

GENERAL PURPOSE STANDING COMMITTEE No. 3

Friday 22 June 2000

Examination of proposed expenditure for the portfolio area

ATTORNEY GENERAL

The Committee met at 1.00 p.m.

MEMBERS

The Hon. Helen Sham-Ho (Chair)

The Hon. J. Hatzistergos
The Hon. J. R. Johnson
The Hon. G. S. Pearce

Ms Lee Rhiannon
The Hon. J. M. Samios
The Hon. I. W. West

PRESENT

The Hon. R. J. Debus, *Attorney General*

Attorney General's Department

Mr L. Glanfield, *Director General*

Mr W. Grant, *Deputy Director General*

Mr R. Cox, *Director, Financial and Strategic Services*

Legal Aid Commission

Ms M. Allison, *Chief Executive Officer*

CHAIR: I declare open this meeting of General Purpose Standing Committee No. 3. Minister, I welcome you and your staff and everyone else present. At this meeting the Committee will examine the proposed expenditure from the Attorney General's portfolio area. Before questions commence some procedural matters need to be dealt with.

Paragraph 4 of the resolution referring the budget estimates to the Committee requires the Committee to hear evidence in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines for broadcasting of proceedings are available from the attendants. I point out that, in accordance with the Legislative Council guidelines for the broadcast of proceedings, only members of the Committee and witnesses can be filmed or recorded. People in the public gallery should not be the prime focus of any filming or photos. In reporting the proceedings of the Committee, you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee.

Minister, as the lower House is sitting, could you advise the Committee whether you will need to attend divisions of the House this afternoon?

Mr DEBUS: I believe there will be no divisions during the day. It is not inconceivable that I may be asked at some stage to make a second reading speech. It is not likely, but it is possible, in which case I would suggest that, at least for a time, the Committee could proceed without me. But that would be up to you.

CHAIR: Thank you. While there has been provision for members to refer directly to their own staff who are at the table, witnesses, members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee clerks. I declare the proposed expenditure open for examination. Attorney General, would you like to make any opening statement?

Mr DEBUS: No, Madam Chair, I see no need for that.

CHAIR: In that case I will ask the first round of questions. Committee members have decided that we will not apportion time to any particular people—Government members, Opposition members or Independents—we will just ask questions on issues and on specific parts of the portfolio. I refer to Budget Paper No. 3, Volume 1. At page 4-3 under "Key initiatives and achievements in 2000-01" it states that the Drug Court trial is reducing the criminal activity of drug-dependent offenders. Where is the evidence of falling crime due to the Drug Court program and how many people have participated in the Drug Court program this year? Of those who began the program, how many have completed it? Apparently there is evidence that some have dropped out. Is there any follow-up of participants to see whether they stay clean after the treatment program? I am very interested in the Drug Court trial.

Mr DEBUS: As you know, the Drug Court commenced in February 1999 and was funded originally as a two-year trial program that would accommodate up to 300 participants. I am told that the intake of new cases has been extended to June 2002. Indeed, the Premier made an announcement earlier this year that the intake of cases and, therefore, the trial would be continued. At the end of April there were 27 people who had successfully completed the program and it was expected that some more would do so in the weeks after that. A number of other participants in the program had their programs terminated without, in the court's deliberation, a need to proceed to prison sentences. That is to say, the participants in the program had met the goals of the legislation by living free of crime for a substantial period or with a substantially reduced usage of drugs.

The Bureau of Crime Statistics and Research is conducting a comprehensive evaluation study of the Drug Court. It is monitoring aspects of its operation and looking at its cost-effectiveness—just what you would do given the fact that the costs of conducting the affairs of any individual participants are relatively high. The valuation assesses the health and what is called the social functioning of the Drug Court participants throughout the time they participate in the program. Interestingly, the interim report of the Bureau of Crime Statistics and Research draws the conclusion that there is a reasonable level of success so far.

This is the first properly controlled research study to look at this kind of program. It has been designed to compare the level of wellbeing of participants in the Drug Court before they commenced the program with other populations and to assess the extent to which participation in the program has impacted on the wellbeing of the participants. That is obviously the same question that you were asking but they are the ones that we are measuring at the same time. The interim findings show that the participants revealed significant impairment of health and wellbeing compared with the general population before they commenced the program. The interim research suggests a significant improvement in health and wellbeing.

I have relatively recently visited the court. I was deeply impressed by the commitment of the judicial officers who are staffing it at present. They were anxious to point out to me not only that there are encouraging results—not absolutely stunning results but encouraging results from the formal research and statistical review of what has gone on—but they are also saying that if we compare where the Drug Court participants would be if they were not in the program, and think about the alternative life they may be leading, even if a Drug Court participant after a time fails we may still have saved, for instance, a number of armed robberies that would otherwise have been committed. So in summary things are going not too badly with the Drug Court. Finally, it is important to say that we are taking the experiment extremely seriously to the point where the Bureau of Crime Statistics and Research is looking at the rate of recidivism amongst the participants.

CHAIR: This morning at a meeting on juvenile justice I asked Minister Tebbutt about this. Do you have any figures or statistics about Aboriginal and Torres Strait Islander people and people of non-English speaking background attending the Drug Court? In a report from the law and justice committee it was indicated that the two groups—Aboriginal and Torres Strait Islanders and people of non-English speaking background—are not accessing the Drug Court as well as the wider community.

Mr DEBUS: That is a most serious question which I ought to take on notice. The total number of participants is relatively small; it is 320. The assessments are made on the basis of the likelihood of success in the program. It would be appropriate that I take that question on notice.

CHAIR: Could you also provide the number of women accessing the Drug Court as well as juveniles?

Mr DEBUS: The number of women who come under the notice of the criminal justice system is much lower than the number of men.

CHAIR: Yes, I understand that.

Mr DEBUS: Women make up 6 per cent of the prison population, so it would be surprising to me if there was a significantly larger proportion of women than that within the system. Your question concerning juveniles is dealt with by our proposal for a new Youth Drug Court. The Committee would remember that that was one of the outcomes of the Drug Summit, if I am not mistaken. The Youth Drug Court actually commenced in western Sydney on a two-year pilot basis on 31 July last year at two children's courts, Campbelltown and Cobham, which is near St Marys. I have heard nothing to suggest that the relative success of that experiment is any lower than the experiment with the adult Drug Court. In fact my department head, Mr Glanfield, has suggested to me that there are signs that it is more successful than the adult Drug Court.

CHAIR: Given the high number of Aboriginal people and people of non-English-speaking backgrounds in the system in relation to drug matters, could you provide the Committee with those numbers?

Mr DEBUS: I will happily provide the Committee with as much information as we have, and there is certain to be some because the evaluations are very elaborate concerning the participation of people of non-English-speaking backgrounds and Aboriginal people in the system.

The Hon. GREG PEARCE: I refer to the adult Drug Court. The Treasurer said that the Government will extend the adult Drug Court trial at a cost of \$14.3 million. I cannot find an amount of \$14.3 million in the budget papers. Could you point it out to me?

Mr DEBUS: We presume that you cannot find it in the Attorney General's budget because most of it will be in the health budget. The Drug Court is a joint enterprise of the Attorney General's Department and the Department of Health.

The Hon. GREG PEARCE: Is any of it in the Attorney General's Department?

Mr DEBUS: Yes, it is in Budget Paper No. 3, Volume 1, page 4-58 under the program Court Services. I will ask the director-general to give you a little more information, because he has that complex detail.

Mr GLANFIELD: The costs incurred by the Attorney General's Department in supporting and running the Drug Court are incorporated within the Local Court budget. We have an internal break-up for our own purposes, because we monitor the budget specifically for the Drug Court. At this stage we are budgeting \$2.048 million for our costs relating to the Drug Court.

The Hon. GREG PEARCE: Is that contained on page 4-58, within your operating expenses?

Mr GLANFIELD: Yes, operating expenses, maintenance and depreciation, because it runs out of the Parramatta Local Court premises. There is a merging of some of the costs related to the court, but basically we try to keep a separate identification of the costs allocated to the Drug Court.

The Hon. GREG PEARCE: Do you monitor the Department of Health's expenditure?

Mr GLANFIELD: No.

The Hon. GREG PEARCE: I refer to page 4-49 of Budget Paper No. 3, Volume 1, line item "Special inquiries—expenses", \$3,050 million. What were those inquiries, and why was that allocation made?

Mr GLANFIELD: Two principal matters were covered: the Gretley mine inquiry and the Glenbrook rail accident inquiry. Neither of those inquiries were foreshadowed at the time of the setting of the budget and, therefore, were the subject of special supplementary allocation by Treasury. That figure reflects the amount expended in relation to the inquiries by the Attorney General's Department and which will be reimbursed by Treasury.

The Hon. GREG PEARCE: On the same page, line item "Crown Solicitor's Office fees", there is an allocation of \$13,067 million. Was any of that money spent on providing legal advice for any Minister or member? If so, which Minister or member, and how much?

Mr GLANFIELD: Generally, that amount represents the undertaking of core legal work by the Crown Solicitor's Office, a fund administered by the Attorney General's Department, which is billed by the Crown Solicitor's Office. There is a clear definition of what constitutes core legal work and it includes matters of fundamental importance to the Government, matters affecting core constitutional matters, and incorporated in that may well be the giving of advice to Ministers and departments relating to issues within the core fund. But that would be the limit of it. In relation to the Crown Solicitor's Office, all of its other work is billed directly to government agencies as part of its general legal work.

The Hon. GREG PEARCE: Specifically on that, can you tell me how much of that \$13 million is spent in providing legal advice or assistance to the Premier, the Speaker, the Minister for Education and Training, the honourable member for Fairfield, the honourable member for Cabramatta, the honourable member for Kogarah, the honourable member for Parramatta and the honourable member for Auburn? I am happy for you to take that question on notice.

Mr GLANFIELD: I would have to, but can I just distinguish that, because you obviously have a particular kind of legal advice in mind. However, in relation to the Premier, he would be the recipient of advice on many occasions from the Crown Solicitor's Office on matters relating to the legal work of his department. If your question is directed to some particular inquiry or particular kind of work, it would be easy for us to determine the amount. We will take the question on notice and identify the general costs, if we can. However, if you can break it down, it would be much easier.

The Hon. JOHN HATZISTERGOS: What about legal advice to parliamentary committees, in particular upper House committees?

Mr GLANFIELD: I do not think that comes within the core vote. I think Parliament has its own allocation and pays the Crown Solicitor directly.

The Hon. JOHN HATZISTERGOS: Do you know how much you have billed that office?

Mr GLANFIELD: No. I would have to take that on notice.

The Hon. JOHN HATZISTERGOS: You might provide us with that information, particularly for the Legislative Council committees.

Mr GLANFIELD: Sure.

The Hon. GREG PEARCE: I refer you to page 41 of Budget Paper No. 4, "State Asset Acquisition Program", and to the backlog maintenance program in courts. There is an estimated total cost of \$33.8 million. It states that the estimated expenditure to 30 June 2001 is \$10.5 million-odd. The estimated expenditure to 30 June

2000 was \$12.95 million, so in a year it has reduced by nearly \$2.5 million. Can you explain that discrepancy and also explain what the backlog maintenance program is?

Mr DEBUS: It is obvious that our courts are in better shape than they were.

The Hon. GREG PEARCE: But you spent minus \$2.5 million, although you were expecting, according to the budget papers last year, to spend \$6.65 million. In fact, you spent minus \$9 million.

Mr GLANFIELD: Can I start by explaining the backlog maintenance program. The maintenance program within the courts, certainly some years ago, was fairly ad hoc. It was our view in 1995 that it was important to put in place a consistent approach to maintenance over all the courts, which we did, and which is funded out of normal recurrent maintenance expenditure. This particular item relates to the catch-up of neglect over many years. The program itself allocated an amount of \$33.8 million, in a notional sense, over a period of almost a decade. What we have been doing each year is receiving around about \$6 million, or a bit less, in a couple of years to endeavour to catch up on that backlog maintenance.

To the extent that there is some funding from time to time available to do more maintenance, we endeavour to use the money to improve courts throughout the State. I suspect in relation to your question about last year's budget, there were some difficulties in the estimated expenditure to date columns in last year's budget. It is not germane or material to the allocation of money; it is simply a record of what is being spent and it does not affect the allocation in any individual year for us. I think the error was there rather than in these papers, but I am happy to clarify how much has been spent.

The Hon. GREG PEARCE: You have allocated notionally \$34 million for a program which is supposed to have started in 1996 and I would have thought backlog maintenance was something that would be given some priority for users of the courts. I accept that the figures perhaps were wrong last year, but \$10 million has been spent since 1996. That does not add up to over \$6 million a year, on my maths.

Mr DEBUS: As a question on notice we will clarify the circumstances of expenditure on the backlog maintenance program in courts over the last 10 years. It is quite evident on the ground, if you visit courts around the State, that the maintenance program has been rather effective and it is frequently the case that our courthouses are heritage buildings and are a bit more expensive to deal with than many other more recently constructed buildings. However, there is no doubt that the evidence on the ground is that there has been a manifest improvement over a number of recent years in the physical state of our courthouses.

The Hon. GREG PEARCE: Would you give us an assurance, Minister, that the \$6.68 million allocated for this coming financial year will be given priority and will be spent?

Mr DEBUS: I can give you an assurance that the maintenance program, whatever confusion there may be in these particular figures, has been pursued with some vigour over a number of years and will continue to be so.

The Hon. GREG PEARCE: I think I am asking for a little more, Minister.

Mr DEBUS: Yes. There is an indication here, and I believe we should continue with our proposition of answering your question on notice. I am informed that for the year 2001-02 there is a single large one-off allocation of \$2.6 million to deal with the court at North Sydney and that that is a disproportionately large allocation for one individual building.

The Hon. GREG PEARCE: Minister, has Liverpool District Court closed?

Mr DEBUS: I do not think the word is "closed", but sittings are not taking place there at the present time. That was a decision of the Chief Judge of the District Court and it was a decision made because the number of cases, especially the number of criminal cases, that remain in the lists in western Sydney have declined quite dramatically and there is simply not enough work to keep all the District Courts that were in operation continuing at the moment. What happens is that District Court matters are heard in Campbelltown and the Liverpool District Court premises are entirely taken over, I believe, by the Local Court.

The Hon. GREG PEARCE: So it is closed as a District Court?

Mr DEBUS: No. There are not District Court hearings there at the moment.

The Hon. GREG PEARCE: It has ceased to sit?

Mr DEBUS: Yes. It is a very important difference because the Chief Judge will use that court for that purpose again if there are sufficient cases to justify it. In fact, the reduction in the backlog of criminal court proceedings in New South Wales has been nothing short of spectacular in the last few years. It is amazing by international standards and it is a great credit to the Chief Judge of the District Court that by adopting what is called the centralised committals technique of preliminary court hearings and by a series of other specific administrative measures to better manage cases that the actual backlog of District Court matters has been reduced absolutely dramatically. The criminal caseload in country New South Wales dropped by 25 per cent. In western Sydney it is more. The number of committals in Sydney West decreased by 43 per cent from January to June 1999, and that reduction has continued.

The Hon. GREG PEARCE: Has Narrabri District Court ceased to sit?

Mr DEBUS: Sittings in the Narrabri District Court continue as rostered.

The Hon. GREG PEARCE: How many days is that on average per month? I also want to pursue that issue with Cowra and Deniliquin District Courts.

Mr DEBUS: I withdraw my assertion that Narrabri District Court is sitting at present. Several District Courts in regional areas are not being allocated sittings at present. These include Narrabri, Deniliquin and Cowra. The reason is the one that I began to put earlier: the number of cases that can be heard in the District Court has fallen dramatically. The Chief Judge must make an allocation of sittings that is appropriate to the workload involved. The pending trial caseload of the District Court was reduced from 1,700 at the end of April 2000 to 1,000 at the end of April 2001. That is a reduction of 40 per cent. If the old adage that justice delayed is justice denied is true—and it is—that is basically good news.

In each of the country towns that we have mentioned—and also in the case of Liverpool—the Local Court continues to sit. As a matter of fact, following the variety of changes that have occurred in the past few years, the Local Court now has more work. From the point of view of the economy of a local town, which is the unspoken premise upon which many objections to District Court closures are based, people must understand that the Local Court remains open. It is a question of whether a District Court circuit judge shows up for two weeks once every six months. If there has been a 40 per cent reduction in the number of cases, one must choose which places will not have a sitting.

As I understand the situation—the director-general may be able to elaborate on this point—there is an administrative assumption that, if you cannot sit a District Court for a fortnight, you will be exceedingly inefficient because consideration must be given not only to the judge but to the support activities that must take place in the District Court. If we say, "I am going to call Narrabri court open because I will still have a two-week sitting a year", some criminal cases involving serious offences will be delayed for a year to allow that to happen. That is not sensible. It is sensible to concentrate District Court sittings at somewhat fewer country towns in order to accommodate the fact that there has been a 40 per cent reduction in the number of criminal cases. The Local Court remains open: that is a very important point.

The Hon. GREG PEARCE: Are you saying that the Local Court at Narrabri, Cowra and Deniliquin is open full time?

Mr DEBUS: They are rostered as is necessary. The magistrates are also on circuit. The registry is open and the magistrates are proceeding on circuit, as they have done throughout history and will continue to do so. In the case of the District Court, the Chief Judge keeps a very close eye on the situation—I assure honourable members that I never saw anyone keep a closer eye on these matters than the present chief judge. He sends a judge to part of this area—certainly to Deniliquin and Cowra—to deal just with small appeal matters and so on to ensure that the necessary procedures continue to be carried out locally. We are not abandoning these towns from the point of view of the District Court; it is a matter of ensuring that the District Court operates as efficiently as is reasonably possible in regional areas.

The Hon. JOHN HATZISTERGOS: Minister, do you have any say in where the District Court sits?

Mr DEBUS: I am relieved to assure the honourable member that I do not have a say. That is regarded as being an incursion across the boundary of the appropriate separation of powers between the Executive and the judiciary. However, at the same time I must emphasise that Judge Blanch has been spectacularly successful in reducing the number of cases pending in the District Court. It is a logically unavoidable circumstance that, if there is a 40 per cent cut in the number of court cases, fewer courts will sit.

The Hon. GREG PEARCE: Muswellbrook District Court is not sitting and Manilla Local Court has also ceased to sit. Perhaps you could let me know of any other country District Court or Local Court that has not closed but ceased to sit.

Mr DEBUS: The Manilla Local Court is a special case. It is not being used for sittings because the Chief Magistrate has expressed a series of concerns. Even if we sat every court hearing that could conceivably be located at Manilla because of its local connections, there would be few sittings anyway. I do not know the exact figures, but it would be one sitting a month if you were lucky. Furthermore, the court premises are inadequate. They have not been upgraded for a long time and are, by present-day standards, quite inappropriately established so far as the security of court officers is concerned. Therefore, the Chief Magistrate has decided that the registry will remain open but that Local Court hearings—there have never been many of them—will take place in Tamworth, which is half an hour away by bus.

The registry operation has been stepped up and there are outreach arrangements at Barraba, for instance, that come from the Tamworth centre. We are not talking about a general policy of closing Local Courts. To the contrary, Local Courts are opening rather than closing and their sitting hours are getting longer rather than shorter. It is just that there are some particular concerns in the specific case of Manilla. The honourable member also asked about the sittings of Muswellbrook District Court. I have no information about that as no-one has raised the matter with me before. I will take that question on notice.

Ms LEE RHIANNON: Minister, I note that \$150,000 was allocated to the establishment of a pilot program for domestic violence perpetrators. I congratulate you on that initiative. Can you tell me how the money was spent and whether there will be any objective measured outcomes?

Mr DEBUS: I can, although I need to check some facts. The initiative is to start next month; it has not yet begun. Some lessons have been learnt from the perpetrator programs that take place in the gaol system. In those programs—and the circumstances cannot be exactly the same—violent offenders are taken into a special program for up to eight weeks at a time and receive intensive counselling and group work to remind them that they cannot solve all life's problems by bashing people. The program that will be run through the courts is to be located as a pilot in Penrith Local Court. So the pilot program will run in Penrith and Mt Druitt. It will allow a magistrate, advised by a probation and parole officer, to set conditions on the bail or sentence of an individual who has demonstrated a consistently high level of domestic violence activity. The program will be run by the Department of Corrective Services, which has long experience in this area.

The program has the very important component of providing support to women victims and to children. Such programs, in association with the courts, will be run by the Penrith Women's Health Centre. One of the reasons Penrith Local Court has been chosen is that that health centre has demonstrated expertise in this area. Children's support will be provided by the Violence Abuse and Neglect Unit of the Wentworth Area Health Service. An admirable aspect of the court program is that it focuses the work of the Police Service, the Health Department, the Court Assistance Scheme, community groups and the local courts.

Ms LEE RHIANNON: Do you have a plan to evaluate the program through objective measured outcomes?

Mr DEBUS: An evaluation is to be conducted throughout the duration of the pilot to measure the long-term effects of participation in the programs. It is expected that in the course of a year about 100 blokes will go through the program. That number, I am told, is thought by experts to be sufficient to make serious assessments of whether men are being taught successfully to control their anger. Ms Lee Rhiannon knows how these programs work. They are run similar to, say, Alcoholics Anonymous where people are taught to recognise a trigger. A prisoner once explained it to me in a particularly graphic description of his problem. I said, "Do you reckon you have been a bit fixed up by this program?" He said, "Well, my temper is like a stick of dynamite. After I finished this program the wick's got a lot longer." If our valuation shows that a number of wicks are getting longer, we shall work to expand the program.

Ms LEE RHIANNON: Yesterday in an estimates committee dealing with one of your other portfolios, Corrective Services, I asked a question about the cost of the recent appearance of Mr Milat at Toronto court. Were any expenses involved for the Attorney General's Department in that appearance by Mr Milat?

Mr DEBUS: Just the expenses that would have been associated with the coronial hearing itself. I do not know what they are. It is obviously very much within the dispensation of the coroner to decide how and when he was going to have about that hearing. Presumably, he is covering it in his recurrent budget.

Ms LEE RHIANNON: Do you see the additional cost in terms of the Corrective Services and Police portfolios?

Mr DEBUS: Yes.

Ms LEE RHIANNON: Can I ask you about the Innocence Panel?

Mr DEBUS: That is within the Police portfolio; it is the police Minister's responsibility.

Ms LEE RHIANNON: With the raft of additional police powers that will shortly be put in place, one would expect an increase in the number of people coming to trial. Have you allocated additional resources to the court system to facilitate the handling of these expanding numbers? If so, could you identify how much money will be allocated?

Mr DEBUS: We have, but you will forgive me for not having the faintest memory of exactly what it was. The director-general will be able to tell you.

Mr GLANFIELD: Your question assumes an increased flow of cases to the courts based on increased powers. That is not necessarily the case. As to the provision of additional funding to the Local Court, District Court and Supreme Court in relation to criminal matters, we are making provision for that, particularly for the appointment of acting magistrates and acting judges. We have also received some additional funding from Treasury which we have spread across the three courts which relates to the progressive appointment of additional police.

Mr DEBUS: The figure I had been searching for is an additional \$3 million that has been allocated to meet the workloads arising from increased policing activity and progressive appointment of additional police.

Ms LEE RHIANNON: As to Mr Glanfield's comment about my assumption, does the additional funding of \$3 million allocated for the three courts not suggest that you are expecting an increased workload and more cases coming to court?

Mr GLANFIELD: But arising from the additional policing activity and the appointment of additional police by the government, not relating to the issue of powers.

Mr DEBUS: We are engaging to a degree in semantics, but the forward allocation is based on an understanding that there will be an additional number of police. It is not predicated specifically on a supposition that extra people will be convicted because of a legislative change in police powers. In any event, there is, as it were, a saving provision. If there were an increase in consequence of a change in police practices or police powers, the department would reasonably seek supplementation for the budget. Such a request is not unusual in such circumstances.

Ms LEE RHIANNON: I note that \$1 million has been allocated in the next financial year for the indigenous justice strategy. I congratulate you on your initiatives in this regard; they sound very good.

Mr DEBUS: We are very pleased about this initiative. There is the Aboriginal justice plan, which was conceived by the Crime Prevention Division of the Department of the Attorney General in association with the Aboriginal Justice Advisory Committee [AJAC], which is supported administratively by the Department of the Attorney General, but staffed for the most part by Aboriginal people, and is the peak organisation of Aboriginal structure that represents Aboriginal people the total area of justice across the State. We are trying to ensure that the AJAC regions more or less coincide with the Federal Australian and Torres Strait Islander Commission [ATSIC] regions. The general notion of the justice plan has three or four crucial elements.

The first is to ensure greater co-ordination between all the agencies of the Government to provide services that are in any way related to the system of criminal justice. That means those agencies that are significant in providing services that may help divert young people away from the justice system. The second is to provide a way in which we can have much better co-operation between the Government at large and the communities at large to find ways in which we may bring together the focus of government activity on one side and the focus of the community's response and needs on the other so that indigenous communities can be encouraged to develop their own local solutions.

On one hand government services have to be provided more efficiently, and on the other we have to change the way in which government and Aboriginal communities have normally interrelated, which is to say dozens of

initiatives involving all sorts of agencies at any one time, and often involving a myriad of consultancies and the whole thing backed by the assumption that the Aboriginal people need to be told how to help themselves. We are now saying, rather explicitly, to Aboriginal communities—and this is a message delivered, for instance, at a summit organised by ATSIC commissioners at Walgett just a fortnight ago—from now on, as best we can, we will adopt a new strategy: We will negotiate with Aboriginal communities; you tell us what you want and we will negotiate with you about how we might mutually deliver it; we will not have a consultant visit you and tell you what you want.

That is the generality of it, but specifically we are expanding the number of Aboriginal Court Liaison Officers [ACLO]. We will appoint five more of them. They have proved to be fantastically successful. They are Aboriginal people who work with several courts across the region and act as intermediaries between people who have been charged, the communities and the court. They are mediators who are given special respect by magistrates. In some cases they have been absolutely fantastic. They have clearly reduced the number of convictions and ensured that more appropriate sentences are being given. There are more of those.

Ms LEE RHIANNON: When you say the number of convictions has been clearly reduced, do you mean it has clearly reduced the number of indigenous people in prison? I thought there had not been a reduction in the number of indigenous people in prison.

Mr DEBUS: I know that overall there has been an increase. That increase has been, as it were, exaggerated statistically over recent years by the fact that so many more people are prepared to identify as Koori. But you are right. Nevertheless, at local levels we still believe—on the basis mainly, it must be admitted, of anecdotal evidence—that there is a real change in the atmosphere between the local Aboriginal communities and the courts. The courts are being assisted by these people, for instance, to improve their capacity to sentence people to diversionary programs and that type of thing.

Ms LEE RHIANNON: Coming back to this indigenous justice strategy, is there a specific aim to reduce the numbers in gaol?

Mr DEBUS: Yes.

Ms LEE RHIANNON: Do you have targets in place?

Mr DEBUS: No.

Ms LEE RHIANNON: I know it is hard, but it is such an urgent area.

Mr DEBUS: Yes, that is true. There are not numerical targets because often they simply tie you up and get you rather confused, but what we have is a whole suite of measures, not just the ACLOs. Beginning next month there is a trial of something called circle sentencing. It was invented in Canada amongst indigenous people and it works like conferencing, except instead of just having the families of the offender and the families of the victims meeting with the magistrates or under the sanction of a magistrate, to decide how young offender might be sentenced, or at least treated, you actually have representatives of the community as well.

Where you have a close-knit Aboriginal community the idea is that we will have elders, as well as families, working with the magistrate, working out ways in which, for instance, a young offender may be sanctioned by the court. The reports from Canada—and we are waiting for some more information at this very moment—are extremely encouraging. We will conduct the pilot at Nowra Local Court because there is a community nearby that is very interested in the experiment, and there is an ACLO called Stan Jarrett who is particularly admired by many people within the court and justice system. It is believed that he will be an especially effective mediator in this whole process. We are also doing something else that is important. There will be advertisements in July inviting Aboriginal communities to respond to a proposal that they should receive money to set up so-called night patrols.

At the present time in Kempsey and Dareton in the Far West there are arrangements by which the community conducts patrols at night to find kids who ought to be home and are not, find people who ought to be home but are intoxicated, whatever it may be. The community members take everyone home. It seems like a simple thing, but what also seems to happen is that volunteer community members begin to take all responsibility for the circumstance of the whole community. At Dareton, for instance—I cannot give you the exact figures—evidence is beginning to emerge that there is a most spectacular fall in petty offences as a consequence of the existence of this patrol which, as I say, consists of community members.

Sometimes the community needs a bus, sometimes it needs a small amount of money for a part wage for a bus driver. It will depend on the exact circumstances. We are offering a package of up to nine \$25,000 night patrol

initiatives. All of these kinds of initiatives are recommended by the AJAC, the people who are at the top of the New South Wales public service, Aboriginal people who have their roots right down into those communities. We feel very confident that the kind of initiatives we are taking are what those communities want. If the response to the Walgett meeting is any indication, those suppositions are certainly true. At the same time we are providing money for two crime prevention officers who are working to complete so-called crime prevention plans in Bourke, Brewarrina, Walgett and Wilcannia, in co-operation with both the leaders of the Aboriginal communities and the local councils.

At the Walgett summit two weeks ago we had the leaders of all of those communities absolutely enthusiastic about that proposition. It is consistent with our idea that we should reduce the number of points at which the Aboriginal community has to deal with the Government. There is a lot of existing work, but it is not going to take forever. The crime prevention officers have been appointed for two years to draw together the crime prevention work that has been done under various schemes into a single program, which has to be, as it were, signed off by the leadership of the Aboriginal communities in those western towns, and supported by the local communities. One can never be sure about how a social experiment of that nature will pan out, but I must say that it feels much better than anything else we have tried in recent times. The level of enthusiasm in the Aboriginal community was really quite encouraging. I might say that the Treasurer promised that I could have some more money if this \$1 million seemed to be working well. I would be grateful if you would remind him of that.

CHAIR: Do you have any special focus on indigenous youth?

Mr DEBUS: Yes. Any effective crime prevention plan is bound to have at least one of its elements focused on young people. After all, when I went to law school a long time ago my lecturer in criminology told me that there is really only one effective crime prevention measure, and that is to grow older.

CHAIR: I would like to know if you have any special services or benchmarking on your initiatives for indigenous youth.

Mr DEBUS: I was just describing what we have called the new Aboriginal justice initiative. That initiative will, of course, run in parallel with some other existing programs and, hopefully, enhance the benefits of some existing programs. There is a much more conventional program involving the provision of Aboriginal youth crime prevention project grants. The grants are spread all across the State. Particular grants are being given for particular projects, both in the city and out in some of the areas we have been speaking about. In Bourke, for instance, \$20,000 has been granted for the present financial year to a type of youth club. I am not responsible for its name. It is called, "Off the Street Cool Pool". That involves the establishment of a late night youth drop-in pool place to be supervised by two youth workers. That kind of program exists all over the State. I have every hope that if we can make our more general indigenous justice initiatives effective, these kinds of projects will have a better context in which to be placed.

Might I also mention that we have an initiative by which the Attorney General's Department and the National Parks and Wildlife Service are beginning to co-operate in the provision of so-called culture camps. It is clearly the case that if indigenous people, especially those between the ages of 11 and 15 years, can be exposed to their own culture, they take pride in it and the consequent educative effects can be quite profound. They are taken into a national park and shown how Aboriginal people lived before European settlement. They are made to understand what the rules of life were and that their society was governed by most intricate and moral laws. All over the State we are beginning to pursue the concept of taking children to local national parks and providing them with the benefits of such culture camps.

[Short adjournment]

CHAIR: Attorney General, I asked a similar question to this this morning. The report of the inquiry of the Standing Committee on Law and Justice into crime prevention through social support which was presented in 2000 recommended that the Premier's Council on Crime Prevention appoint a body independent of the Department of Juvenile Justice and the Department of Community Services to review the wards project of those departments. I understand from Minister Tebbutt this morning that the two departments are involved in a joint effort. Have you or has your department been involved in any discussions with the Premier's council or anybody on this issue? If so, what is the extent of the involvement of the Attorney General's Department?

Mr DEBUS: The short answer is that the Attorney General's Department does not have any involvement with that arrangement.

CHAIR: It is about crime prevention though. Before the break we were talking about crime prevention and I thought that would be a good project to be involved in.

Mr DEBUS: It may well be that in consequence of the work of those other two departments suggestions are made about how, for instance, the Crime Prevention Division of the Attorney General's Department may respond. It is just that the Attorney General's Department is not, to my knowledge, engaged with that project now.

If I may provide some supplementary information, when the Hon. Greg Pearce referred to Muswellbrook court I was unsure of its status as a District Court. It is true that Muswellbrook court has not sat for District Court purposes in the last several years. However, it is also important for me to mention that the District Court keeps reserves of funding so that it has the capacity to sit at any venue where there turns out to be a demonstrated demand. In other words, the Chief Judge of the District Court will allocate sitting times but he keeps the reserve arrangements so that he may respond if there is an unexpected demand in particular localities. I think I am repeating something that I said before, but he works on the basis that you need a two-week period to justify putting all the resources of the District Court in place in any particular locality, and that in turn means about six trials.

CHAIR: My next question concerns the Judicial Commission. Page 4-8 of Budget Paper No. 3, Volume 1 states that the Judicial Commission conducted 18 different educational programs for judges and magistrates in 2000-01. What were these programs? Specifically, could the Attorney General indicate those dealing with cultural groups, domestic violence and Aboriginal and Torres Strait Islander people? Also, were the programs mandatory or optional? Were there other language programs?

Mr DEBUS: As I understand it, there are two sorts of programs of judicial education. I do not know that anyone tells judicial officers that they will be kept in after court if they do not go but conferences are generally treated as being obligatory. Then there are more particular and longer courses which are not obligatory. I have a list of conferences that I will go through quickly. On 20 February there was a conference concerning sentencing law and there have been several orientations of a general nature for magistrates. On a number of days in July, August, September, October and November there will be five separate conferences on Aboriginal cultural awareness conducted jointly with the Australian Institute of Judicial Administration. On five days in the second half of this calendar year, judges and magistrates will visit Aboriginal communities jointly with members of that institute.

Some educational sessions are held during court time; many others are conducted after court hours and on weekends. Between July 1999 and June 2000, the last year for which we have full figures, there were 1,350 days of continuing judicial education. Attendance levels at the programs run between 85 and 90 per cent. The Judicial Commission runs a publishing program that deals with the publication of pamphlets and bulletins, which is of great importance. There is a regular bulletin on the so-called bench books, the continual updates of procedure and practice. A stream of research monographs comes from the Judicial Commission dealing with matters of interest to judicial practice. In a way, our sentencing program is a world leader, because it provides education for judges and also provides data. I was amazed to discover that a judicial officer in New South Wales may sit on the bench and press a computer key to find out the pattern of sentencing for the type of matter before the court over a number of years—and with the most astonishing position. That software is sold around a world.

CHAIR: Budget Paper No. 3, Volume 1, at page 4-8 states that significant improvements in the commission's ability to complete investigation of complaints have been achieved as a result of new procedures. What were those new procedures? How many complaints did the commission receive this financial year? Why did those new procedures result in only 43 per cent of matters being finalised within two months of receipt in 1999-2000 compared to 51 per cent of matters being finalised within two months of receipt the previous year? The new procedures are less efficient. Can you explain that?

Mr DEBUS: I am not in a position to describe these procedures to you with confidence. Unfortunately, we do not have an official of the Judicial Commission present. I must say on my transitory dealings with the commission it strikes me as a rather efficient body overall. I cannot tell you what the procedures are.

CHAIR: Would you take my question on notice?

Mr DEBUS: Yes, indeed.

CHAIR: Would you provide the Committee with information on the new procedure, because it appears to be less efficient in dealing with complaints than it was before.

Mr DEBUS: It is important to note, of course, that the Judicial Commission is not a place of appeal; it is not even a place of discipline. Firstly, the Judicial Commission has a very important educative capacity and seeks to find ways to resolve complaints, but it is not a disciplinary body.

CHAIR: I understand that.

Mr DEBUS: Even when it sets up its conduct division to hear a rather explicit complaint against a judicial officer's behaviour, it is not a disciplinary body. I will take your question on notice.

The Hon. JAMES SAMIOS: On page 4-13 of Budget Paper No. 3, Volume 1, the total expenses of the Office of the Director of Public Prosecutions for 2001-02 are shown to be \$62.4 million. The budget also shows the recurrent appropriation for 2001-02 is \$58.52 million. Retained revenue from grants and contributions amounts to \$2.030 million and revenue from the sales of goods and services amounted to \$171,000. Of the total expenditure how much was spent on administration costs? Do you want to take that question on notice?

Mr DEBUS: I will take that on notice.

The Hon. JAMES SAMIOS: Of the total expenditure how much was spent on answering correspondence from families of victims of crime whose cases the DPP declined to prosecute?

Mr DEBUS: I have no hesitation in saying that I will have to take that question on notice, if anybody knows.

The Hon. JAMES SAMIOS: How many overseas trips did the Director of Public Prosecutions take in 1999-2000?

The Hon. JOHN JOHNSON: In what capacity?

The Hon. JAMES SAMIOS: In his capacity as Director of Public Prosecutions. What was the purpose of the following trips: the November 1999 visit to Bangkok, Thailand; the June 2000 visit to Zhengzhou, China and Quebec, Canada; the 27 June to 2 July 1999 visit to Bali; and the 5 September to 10 September 1999 visit to Beijing in China?

Mr DEBUS: I have a list of trips taken by the Director of Public Prosecutions during the calendar year 2000-01, but I do not have some of those earlier ones.

The Hon. JAMES SAMIOS: I am referring to 1999.

Mr DEBUS: It is important to understand that the Director of Public Prosecutions is also President of the International Association of Prosecutors [IAP]. I understand that that responsibility could have taken him overseas on a number of occasions during the past several years. He is not infrequently invited to be involved in training programs for public prosecutors in developing countries. I will take that question on notice. That is how it happens, and I can tell you that the total sum spent by his office on overseas trips is minimal. These trips are overwhelmingly, but not always, paid for by international organisations.

The Hon. JAMES SAMIOS: The 1999-2000 annual report of the Office of the Director of Public Prosecutions states that an overall financial benefit is received from the provision of training workshops in Fiji. How much gross benefit did the office receive?

Mr DEBUS: I will take that question on notice, but that is not in this year's budget; it is not even in last year's budget.

The Hon. JOHN JOHNSON: Point of order: We are here to discuss the estimates in the 2001-02 budget papers. We are not here to discuss things that were paid for in previous budgets. The question just asked by the Hon. James Samios related to 1999.

The Hon. JAMES SAMIOS: I started off by referring to the budget papers but my last question referred to the 1999-2000 annual report of the Office of the Director of Public Prosecutions in relation to an overall financial benefit.

The Hon. JOHN JOHNSON: But that is not under consideration.

The Hon. GREG PEARCE: To the point of order: It has been ruled regularly that there is no restriction on questions.

Mr DEBUS: I take the point made by the Hon. John Johnson that the questions appear to be directed to the budget papers not even of last year but of the year before. Nevertheless, I do not mind taking the questions on notice. I have given a general explanation of what these trips are about and how they have occurred. I do not believe I will be able to add any further explanation now but if the Hon. James Samios wishes to place his questions on notice, I will answer them.

The Hon. JAMES SAMIOS: I asked six questions at the beginning and they all related to the 2001-02 budget.

Mr DEBUS: Some of them related to the 2000-01 budget.

The Hon. JAMES SAMIOS: Yes, the first four related the budget and the last question related to the 1999-2000 budget. Of the total retained revenue for 2001-02 how much was gained from services rendered to other countries in training, planning, management and other roles?

The Hon. JOHN JOHNSON: It has not concluded yet.

Mr DEBUS: I will take that question on notice.

The Hon. JAMES SAMIOS: How much did the Office of the Director of Public Prosecutions receive from the following projects in 1999-2000, which are relevant to indicate the role of the department: the provision of training for the Social Welfare Department in Hong Kong; management of a legal institutions strengthening project in Vanuatu; hosting the secondment of a staff member from Canada; working with the Rand Corporation in Santa Monica, in the United States of America, in relation to criminal justice issues; and playing an active role in the management of the Australian Institute of Judicial Commissions? What was the total gross revenue received for services rendered in 1999-2000? What was the total gross revenue received for services rendered in 2000-2001? Does the Minister anticipate future contacts with other countries in exchange for services provided by the Office of the Director Of Public Prosecutions? Can you provide a schedule of all anticipated overseas visits and contracts?

The Hon. JOHN JOHNSON: This is trivia. We went through this in relation to other departments. It is absolute nonsense and a waste of the time of the departments.

CHAIR: It is up to the Minister to answer the question.

The Hon. JOHN JOHNSON: Yes, and I am making a point.

Mr DEBUS: I am not sure that I can provide the Hon. James Samios with a list of things that have not even happened yet, but I say generally that I am supportive of the Office of the Director of Public Prosecutions providing humanitarian assistance from time to time. Such work normally brings benefit not only to the recipients of that training or assistance, but it is just as frequently beneficial to the career and skill development of the prosecutor who may be providing the training. As I say, I have no problem in providing you with some information about the work of the office in that respect.

The Hon. JAMES SAMIOS: One would not disagree with your comments about the humanitarian work of the office. However, the purpose of estimates committee hearings is to call for accountability as to what has transpired and no doubt you will be able to provide that accountability in your answers to questions?

Mr DEBUS: Yes.

The Hon. JAMES SAMIOS: However, there is an obligation on the Opposition to ask about that.

Mr DEBUS: I leave aside the procedural question about whether it is appropriate or necessary for me to answer questions about the year 1999-2000. I merely say that, in the circumstances, I will provide the information.

The Hon. JAMES SAMIOS: Thank you, Attorney.

Mr DEBUS: I do so without prejudice.

The Hon. GREG PEARCE: I am not sure that you can answer without prejudice in this Committee.

Mr DEBUS: That was not the right word. I do so without any comment on the procedural legitimacy of the question.

The Hon. JAMES SAMIOS: One of the functions of the Judicial Commission is to examine complaints about judicial officers. Last year the Judicial Commission found in favour of the Police Association, which had complained that the comments of Magistrate Pat O'Shane that two policemen had been stupid, reckless and foolhardy would suggest she was biased against police. Can you confirm whether Magistrate O'Shane continues to hear cases involving police since the findings of the Judicial Commission?

Mr DEBUS: As I am advised the Judicial Commission, upon hearing of the complaint that you mention, made recommendations to the Chief Magistrate. That is a predictable response. The Judicial Commission is not of itself a disciplinary body. It can make recommendations to whom it sees fit, but except in the most extreme circumstance that would be a recommendation to the head of jurisdiction. That is what then happened. Whether or not cases involving police were then listed before Magistrate O'Shane would be a matter for the Chief Magistrate, but I have no indication that they have not been.

The Hon. JAMES SAMIOS: Is it within your province to ascertain the outcome of that?

Mr DEBUS: It is not within my dispensation. It is not at all certain that the Judicial Commission in the first place recommended that Magistrate O'Shane should not hear matters involving police.

The Hon. JAMES SAMIOS: My question made the point that the Judicial Commission found in favour of the Police Association's complaints that the comments of Magistrate Pat O'Shane that two policemen had been stupid, reckless and foolhardy would suggest that she was biased against police. Are you confirming or denying that?

Mr DEBUS: I am doing neither.

The Hon. JOHN HATZISTERGOS: The question relates to a particular instance.

Mr DEBUS: The whole matter, almost by definition, is one for the judiciary to deal with. It is not one for the Government, in this case represented by the Attorney General, to interfere with. That is very point of having a Judicial Commission in this kind of circumstance. The Government, the Attorney General or anybody else may refer a complaint to the Judicial Commission. The purpose of the Judicial Commission is to hear the complaint and to make recommendations to whomsoever it thinks appropriate—be it the Government, the Parliament or the head of jurisdiction. As far as I am aware the Judicial Commission in the case that you are referring to made no recommendation to the Attorney General of the day. I do not believe it to be appropriate, therefore, for me to probe that recommendation or to seek to elicit information from the Chief Magistrate about the matter.

The Hon. JAMES SAMIOS: My comments did not in any way require or ask you to interfere with the Judicial Commission. I simply asked whether you could confirm whether Magistrate O'Shane continues to hear cases involving police since the finding of the Judicial Commission?

The Hon. JOHN JOHNSON: That would be on the public record.

Mr DEBUS: I cannot at this moment confirm or deny it. I have no cause to, but I suppose anybody could look at court records.

The Hon. JAMES SAMIOS: Would you not agree that this is a fairly important point?

Mr DEBUS: It is not an important point for me. There is a separation between what I may do in terms of legal policy and what the judiciary does. Whatever I may know about it at an informal level—and in fact I do not know—it is not something for me to be answering in a hearing of this nature.

The Hon. JAMES SAMIOS: May I ask whether you have referred the magistrate's latest comments regarding the rape claims against ATSIC chairman Geoff Clark to the Judicial Commission?

Mr DEBUS: Yes. I said publicly that I would, and I did, but consistent with the explanations I have just been making, I intend to do no more whatsoever about that matter.

The Hon. JAMES SAMIOS: The extensions to the Orange courthouse originally announced in 1997 and due to be operational by 2000 are still going on.

Mr DEBUS: Yes.

The Hon. JAMES SAMIOS: Would you be able to provide details of construction and building costs for 2001-02?

The Hon. JOHN JOHNSON: Point of order: That is surely a matter for Public Works and Services, not for the Minister, who is responsible for the workings of the Attorney General's Department as distinct from the building programs.

The Hon. JAMES SAMIOS: It may be within his province.

CHAIR: It is up to the Minister whether he chooses to answer the question.

Mr DEBUS: Reflecting his long experience in these matters, I believe that the Hon. John Johnson has accurately represented the legal circumstances here, but in fact I can say that the improvements to the Orange courthouse will be completed around September and that in this budget \$1.4 million has been allocated to complete a project that will cost around \$7 million. I can even inform the Hon. James Samios what the delay has been about.

The Hon. JAMES SAMIOS: We would like to hear that.

Mr DEBUS: It would save us time. The New South Wales Heritage Council requested that the design should be reviewed while there was demolition of the building going on because the demolishers were fortunate enough to find that the courtkeeper's cottage footings from a lock-up back in 1848 had been exposed. Needless to say, the New South Wales Heritage Council was alerted to action and requested that the design be reviewed and modified to retain a portion of these most significant footings, which apparently showed the pattern of an eight-cell complex. We had to raise the floor level of the extension with the basement cell block and modify an area of accommodation on the ground floor, all of which was a very complicated business and explains why there was not only additional funding needed but why the project was extended and is expected to be completed in September of the present calendar year.

The Hon. JAMES SAMIOS: The blow-out is 49 per cent on the originally projected cost of \$4.7 million.

Mr DEBUS: It does no more than reflect our passionate commitment to the heritage of this State.

The Hon. JAMES SAMIOS: But all on an accountable basis.

Mr DEBUS: Absolutely.

The Hon. JAMES SAMIOS: What is the current backlog for applications for victims compensation under the 1988 Act?

The Hon. JOHN JOHNSON: For the year under review, or retrospectively?

The Hon. JAMES SAMIOS: The current year.

Mr DEBUS: In 2000-01 the Victims Compensation Tribunal received about 6,400 applications. In that same year the tribunal determined 10,500 applications, paid out \$87.3 million, and reduced the number of applications awaiting determination from around 17,000 to about 13,000.

The Hon. JAMES SAMIOS: The joint select committee report on victims compensation of February 2000 identified \$150 million in backlog claims. How long will it be before this backlog of claims is completely eliminated?

Mr DEBUS: It is not possible to completely eliminate the backlog. It is not very easy to say exactly how quickly the existing backlog will be reduced, though it is clear that it is being reduced. The recommendations of that committee were, for the most part, engrossed in legislation. The legislative changes and the new practices that are being applied by the tribunal clearly are achieving a not insignificant reduction in the backlog, effectively determining applications quite a lot faster now than they are coming in. I repeat, 10,500-odd were determined last year, with 6,400-odd coming in. That is really quite encouraging.

The Hon. JAMES SAMIOS: The 2000-01 budget allocated \$92.246 million to compensation of victims of crime, with 4,800 applications anticipated. Figures revealed in the 2001-02 budget show that, while the number of

applications almost doubled to 8,500, total compensation payments increased only slightly, to \$94.369 million. How much has the Government saved as a result of the Victims Compensation Amendment Act 2000, which restricted compensation to victims of armed robbery, abduction and kidnapping who suffer psychological or psychiatric disorder as a result of crime?

Mr DEBUS: I will ask Mr Glanfield to deal with that matter, if I may.

Mr GLANFIELD: Can I deal first with the first part of your question, that is, in relation to the number of applications. In previous years we were separating those applications which were dealt with under what we called the pre-1996 legislation and those which were dealt with post that legislation. In the last year all of those old applications were finally determined. I think the figure to which you refer is that figure, rather than the combined figure. In any event, we did give priority to the more significant cases whilst we were clearing up the backlog, so that applications for compensation by victims of sexual assault and by family members of homicide victims were given priority. Those kinds of applications necessarily involved an average pay-out more significant than the average pay-out across all applications.

As we have cleared up the backlog and been able to move much more quickly through the applications, the average payment that is being awarded by the Victims Compensation Tribunal has declined—not because of any different approach, but simply because they are now dealing with more general claims, rather than a particular high-priority category. In terms of what has been saved by the changes in the legislation, that would need to be the subject of a fairly detailed evaluation. What we are seeing, though, is a decline in the number of applications coming in, not the average award being made for similar kinds of claims.

The Hon. JAMES SAMIOS: Attorney, the 2000-01 budget shows that Local Court expenditure increased from \$121.689 million, revised, in 2000-01 to \$129.760 million in 2001-02, an increase of \$8.071 million. However, \$8.31 million of that increase was attributed to employee-related expenses. Given the fact that delays in the Local Court system are increasing to concerning levels—the 2000 annual review revealed that the Downing Centre experienced delays of up to 29 weeks, Parramatta experienced delays of up to 19 weeks, and Ballina and Grafton experienced delays of up to six months—what actions will be taken over the next 12 months to reduce delays in the New South Wales Local Court? What additional programs, if any, will be undertaken by the Local Court during 2001-02?

Mr DEBUS: It is, perhaps, worth mentioning that the New South Wales Local Court system is one of the largest jurisdictions in the world. It is by far the largest jurisdiction in Australia. It hears something like 96 per cent of all criminal cases in New South Wales, for instance. It is a massive system which has generally, without any question, been hearing matters faster than was the case in the past. The Committee would be aware that when the Olympics were on, the court system closed down all but for a couple of magistrates who were on standby in case of any unexpected trouble. Those magistrates, as a matter of fact, got hardly any work at all. So the Olympics year must be seen as a one-off. The Downing Centre was closed down for more than two weeks. It is not, therefore, very realistic to be comparing the year in which that event occurred with the one before. There has been a 22 per cent increase in criminal matters before the Local Court since 1995, and 94 per cent of those matters were finalised in less than six months. That means that the Local Court is dealing with criminal matters at better than the national average, a not insignificant circumstance.

The Hon. GREG PEARCE: How does that 29 per cent relate to the 40 per cent reduction in the District Court?

Mr DEBUS: There are two kinds of things, which Mr Glanfield could be more precise about. Some categories of matters have moved from the District Court to the Local Court, but in fact the District Court's productions are internal to the court itself. They are to do, for the most part, with the adoption of procedures like centralised committals and, as I say, more effective case management by individual judicial officers of individual cases. So there is a bit of a connection, but it is not the dominant cause of the District Court improvements. The Downing Centre, which is responsible for most of the delays reported in the Chief Magistrate's annual review, is in that special circumstance. It was not closed for two weeks as I had thought but for four weeks. That is extraordinary. Lengthy cases are referred to the Downing Centre to free up the suburban courts. It is probably easier if I allow Mr Glanfield to provide the details instead of trying to anticipate his comments.

Mr GLANFIELD: One of the misleading aspects of these figures regarding the Local Court and each of our other programs is that we have to spread the corporate support costs of the department. In the past year we have reduced our total corporate costs through a range of initiatives, such as waste management, energy savings and the use of technology. A significant part of the reduction referred to between what we budgeted to spend in the Local Court and what we actually spent—the department allocates most of its expenditure to the Local Court—is

attributable to the savings made in corporate services areas. The increase in the current year's budget is attributable to a range of additional initiatives, including some that the Attorney General referred to earlier such as additional money for acting magistrates—particularly in the mental health hearings area—and the Fairfield police initiative. The latter is designed to enable police to spend more time on the beat and less time in court. There is also a range of other initiatives. Our funding for the Local Court has increased significantly this year.

CHAIR: Page 4.3 of Budget Paper No. 3 refers to expenditure trends and recent developments. It lists funding of \$150,000 for the establishment of a pilot mandated domestic violence intervention education program for perpetrators of domestic violence. The program commenced this year. What is involved in that program? How long will it run? Has the program's impact on perpetrators been evaluated?

Mr DEBUS: I think Ms Lee Rhiannon asked about this matter. The pilot perpetrator program will begin next month and focus on Penrith Local Court. It will involve the local area health service, the local women's health service and the probation and parole service in a trial of about 100 people, with extra elements for the protection and education of not only perpetrators but victims.

CHAIR: Is that program linked with the statewide public education campaign on violence against women?

Mr DEBUS: Yes. As I understand it, the same unit within the Crime Prevention Division has devised both programs. I presume you are referring to the campaign with the footballers saying, "Don't bash people."

CHAIR: I must apologise; I did not hear Ms Lee Rhiannon ask that question.

The Hon. JOHN JOHNSON: Minister, how many questions were placed on notice last year? In another estimates committee approximately 400 questions were put on notice, with an associated cost of \$25,000. How many questions have you taken on notice this year? How much do you estimate it will cost to prepare the answers?

Mr DEBUS: This is my first estimates committee hearing for this portfolio. Some 400 questions were placed on notice in one of my portfolios last year and it cost many tens of thousands of dollars even to provide answers such as "The cost of getting this information is impossibly high and we will not do it if you don't mind."

The Hon. GREG PEARCE: In that case, instead of my placing a number of questions on notice would you prefer to return to the committee with your entourage and work your way through the detailed questions that we would like to ask, which I am sure can be responded to expeditiously by one or two fairly junior departmental staff members? That would be a much better and more appropriate way of dealing with the detailed questions that we still wish to ask.

Mr DEBUS: It is a matter of balance and depends on the nature of the questions. It is obviously appropriate to take some questions on notice and to conduct research. However, there is a difference between a couple of dozen sensible questions about details and 500 questions that are apparently calculated to drive the entire bureaucracy balmy.

The Hon. GREG PEARCE: I have a couple of dozen detailed questions that I would like the Minister to take on notice if he is happy to do so.

Mr DEBUS: If you can give me a general idea of their nature, I can make a quick decision about them now.

The Hon. GREG PEARCE: They relate to issues such as funds spent on consultants, legal fees and advertising costs. They are detailed questions.

Mr DEBUS: It is appropriate to take those questions on notice.

CHAIR: The Minister has already agreed to take some questions on notice and now he has undertaken to accept further questions on notice. When do you expect to be able to provide answers to the committee?

Mr DEBUS: Until I see the questions it is difficult to answer that. If there are general questions about how much the department has spent on advertising and things of that nature, I am sure that we can provide written answers in a matter of only days.

CHAIR: It is up to the Minister to choose how he answers the questions. How long will it take to provide answers to the committee? The normal rule is 35 days.

Mr DEBUS: We can comply easily with that.

Ms LEE RHIANNON: I have another question to put on notice. I referred to this matter earlier, but I require some additional information. What was the cost of Mr Milat's hearing at Toronto court?

Mr DEBUS: I think I said at the time that, so far as my portfolio was concerned, it was simply whatever it cost the coroner.

Ms LEE RHIANNON: I am trying to gauge the total cost. I have asked the same question of Corrective Services and the police.

Mr DEBUS: Okay.

CHAIR: I thank the Minister and departmental officers for attending this estimates committee meeting.

The Committee proceeded to deliberate.
