone is not taking the program seriously, although I am sure that some of those breaches are not. But it is probably not as dramatic as some people would think it would be when they hear that nearly half of the people have breached.

The Hon. GREG PEARCE: Just to pursue that example of a late taxi, you said it is reported if it is late. How is it reported?

Mr XXX: If I am to be home by 4.30 p.m. my supervising officer will receive a page on her mobile phone when I enter the house to say that I have returned. If it is after 4.30 p.m., that is a breach.

The Hon. GREG PEARCE: You are expected to leave here at 3.00 p.m.

Mr XXX: Yes.

The Hon. GREG PEARCE: What is to stop you whipping off to the pub between 3.00 p.m. and 4.30 p.m.?

Mr XXX: There are a number of surveillance programs in place that I am aware of. My supervisor may very well be waiting outside those doors; I do not know. She may be out the front of the building. There have been instances when I have been at approved programs. I know that I have been verified when I have been at those programs. It is a trust. If I were that sort of person there is nothing to stop me getting up, throwing my hands up and walking out the door. I have not committed an offence until the board has revoked my order. It is a trust. It is taking responsibility for your own actions to avoid you going back into a prison environment.

The Hon. GREG PEARCE: If your order was revoked is there an additional penalty?

Mr XXX: Not that I am aware of, apart from the obvious penalty. I think that is probably enough to be going on with. I am not aware of any extended term. I guess that would be up to the board at the time.

The Hon. GREG PEARCE: I am trying to get a feel for how it works. If you have a bad back, you want to go and see a chiropractor and you know one that you usually go to 20 minutes away, what do you do in those circumstances?

Mr XXX: I would contact my supervisor and advise her that I have made an appointment to see a practitioner and that would be approved. I would go to the practitioner. Obviously it has to be approved. Wherever I go I take a form with me that requires the person that I see to verify that I have arrived at a certain time and that I left at a certain time. For example, when I leave here today Rachel will sign my forms to say that I left at 3.00 p.m. If I am not home by a certain time my supervisor will say, "Okay, you left the city at 3.00 p.m. You got home at 4.10 p.m. That is fine". But 4.45 p.m., that is a bit too late. Where were you?" They do not really do anything about that until you start to have repeat incidents. Again, they know the people who are trying to do the right thing and they know the people who are not. So there is that latitude there.

The Hon. GREG PEARCE: Are you doing any study other than preparing for this, or what are you doing with your time? Is that a condition of your order?

Mr XXX: I have full-time child care responsibilities. My wife is working so I look after my little girl on the days that my wife is at work. The days that she is at preschool, two days a week, are generally the days that I have to myself to read, to do the housework and various other things. I am not working at the moment because of those child care responsibilities. I have the option of studying but at this stage I am just doing what I am doing, that is, looking after my little girl.

The Hon. ERIC ROOZENDAAL: How often are you visited by your supervisor? Do you get a warning of when she is coming? What is it like having someone come into your house to check on you like that? What impact does that have on your family? How do they live through this process?

Mr XXX: I refer to the first part of your question, which was touched on this morning by Corrective Services. The amount of visits I receive is starting to scale down as I am getting closer to the end of the sentence. I have another 3½ months to go and then I am finished. When I started the visits were very intensive, very often and very frequent.

The Hon. ERIC ROOZENDAAL: How long ago did you start?

Mr XXX: In September. I get contacted quite a bit by telephone. I am also very active in making contact to ensure that everybody is very clear what I am doing and where I am going because I do not want any confusion or problems. I have probably been in very lucky position in that my supervisor has taken into account the fact that we have a small child. Visits in the middle of night would be disruptive to my daughter. I have demonstrated a certain amount of trust therefore they have given me a certain amount of trust back. So I do not get visited overnight. I would see my supervisor probably once or twice a week and I speak to her on the phone probably every other day.

In relation to getting advance notice that they are coming, no, I do not. The reason that you do not get advance notice is that urinalysis and breath testing are fairly frequent occurrences. I have been breath tested about 65 or 70 times and I have had urinalysis tests about six or seven times. You do not get advance warning. Sometimes you can work out that they are on their way to come and see you because they are going to be doing something or whatever, but you do not get advance warning. Your third question was how it affects the family.

The Hon. ERIC ROOZENDAAL: Yes.

Mr XXX: I was probably a bit hostile towards this when I first started. I guess that I like a lot of people in my situation who have been released from full-time custody had a fair bit of anger and resentment going on. I was not particularly open to my supervisor at first. I objected to having a stranger in my house telling me what I was going to do. It took me a couple of weeks to get used to that. My wife has been extremely supportive. I would not be doing this if she had not consented to me doing it. It has impacts on my family because my little girl often asks me to take her to the park, to the beach or to the swimming pool. I cannot do that. Sometimes my wife feels like a glass of wine but she cannot do that. So there are implications on the family, but I think as I mentioned in my submission, in contrast to having me not at home and having to come and visit me on the weekends, it is fairly insignificant.

The Hon. ERIC ROOZENDAAL: Would you feel comfortable in showing us the anklet?

Mr XXX: Yes, sure. I am not going to take my pants off.

CHAIR: We do not want you to take your pants off.

Mr XXX: It is fairly cumbersome. It does not look very big, but that is it there. It tends to rub against your skin, which can hurt.

The Hon. ERIC ROOZENDAAL: And you cannot remove that?

Mr XXX: Well I can, but it will know. It registers off body heat. It has some sensors on the back of it, which has caused me a few problems. With the hot weather I tend to sleep over the sheets. At about 3 o'clock in the morning your body temperature starts to drop and it sends an alarm off to say that I have taken off, which caused my supervisor some concern initially but now she just accepts it. I obviously had my feet hanging out of the bed. These are all small inconveniences really at the end of the day.

The Hon. ERIC ROOZENDAAL: I recall from your submission that you said if you were offered this again you would think seriously about whether or not to accept it. I am not suggesting that you are going to reoffend; I am referring to the same sorts of circumstances. Is that the case?

Mr XXX: Yes. I went into this not knowing anything about it, except that it was an alternative to being in gaol. Like most people the carrot was dangled in front of me and I took it. It is harder than being in gaol in many respects. If I were a single person with no family I think I would have preferred to stay where I was, which was up in Cessnock. For the reasons that I stated in my opening statement, it is very awkward and very embarrassing to have to identify yourself as a person who essentially is a prisoner. When I came here today I was not able to leave this room without being escorted by someone.

I am 33 years old. I am not a child but I have to accept that that is part of the conditions. It is very difficult. Sometimes you can forget when you are at home. There have been a couple of

occasions when I have been out the front mowing the lawn. I walked over to say "G'day" to the neighbours and I realised that I had just walked out of the boundary of the house and I had to take three steps back. It is little things like that that are difficult to cope with. People ring up and want to take you out for dinner. They cannot. That happens particularly over the Christmas and the new year period. Neighbours put their hands over the fence and say: "Here, have a beer." It is very hard.

CHAIR: You are a highly articulate person and you obviously have a fairly high mental capacity. A lot of people in prison do not. How do you think the majority of people would cope with a less controlled environment, or an environment in which you have to control yourself?

Mr XXX: Let me just say something about that question. This is something that people have said to me quite a bit. People say, "You are not the typical prisoner." From my experience of the people that I have met in three different facilities, albeit over a short period of time, our gaols are getting fuller of people who are intelligent, well-spoken and well-educated who, for one reason or another, have strayed. Essentially, you are asking me how people who are less intelligent would cope. Is that what you are asking?

CHAIR: I am referring to people with fewer social skills and skills to think and do things in the house themselves. The majority of people would just do their housework and watch television, with little else to do.

Mr XXX: I think it would depend on their motivation to do this. The responsibility and the ball are very much placed in your court. A lot of people in gaol believe that they should not be there, that the system is out to get them and that it is not fair this has happened or that has happened. One of the things about home detention is that it takes you out of prison and you have the opportunity never to go back. The responsibility is yours. So if you are motivated to stay out and do something with yourself then it is a good program. If you are not, you are going to breach and you will go back.

Ms LEE RHIANNON: You have spoken a couple of times about how it is much harder than you thought it would be. I am assuming that is because of all the reasons you have just outlined—you were not prepared in terms of being a prisoner in your own home. Are there any other aspects to it?

Mr XXX: It was not the prisoner in my own home so much. The thing I have the most trouble with is having to identify my situation to people in the community. You see it in people's faces. Even some of the people who were here today that I spoke to were very friendly and very nice and the conversation got around to what I was doing here. When I explained to them what I was doing here and why, it changed their outlooks straight away. That is something I have had to get used to. I am not trying to run away from the fact that this is something that I have done and this is the situation I have put myself in. My intention is to spend the rest of my working life involved in social issues and social justice. I will not be one of those people who will run away from it. I am quite open to say to people, "Yes, I have been in gaol." I am not ashamed of that. What I am troubled by, and it goes to a lot of my submission, is the opinion that people have of prisoners, the opinion of punishment systems that are in place. It is based on such appalling ignorance that it is frightening.

Ms LEE RHIANNON: Were you prepared in any way before you were released? If the point comes and you leave gaol and go into home detention, in discussing conditions for that were there any comments on the sorts of things that you will come up against and the difficulties you might go through?

Mr XXX: No. I did not actually speak to anyone before I was released to home detention. I applied for it through the parole board and was granted it. They went and saw my wife, assessed the house, made sure we had a phone on, and I was pretty much released the next week. So I did not speak to anybody until I was back home.

Ms LEE RHIANNON: So they literally put something around your leg, tell you the conditions and that is it.

Mr XXX: It is a funny situation, the way it works at the moment. You are released temporarily pending a full assessment. So the parole board issues a temporary release order and for five weeks you are free to do what you like—you can go where you want, do what you want.

Ms LEE RHIANNON: Really?

Mr XXX: Yes.

Ms LEE RHIANNON: For five weeks?

Mr XXX: For five weeks while probation and parole then do a full assessment. You are initially assessed as—

Ms LEE RHIANNON: So you do not immediately go on to the home detention scheme.

Mr XXX: Not at all. You are initially assessed as being potentially suitable. The board releases you while the rest of that assessment is completed and in the period in between you can do what you like. There is nothing to stop you taking drugs or drinking because in that pre-release period they will ring and say, "Is it convenient for us to come around and see you? We want to do a breath test." I think that perhaps that goes against the spirit of the idea but for that five-week period you are free to do what you like. That is what I found the hardest because I was released from gaol, free as a bird for five weeks and then bang, it was like going back so in that respect it is a bit odd.

Ms LEE RHIANNON: I note that you said that you are not sure whether you would go into home detention again. But considering the scheme exists, what suggestions would you make on how it could be improved for prisoners who are in that transition?

Mr XXX: How it could be improved in the assessment period?

Ms LEE RHIANNON: Improved for prisoners who choose to do home detention so they are more prepared, so they are able to handle it in a way that they do not reoffend, do not break the conditions.

Mr XXX: Like some of the other people have said, this concept of through care that the department relies on at the moment, because there are no structured programs in place to pre-release someone, whether it be to home detention or anything else, you sort of get lost a little bit in the transition period. It would be good to have some sort of documentation saying, "This is how home detention works. This is what you will be subjected to." As I said, it is very tempting and very easy to snatch a back carrot when it is offered to you without knowing the full story. I was prepared to live in a shoe box for eight months if it meant getting out of where I was. But it would be good to know in advance that you are up for that. I am lucky. I have that family support, I have my little girl. People who maybe do not have that strong tie back to their social roots, the temptation I think in some people would be go "get stuffed, I will do what I want". Maybe that is an issue because any thing that impacts back on the program will adversely affect everyone who is on it. So it would be good to get that right before we even start.

The Hon. GREG PEARCE: Were you sentenced to home detention?

Mr XXX: No, I was sentenced to periodic detention, which I breached for various reasons which probably are not relevant three years ago. Essentially, my wife became ill. I had been sentenced to periodic detention. I applied at that time for home detention; it was declined. So knowing that a warrant had been issued for me, I spent two years living basically day to day until I was satisfied that my wife's medical condition was stabilised sufficiently and then I handed myself in. I was in custody for nine weeks and then released to home detention.

The Hon. GREG PEARCE: Do you know what program that home detention is under or on what basis you were given home detention? Our understanding is that the home detention scheme is a sentencing option at the time of the trial.

Mr XXX: I have come into it sort of front end but back end as well. The front end in that the parole board has the prerogative, when they revoke your periodic detention order, to order that the sentence be served by home detention. So you have to spend a certain period of time in custody and then you are released if you are suitable to home detention.

The Hon. DAVID CLARKE: You made reference to the small or technical breaches. You also mentioned that the supervisor has a discretion in how they are treated. Have you ever been unfairly treated because of a small or technical breach?

Mr XXX: No.

The Hon. DAVID CLARKE: So you have no complaint about these small or technical breaches. You have never been unfairly treated?

Mr XXX: No. I have always approached it as if it is something within my control then it is up to me to make sure that I do it properly; if it is something outside my control I will notify her as early as I possibly can that this has happened and in that respect it is usually okay.

The Hon. DAVID CLARKE: So the small or technical breaches have not been a major problem to the operation of this scheme at all because in your case you have been quite fairly treated.

Mr XXX: No, I think the only breaches that are a problem are breaches that result in the parole board revoking the order.

The Hon. DAVID CLARKE: You talk about the choice of prison or home detention with restrictions. I think you said that knowing what you do, if you were single you think you would go for imprisonment. The fact is that you are not single; you have a family. So having a choice between prison or home detention, with your family, which choice would you take?

Mr XXX: Obviously being at home with my family. But I will clarify that in saying that when you see some of the frustrations that it puts on your family you know that you have caused that. The fact that my wife is restricted in some of the things she might like to do, or my little girl wants to go to the swimming pool and I cannot take her, is a constant reminder that I have caused this but it is a difficulty that you have to deal with.

The Hon. DAVID CLARKE: I guess one would have to weigh on a pair of scales the restrictions that you incur as a result of home detention as a result of the restrictions that would be there if you were in prison.

Mr XXX: There are the restrictions and also the compulsions. You are required on home detention to undertake certain courses, counselling and so forth. That is not something you are required to do in prison. In fact, to be quite honest, it is something that even if you wanted to do most people have trouble getting access to in the first place in prison.

The Hon. DAVID CLARKE: I may have missed something in your statement, and forgive me if I did, but I do not think you made any specific suggestions as to changes. What specific suggestions or changes do you have in mind to the scheme?

Mr XXX: For the system of back-end home detention or the existing system of front end or both?

The Hon. DAVID CLARKE: Both.

Mr XXX: It is my personal belief that any community corrections program should not be administered by Corrective Services. My personal opinion—I do not base this on any evidence apart from just what I have read and forming an opinion—is that Corrective Services has at the end of the day a vested interest in maintaining a significant number of offenders to enable them to keep operating, to enable them to keep getting their budget allocation each year. That may be seen as cynical; that is just my opinion. My belief is that any community-based sentencing option—and it is not just home detention but anything that puts offenders in the community—should be a multiagency approach: health department, community services, housing and police.

Probation and parole used to be an arm of the Attorney General's Department, and has since gone back to Corrective Services. But I think that taking it away from Corrective Services takes away

the perception that it is punishment only. That is something the community has in its mind. If it is associated with Corrective Services it is punishment. But it has to be more than punishment because you cannot just keep punishing people because they will all come back out. You have to address issues of recidivism. If the prison population keeps going up as it is, by the time I am 50 there will be 25,000 people in gaol. A significant number of them have offended before. There is no motivation for them to stop offending. You can take the point of view of "stuff them. If they are not going to behave then they deserve everything they get".

A lot of the time we are not talking about serious offenders; we are talking about people stealing in order to feed themselves. That is the reality. There are people in gaol who have been sent to gaol because the courts have no other alternative because they have done the fine, they have done the community service, they have done the periodic detention but they are still doing it so they go into gaol. That is not everyone but that is an example. Putting people in the community is giving them an opportunity to address recidivism. Home detention in every jurisdiction that it is operating in has shown that not only do you have a large compliance amount—I think most of the jurisdictions are about 80 per cent to 85 per cent—but you have reduced recidivism in those people in terms of not offending within two years of completing the order. I know that this morning there was some issue with those figures not being readily available from Corrective Services, which I find staggering. But at the end of the day the anecdotal evidence is there for people to see, and most of the submissions that you received are supportive of this.

The Hon. DAVID CLARKE: You seem to be, in effect, supporting the system too.

Mr XXX: I am supporting the principle of the penalty. I am not necessarily supporting how it is run or who should run it. I am advocating perhaps a multiagency approach to all community-based sentences, not just home detention but anything that puts offenders back in the community.

The Hon. DAVID CLARKE: But you have not been unfairly or wrongly treated under that system of home detention.

Mr XXX: I have been reasonably treated.

The Hon. DAVID CLARKE: You said you will devote your life to social justice issues. Do you believe that you have been hard done by by the legal system in New South Wales?

Mr XXX: I would say that would be a gross overstatement to have been hard done by. If anything, it is the reverse. I have been given many opportunities before I got to this stage but let me say that going to gaol was the best thing that could have happened to me. It has given me a lot of impetus to do something with myself. I am at a crossroads, essentially; I can go one way or I can go the other. I was given that opportunity. Some of it was my own intelligence but a lot of it was people giving me the opportunity. I think there is probably something to be said about harsher penalties in the earlier stages, rather than waiting maybe 10 or 11 years before someone gets to a point where they are looking at a correctional sentence. Being fined or being given community service orders meant nothing to someone in my position. To answer your question, I do not believe I have been hardly done by, no.

The Hon. DAVID CLARKE: In fact you are saying that harsher penalties in the initial stages would not be going astray?

Mr XXX: I sometimes wonder if I had been in this position seven or eight years ago how much further ahead I would be now. But at the time I did not have a child and I was not married. There is a lot more incentive now than there was then. I regret that my desire to do these things has come at a time when my history is going to preclude me from doing a lot of things. I would very much like to be involved in politics. I would very much like to be involved in social reform activity. I realise that there will be opportunities that I would probably be very good at doing. A lot of the research shows that if you get ex-prisoners involved in rehab models and in education programs, it is good for everyone involved. I am not going to be able to do that, but I have lots of opportunities.

The Hon. DAVID CLARKE: Would you agree that home detention is a far more generous alternative than imprisonment?

Mr XXX: You are asking me to generalise.

The Hon. DAVID CLARKE: In your case?

Mr XXX: I can answer that in my case; I cannot answer that for everybody.

The Hon. DAVID CLARKE: In your case?

Mr XXX: In my case I believe it has given me a great opportunity and I consider it a privilege.

CHAIR: Thank you very much indeed for coming to see us today and for committing your time. I appreciated the issues in relation to the negotiations for you to come, but I think it has been very well worth it, so far as the Committee is concerned. I also have to tell you that the Committee may decide to publish some or all of your in camera evidence. Do you have any objection to any part of the evidence you have given this afternoon being published by the Committee? Before you answer the Committee will have brief and informal deliberations.

I believe that the evidence about why the witness is presently on home detention is reasonable. Would members of the Committee be uncomfortable if we remove personal references in a small personal section of his evidence? I will note that members of the Committee agree. If it is all right with you the Committee will be happy for that to happen. Do we have your permission to release the remainder of your evidence?

Mr XXX: Yes. I have no problem with that at all.

(The witness withdrew)

(Conclusion of evidence in camera)

(The Committee adjourned at 3.05 p.m.)