

GENERAL PURPOSE STANDING COMMITTEE No. 3

Wednesday 26 June 2002

Examination of proposed expenditure for the portfolio area

CORRECTIVE SERVICES

The Committee met at 8 p.m.

MEMBERS

The Hon. Helen Sham-Ho (Chair)

The Hon. Tony Kelly
The Hon. Charlie Lynn
The Hon. Greg Pearce
The Hon. Peter Primrose

Ms. Lee Rhiannon
The Hon. John Ryan
The Hon. Ian West

PRESENT

The Hon. R. Amery, *Minister for Corrective Services*
Mr R. Whan, AM, *Chief of Staff*
Mr D. Howse, *Senior Policy Adviser*
Mr L. Mellare, *Press Secretary*

Department of Corrective Services
Mr R. Woodham, PSM, *Commissioner for Corrective Services*
Mr L. Grant, *Assistant Commissioner, Inmate Management*
Ms C. McComish, *Assistant Commissioner, Probation and Parole*
Mr G. Schipp, *Executive Director, Finance and Asset Management*

CHAIR: At this meeting the Committee will examine the proposed expenditure for the portfolio area of Corrective Services. Before questions commence some procedural matters need to be dealt with. Part 4 of the resolution referring the budget estimates to the Committee requires evidence to be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and media excerpts of these public proceedings. In accordance with the Legislative Council guidelines for the broadcast proceedings, only members of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In reporting the proceedings of this Committee the media must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee.

There is no provision for members to refer directly to their own staff while 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. For the benefit of the members and *Hansard*, could departmental officials identify themselves by name, position and department or agency before answering any questions referred to them. Where members seek information in relation to a particular aspect of a program or sub-program, it would be helpful if the program or sub-program is identified. I declare the proposed expenditure open for examination.

Minister, do you have an opening statement or do you want to say something before we ask questions?

Mr AMERY: No, we will go straight into questions.

CHAIR: Before I ask questions, I should say that we have two hours and there will be no break. We have not set any time limit for particular groups of witnesses. We propose to ask questions until a subject matter is exhausted. Of course, members can always come back to a subject if they forget to ask a question.

There are more than 11,000 children in New South Wales with a parent in gaol. I understand that Emu Plains Correctional Centre, which is the minimum security women's prison, runs a program which enables children under five years of age to live with their mothers in a section of the gaol. Children are able to remain with their mothers in their formative years whilst women receive education in the centre about parenting skills. How many women prisoners in New South Wales have benefited from this program and do you think this is beneficial to them?

Mr AMERY: I have seen the program that you mention. I visited Emu Plains and had a look at some of the units and to see women inmates with children was very encouraging. In fact, I think one child was born during the term of the mother's imprisonment. The involvement of the children—and the ones I saw were very young babies—was not only beneficial to the inmate, the mother of the child but it seemed to create a community spirit within the system. It was more like a family joint caring for the child. The benefits of that are only too obvious. In relation to the number involved, I do not know if there are figures in the budget papers, but I might be able to give you some information.

CHAIR: But do you have any other programs in any other women's prison?

Mr AMERY: The Parramatta Transitional Centre for Women aims to provide a bridge between, say, life in a correctional facility and life in the general community. That is by breaking the institutional routine of a correctional centre and by developing the living skills that an inmate will need to reintegrate effectively in the community. The program has proven to be so successful that a similar transitional centre has recently been opened. You mentioned the one at Emu Plains, which is the one I was just referring to. The Parramatta Transitional Centre commenced taking inmates on 20 September 1996. The centre is based on two refurbished federation houses that were built in 1902 across the road from the Parramatta Correctional Centre. The houses are owned by the Department of Corrective Services. I think they were used years ago for VD; I think they are the same ones. The centre, which accommodates up to 21 female inmates and their children is not proclaimed as a correctional centre. Inmates who live in the centre do so under local leave permits issued by the commissioner under Sections 26 (1) and 26 (2J) of the Crimes (Administration of Sentences) Act 1999.

The centre is staffed by the manager of Parramatta Transitional Centre with an administration officer, six permanent transitional centre workers and a varying number of on-call transitional centre workers. These workers are not employed as correctional officers, or they may have been trained as correctional officers, and they do not wear uniforms. The centre aims to provide a bridge between life in a correctional facility and life in a general community by breaking the institutional routine of a correctional centre and by developing the living skills that inmate will need to reintegrate effectively into the broader community. You have actually asked some questions in relation to the number and I would like to take that a question on notice.

CHAIR: The second question I was going to ask was about the transitional centre at Parramatta. In fact, my first question was not about the Parramatta Transitional Centre. I already have an answer to the second question, but my first question was the Emu Plains Correctional Centre, which is different because it is about young children staying with their mothers.

Mr AMERY: Yes. We can get the numbers for you on Emu Plains. In my visit through the centre I was very impressed with the operation there and certainly the impacts that it would have on female prisoners, the female inmates, particularly ones with small children, were obvious. When I went into the cottages with a group of people I noticed very much a family atmosphere, and I would say it is something which no doubt should be encouraged.

CHAIR: Will you consider a cultural-specific transitional centre for Vietnamese prisoners, given the high percentage of this group in the prisoner population, 3.4 per cent in 2001?

Mr AMERY: Having a centre specifically set aside for the Vietnamese community? I might ask the Commissioner to make a comment on that, but I think there is a difficult issue on resources. You will realise the department has a strategy for managing the different cultures within our prison system. I do not know whether the numbers would justify a whole new centre—if that is what you are asking—a whole new complex for one group.

CHAIR: Perhaps a section of it or some special—

Mr AMERY: Obviously we do look at the management of different cultures. It is a case-by-case situation. I am not familiar with anything at the moment about having a specific centre constructed, but sometimes we certainly separate different cultures for various management reasons. Unless the Commissioner might be able to add anything to that, I probably cannot give the Committee anything more at this stage.

Mr WOODHAM: We have an ethnic affairs task force that reviews these issues and there are people representing the Vietnamese community on that task force. It has not become an issue of dedicating any housing units for Vietnamese.

CHAIR: I am asking specifically about women, like the transitional centre. I am not talking about generally; I am still talking about the women's issues.

Mr WOODHAM: Yes, I was referring to women. Of course, it covers women as well but there has not been any proposition or consideration given to a transitional centre for Vietnamese women, not at this stage.

CHAIR: You have estimated as many as 90 per cent of women prisoners have a drug program. How many drug counsellors are employed in each women's prison in New South Wales?

Mr AMERY: How many drug counsellors in each prison?

CHAIR: Yes, in women's prisons.

Mr AMERY: Unless that number is readily available, I will take that question on notice. I do not know whether this breaks it down in the way you have asked the question, so I will go through some information that is available here. The department employs 91 alcohol and other drug HIV health promotion workers, 16 of whom are Aboriginal. Staff work closely with the community agencies in line with the department's through care program and provide a number of services,

including initial assessment of offenders to identify the extent of any alcohol or other drug problem, assistance of the case management team in developing an offender's case plan, counselling sessions—both group and individual, stress management, relaxation groups, anger management groups, drink-driving prevention programs, relapse prevention programs and education programs that address universal infection control issues and healthy lifestyles. Further, specific programs target inmates who are women, indigenous, young, from a non-English speaking background and/or who have an intellectual disability, and the Corrections Health Service prescribes and dispenses methadone to heroin-addicted inmates. About 900 inmates are currently participating in the program. That gives you a broad brush outline, but you asked for a breakdown of each number of counsellors in each facility that houses women. I would have to take that on notice.

The Hon. GREG PEARCE: You mentioned that 900 inmates were on the methadone program.

Mr AMERY: Currently participating in the methadone program.

The Hon. GREG PEARCE: Which gaols run the methadone program?

Mr WOODHAM: All the remand gaols and most of the medium security gaols. There are only some minimum security gaols where methadone is not available, and we have just introduced methadone into Cooma in the last week.

The Hon. GREG PEARCE: Can you explain how that program works? Are the inmates successfully taken off their drug addiction, or is this a methadone reduction campaign?

Mr WOODHAM: No, it is mainly a maintenance program, and it is run by the Corrections Health Service, not by us. There is an assessment made, particularly on reception, of those who are on methadone in the community when they come into our care, and that treatment is continued. Some are assessed after reception to us and placed on methadone and some—

The Hon. GREG PEARCE: So you are saying that inmates can come into the gaol and then be put on a methadone program?

Mr WOODHAM: Yes.

The Hon. GREG PEARCE: So they can come in clean, and you put them on some drug—

Mr WOODHAM: No, I did not say that at all. What I am saying—

The Hon. GREG PEARCE: Well, you did.

Mr WOODHAM: They could come into gaol. I did not say they could come in clean. They could come into gaol being addicted to heroin, be assessed and put on methadone.

The Hon. GREG PEARCE: What percentage of inmates on your program of drug supply are weaned off their habits? You have said that a number are put onto it. What percentage are weaned off that?

Mr WOODHAM: As I said, the methadone program is one of our maintenance programs but that is a medical decision, not our decision, and I know some do come off. I could not give you the number here, but some do come off methadone whilst they are custody.

The Hon. GREG PEARCE: When you say "a medical decision", you run the gaols.

Mr WOODHAM: Sorry?

The Hon. GREG PEARCE: You run the gaols.

Mr WOODHAM: But it is a medical decision. The Corrections Health Service runs the methadone program. They do the assessment and they place the people on methadone.

CHAIR: I think that already answers part of my next question, which relates to Aboriginal women. How many counsellors, for example, are looking into the Aboriginal women's welfare, if you like, in correctional centres, because there is such a high proportion of Aboriginal women in custody?

Mr AMERY: It was a bit of a broad brush outline. My answer outlined a number of people involved in the various different groups, and I said that we would do a breakdown on it per gaol. The commissioner has given me some notes here about drug and alcohol workers. Whether this answers your question—I do not think this is just involved with the indigenous people—but there is a bit of a breakdown here. I have just been given a breakdown on the general worker: Emu Plains, two; Mulawa, three; Berrima, two; Grantham, one; Bolwarra House, eight. That is a total of 16, but you are now asking me to break it down even further to say how many are involved with indigenous women. We would have to take that on notice to give you the exact figures.

CHAIR: I do not know whether you have any designated counsellors for Aboriginal women, because they are perhaps a special category of women with special needs.

The Hon. GREG PEARCE: Do you have many of the indigenous positions unfilled for drug and alcohol counsellors?

Mr WOODHAM: Not that I am aware of.

CHAIR: How many women of non-English speaking background are currently in custody in New South Wales?

Mr AMERY: The number of women inmates in prison runs generally between around about 6 per cent and 6.5 per cent of the prison population. It is a comparatively small number, but unfortunately is increasing. What is the breakdown of those who are of non-English background and indigenous, is that what you are asking?

CHAIR: If you can give me the figure, it would be great.

Mr WOODHAM: Overall, non-English background runs around 22 per cent to 23 per cent. That is overall throughout the system and with the women, the indigenous percentage is around 24 per cent, and in the male gaols, 15 per cent.

The Hon. CHARLIE LYNN: Minister, I understand that Mr Ian McLean has been appointed to the second most senior position within the department, that of Senior Assistant Commissioner, Inmate and Custodial Services. Does Mr McLean enjoy your full support?

Mr AMERY: Sorry, does?

The Hon. CHARLIE LYNN: Does Mr McLean enjoy your full support.

Mr AMERY: If he has just been appointed as a Senior Assistant Commissioner, I would say that is taken as given. Do you think we would be appointing people that do not have our full support? I am waiting for the follow-up question. What is that?

The Hon. CHARLIE LYNN: Can you please outline for the Committee Mr McLean's CV and qualifications for the position?

Mr AMERY: I do not think Mr McLean's CV was part of the budget papers, but if we happen to have something handy, I will read it out. If not, we will take it on notice. The CV of anybody in the department is not in the budget papers, so therefore I have not bought details along of all the CVs of senior officers, unless of course they are particularly mentioned as a line item in the budget.

The Hon. CHARLIE LYNN: Could you advise who the other candidates for the position were and what were their qualifications?

Mr AMERY: Sorry?

The Hon. CHARLIE LYNN: Could you advise who the other candidates for the position were and what were their qualifications.

Mr AMERY: Just a minute, is this a line item in the budget? I understand you have asked me some questions about appointments to the Department of Corrective Services.

Ms LEE RHIANNON: Point of order: The Minister seems to be disputing whether he needs to answer questions other than budget questions, but I had always understood—

The Hon. TONY KELLY: No, he is just saying he has not got the stuff with him, that is all. That is all he is saying.

Mr AMERY: We came prepared to answer questions on the budget, and if I have not got them in front of me and one of the departmental people do—if you have asked a question about some general day-to-day operation like the appointment of some staff in the Department of Corrective Services, we will take it on notice.

The Hon. TONY KELLY: That is all he said.

CHAIR: Before you answer the question, I think you were going to take a question on notice relating to the CV of the successful applicant. That would be out of order because a CV is a personal matter of the applicant; it is supposed to be confidential.

The Hon. JOHN RYAN: Madam Chair, I am not sure that it is entirely out of order. If the member wishes to find it out for the purpose of determining the quality of the people appointed to the Department of Corrective Services recently, I am not sure that the question is entirely out of order in terms of the terms of reference of this Committee.

CHAIR: My advice is that it is a personal record. If the Minister wants to give relevant information about why this person was appointed on merit, he can provide that information.

Mr AMERY: We appoint people everyday, and I did not bring the CV of every person that has been appointed to the department to a budget Committee. If you ask questions about matters which I have not brought to the Committee, I will take them on notice, and if we have information we consider appropriate, we will certainly answer those questions.

The Hon. CHARLIE LYNN: Is the Commissioner able to provide information in regard to—

Mr AMERY: I have already taken it on notice.

The Hon. CHARLIE LYNN: Are you aware of the current performance audit being conducted by the Audit Office into alleged sick leave and holiday rorts within New South Wales prisons?

Mr AMERY: I am aware that there is a number of audits going on in relation to issues like sick leave and general management in the prison system. Could you be more specific?

The Hon. CHARLIE LYNN: Yes. I will refer to the leave rorting at Lithgow gaol in 1999.

Mr AMERY: The leave rorting—

The Hon. CHARLIE LYNN: At Lithgow gaol.

Mr AMERY: In 1999?

The Hon. CHARLIE LYNN: Yes.

Mr AMERY: It may come as a surprise to me that that is in the 2002-03 Budget but go ahead.

The Hon. CHARLIE LYNN: I understand it is currently under investigation. If I could direct my question to the Commissioner, when was Mr McLean governor of Lithgow gaol?

Mr WOODHAM: It would have been up to about 1998, I think—1999, early 1999.

The Hon. GREG PEARCE: You might get the date for us, for semantics.

Mr AMERY: Yes.

The Hon. CHARLIE LYNN: Could you advise if an audit at the time showed that every single prison officer at Lithgow gaol owed taxpayer money for time taken off from work, but not deducted from their leave records?

Mr WOODHAM: Yes. We are doing a leave cleansing exercise right across the organisation. Lithgow was one of those gaols. There was a major discrepancy at Lithgow and it was right across the board. It was not just custodial staff, it was non-custodial staff, and we have reached an agreement with the unions on how to recoup any moneys that were owed. But it was not only a discrepancy with leave, with them owing us money. We owed them money as well, so it was both ways.

The Hon. CHARLIE LYNN: Could you advise if Mr McLean was asked to pay back \$5,000 he had wrongfully claimed as sustenance while he was governor of Lithgow gaol? Could you also advise whether he has paid that money back?

Mr WOODHAM: I would have to take that on notice. I know it was an issue, and I would have to take that on notice and get back to you.

The Hon. JOHN RYAN: Minister, the business of the leave audit was referred to in the Auditor General's report recently, I think in December. Could you give the Committee any idea as to the value of the money that is involved in unaccounted-for leave?

Mr AMERY: No, we do not have any figures here in the budget papers, so I would take that on notice.

The Hon. GREG PEARCE: Commissioner, are excessive overtime and leave major reasons for the ongoing lock downs at the John Moroney Correctional Centre at South Windsor, which I understand have now lasted for some eight weeks?

Mr WOODHAM: No. There is a process of restricted correctional centre activity, not only at John Moroney. The issue at John Moroney is what is called a D-watch not being staffed at the present time.

The Hon. GREG PEARCE: I am sorry, the D-watch not being staffed. Is that what you said?

Mr WOODHAM: Yes, that is an afternoon shift, one shift in the maximum security section of John Moroney. The Acting Senior Assistant Commissioner was at John Moroney yesterday, negotiating with the unions there. I believe they have nearly reached an agreement on how that correctional centre will operate in the future and the place should not be locked down.

The Hon. GREG PEARCE: So it is locked down because you do not have the staff to fill—how many shifts are there, three or—

Mr WOODHAM: Yes. Well, there are different times. There is definitely three shifts, but there is an afternoon shift that overlaps in the maximum security section, and that is the shift under dispute at the present time.

The Hon. JOHN RYAN: How many hours a day are the prisoners locked down at that prison?

Mr WOODHAM: There are two sections to John Moroney. There are 250 prisoners in the maximum security section, and they are out of cells around eight hours a day, and the 350 that are in the minimum security section, I am sure they are out around 12 hours a day. I will just check.

The Hon. JOHN RYAN: How does that compare with normal arrangements?

Mr WOODHAM: Yes, that is normal.

The Hon. JOHN RYAN: No, the eight hours a day. How does that compare?

Mr WOODHAM: That is normal in maximum security.

The Hon. GREG PEARCE: On page 3-39 of Budget Paper No. 3, Volume 1 there is a line that is underlined, "Average Staffing". It says, EFT, which I assume means "effective full-time" or something like that, and there is a figure of about 3,760 staff going to 4,175 in the budget.

Mr AMERY: What page is it?

The Hon. GREG PEARCE: Page 3-39. Perhaps the Commissioner is the best one to answer this. Can you tell me how many staff the department engages in the corrective institutions in total?

The Hon. JOHN RYAN: You mean custodial staff.

The Hon. GREG PEARCE: Custodial staff, yes, I am sorry.

Mr WOODHAM: It is around 3,800.

Ms LEE RHIANNON: Are you fully staffed at the moment?

Mr WOODHAM: No, we are never fully staffed, but the recruiting program is churning away full time. Over the last 12 months, I think we recruited 500. We have around 12, I think it is, a month resign. We are looking forward now to Dillwynia opening, the opening of the 200 remand cells at Parklea, which will be November this year, and we are opening up drug detox in the new reception room there as well. We are recruiting now for Parramatta. We are moving the periodic detainees out of Parramatta, half of Parramatta, for extra remand beds, and we are also looking at the staffing profile of Kempsey, which will open around December next year. I believe we have a pool of around 300 applicants to be assessed at the present time.

The Hon. GREG PEARCE: You said that current staffing requirements—I suppose that is the best way to put it—is 3,800. Is that full-time?

Mr WOODHAM: Yes. We have not got—

The Hon. GREG PEARCE: You do not have temporary—

Mr WOODHAM: No, that is not including the part-time people we have in the courts, yes.

The Hon. GREG PEARCE: How many of those 3,800 positions are actually filled?

Mr WOODHAM: I could not tell you off hand, but very, very close to it.

The Hon. GREG PEARCE: Very close to it?

Mr WOODHAM: Yes.

The Hon. GREG PEARCE: In addition to that 3,800 full-time, do you have temporary and/or casual staff as well?

Mr WOODHAM: We do have casual staff and permanent part-time staff.

The Hon. GREG PEARCE: How many of those are there?

Mr WOODHAM: Well, the permanent part-time staff work in the periodic detention program and they are the field officers in that program. The casual staff are all associated with court security, and they are generally retired prison officers or police officers.

The Hon. PETER PRIMROSE: May I ask one question on this same theme. Given that there is an expectation that the overall prison population is going to go up, what is in the budget papers this year to take account of the expected prison population increase?

Mr AMERY: Well, while the exact numbers are being found, I make a point that recently this issue was raised with me. I noted that when you watch the graph of the prison population since 1995, we have moved in round figures from about 6,000 in the prisons to getting close now to 8,000 prisoners. You will see some projections in the system that the prison population is going to reach 9,000 by 2005-2006. One thing I did notice was the employment rate, and I understand there are some figures in the system which will show that the prison officer to prisoner ratio has been increasing, favourably to the number of staff. In other words, we are recruiting although, as the commissioner points out, so many leave each month. The academy at Eastwood is just putting through one class after another. I have been to a few passing out parades already in the short time that I have been the Minister.

With the increase in the prison population and the new prisons coming on board, you will notice that the budget is up quite substantially this year. I will give you some figures in a moment. We are recruiting, and we will no doubt more than match or improve that prison officer to prisoner ratio. I am just looking at some of the figures here. Earlier this year, the Minister for Police announced the Government's decision on bail. So we are not only talking about the prison population of people sentenced to full-time imprisonment, but we are talking about those who may just be held for days, weeks or whatever, going from one court appearance to another. That has also given us some reassurance that there should be a substantial increase in the number of people being held on a day to day basis in the prison system as a result of that. The Department of Corrective Services has estimated that following the introduction of the amendments to the Bail Act, the State's remand population could rise by up to 1,100 in 12 to 15 months.

In the budget, the Government has ensured that we will be able to meet those needs. The Department of Corrective Services receives a total allocation, I think it is in the budget, of \$729 million, and that is \$83 million up on last year. There is not only a massive capital works program but with all that is a substantial increase in the recurrent money. The \$83 million increase responds to those changes to the bail laws and also to the general increase in inmate numbers and the number of offenders that the department supervises in the community. The budget also recognises that the increased number of repeat offenders held in remand will require an additional operating allocation, so \$17 million has been allocated for 2002-2003, rising to an allocation of \$48 million in the following year.

The Government plans to build, as I think we have indicated, more correctional facilities outside the metropolitan area. I think they have been well publicised. If you like I can give you some information on that. The budget has allocated \$117 million for new gaols and correctional facilities. That is 91 million for major works in progress and 11 million for start-up costs in 11 major new projects. The budget also has allocated \$27.7 million towards the 350 bed correctional centre under construction at Kempsey on the mid north coast. There is also in the budget \$8 million towards the project to build a new correctional centre in the Central West. Those funds aim to cover the cost of purchasing a suitable site, preliminary planning and infrastructure works.

An additional \$250,000 has been allocated to fund investigations into the possibility of expanding the bed capacity of the Central West facility from 350 to 500. You might recall that the original plan was for 350 beds. Obviously, because of the amendment to the bail laws and because of other prison population increases, we are now looking, within the existing footprint, at increasing that to 500, and the proposal would increase the overall cost of the project from \$90 million to \$115

million, so again these contingencies are made. Overall, as I say, that is a pretty broad brush outline. If you want to have a look at some other specific areas where we are spending money, I could probably either give it to you now or later on.

I anticipate that the Kempsey and Central West projects will create, say, 300 positions during the construction phase and 100 jobs when the correctional centre staff are employed, so you have a 100 people going into one facility there. I will not go into the other economic benefits of the project in the Central West, but we could do so if you are interested in that later on. Generally speaking, within the budget we are accommodating a projected or predicted increase in the full-time prison population, a projected increase in the people held on bail, and we will just have to keep recruiting trained officers to meet that demand as fast as the academy can push them out.

The Hon. GREG PEARCE: Minister, the average inmate population that I see, again on that same page I referred to earlier, is an estimated 7,800 this year. In the budget the figure has been increased to 8,140. That is an extra 300 or 4 per cent or 5 per cent or something, so you are spending a lot of money to accommodate an extra 4 per cent or 5 per cent of prisoners?

Mr AMERY: Yes, that is right. These are projections. As I say, the inmate population has been steadily increasing. It jumps up and down depending—

The Hon. GREG PEARCE: It has been steady at around about 7,500.

Mr AMERY: For a while, yes, but as I say, with the bail changes and a few other—as longer sentences are taken into account, we expect the prison population to continue to increase. Our public works program will mean that in some years time, if we are caught with 9,000 prisoners in the system, we should have the beds to accommodate them.

The Hon. GREG PEARCE: On the question I asked a little earlier, and the Commissioner answered, about the methadone program, we have 900 out of the 7,500. What is that—about 15 per cent, nearly 20 per cent, of prisoners are on the methadone program.

Mr AMERY: Whatever that percentage is. We have to—

The Hon. GREG PEARCE: What is the quantity of methadone that you actually supply to prisoners?

Mr AMERY: I have not got the number of litres with me, but just let me—

The Hon. GREG PEARCE: Could I put that on notice?

Mr AMERY: Yes, we can do that. I just want to make a point—

The Hon. GREG PEARCE: What is that value of that methadone?

Mr AMERY: I am going to say something. The issue about inmates in prison, you will not get the discovery award to say that drugs are a major component of the crime and the reasons why people are in prison. We have got a large population of that part of the community which is committing crimes, a big percentage of those are drug related crimes. There are numerous reports to identify with that. It is quite obvious that when these people are coming into our prison system, they are bringing with them drug problems that they have lived with and have probably committed crimes to feed whilst they have been in the general community.

The Hon. GREG PEARCE: What I am just concerned about—

Mr AMERY: Our job—

The Hon. GREG PEARCE: —is that they seem to be going out with the same problems or worse, having been sustained by you in the prison.

Mr AMERY: Our job, first off, is to—

The Hon. GREG PEARCE: You sustain their drug habit, or if some of them are assessed while they are in there, you put them on drugs, and then you put them back out with the habit.

Mr AMERY: No, we have got prisoners coming into the system with a drug problem. Our problem is to manage that. The commissioner has already highlighted that fact, although I think you were trying to indicate that the commissioner made medical decisions and prescription decisions and so on. But there is a place called Corrections Health, which has the appropriately medically qualified people who assess prisoners based on whatever their problems are. If the problem is drugs, then they then make a decision on the options that are available to them. If methadone is regarded by one of those medical people as suitable, then methadone is prescribed. If another form of program or counselling is regarded as suitable, then that is prescribed. It is not a political decision made by politicians, nor is a decision made by the commissioner or departmental staff. It is made by qualified people dealing with those with a social or medical problem, whichever way you like to look at it, and we have the options available to them. Those medical people make those decisions. Is anyone from the Department of Health here?

The Hon. GREG PEARCE: That is very useful—

Mr AMERY: We will ask the Department of Health for some—

The Hon. GREG PEARCE: You can also ask them to give us an analysis of how many people with those problems are identified, and how many of those are rehabilitated, how many are put onto methadone programs and continue to be fed drugs and—

Mr AMERY: If you like—

The Hon. GREG PEARCE: —and how many who were not initially assessed as having a drug problem, are assessed after having been in the gaol for a period of time. If you can give us that breakdown, that would be very good.

Mr AMERY: I will be checking with the Department of Health on some of these matters. If you want to have a wide-ranging debate about the rights and wrongs, the efficacies or otherwise, of the methadone program, I do not know if this is the forum for it.

The Hon. GREG PEARCE: I am just asking you for numbers.

Mr AMERY: Let me tell you if the methadone program is considered an appropriate way of dealing with people with a drug addiction, then it is also an appropriate way of dealing with people with a drug addiction when they are in gaol, but they will be medical decisions made by the people who assess those particular clients.

The Hon. GREG PEARCE: And I have asked you to get the numbers for us, which you have agreed to do.

Mr AMERY: What numbers we have, we will be able to provide to the Committee, but in relation to the methadone program, perhaps the questions are more appropriately asked of the health authorities who also administer the broader methadone program in the community.

Ms LEE RHIANNON: I would like to return, Minister, to some of the issues about senior appointments. The appointment that we discussed earlier of Mr Ian McLean to Senior Assistant Commissioner of Inmate Custodial Services. Has that been publicly announced?

Mr AMERY: Publicly announced—I do not think I put out a press release. Before I even go any further on this, I think I said at the start I would take it on notice, the issue about Mr McLean's appointment, and as soon as I get the information I will provide it the Committee.

Mr WOODHAM: That was his CV.

Ms LEE RHIANNON: No, this is a different question. My question is—and maybe you will have to take it on notice, although it seems a surprising thing to take on notice—has his appointment been publicly announced?

Mr AMERY: I do not think—

Ms LEE RHIANNON: Surely you should know.

Mr AMERY: I do not think it is a surprising thing to take on notice. I have come to a budget committee with all the details about our budget, and I have got onto one of your favourite subjects about personalities within the Department of Corrective Services. I have not brought along the CV and the details of every individual that works in the department for you to trawl through and try to make some story out of. You have asked me a question about the appointment of a person, Mr McLean. The Commissioner has given you some information, and I have taken it on notice.

Ms LEE RHIANNON: Who was the convenor of the panel to make the selection for this—

Mr AMERY: I will take on notice any questions in relation to the appointment, but, of course, if his salary or anything is in the line items of the budget I will be more than pleased to ask the staff to pass it to me. If it is not, I will take it on notice. I am not going to canvass the appointment of people within the Department of Corrective Services, other than to follow on from the other Committee you are involved in, the upper House committee, about questioning and challenging people in the department, by saying that all the processes of appointment are done in accordance with the regulations. Any matters that you have concerns about have no doubt been thoroughly ticked off with the various investigating authorities. Any specific matters you would like to raise about it, we will take on notice and if they are considered appropriate, we will send them back to this Committee.

The Hon. CHARLIE LYNN: Minister, I want to return to the report on the gaol rorting. Do you think that leave rorting by prison officers is appropriate behaviour?

Mr AMERY: Do I consider that—

The Hon. CHARLIE LYNN: Leave rorting by prison officers—

Mr AMERY: Well, your term, "rorting". I do not think rorting of anything is appropriate behaviour. But again I am sitting here listening to a question to which you add the colourful term, "rorting". I have got nothing before me that says anybody has been guilty of rorting anything. I think you are rorting the process here.

The Hon. CHARLIE LYNN: I think it is a term used by the Auditor-General, actually; I picked it up. Would you agree with a statement made in an article by Sarah Harris in the *Sunday Telegraph*, on 4 July 1999, "There may be a consistent and systematic pattern of unreported leave at the taxpayers' expense within Corrective Services." Do you agree with that?

Mr AMERY: No, I am not commenting on some article in a Sunday newspaper in 1999, and I take on notice the issue about—you are talking about Mr McLean again, are you?

The Hon. CHARLIE LYNN: Yes.

Mr AMERY: Is that what you are referring to? I have taken on notice the issue about Mr McLean.

The Hon. CHARLIE LYNN: Well, I am talking about the rorting, but given that Mr McLean was governor or the deputy governor of Lithgow gaol at the time that these rorts occurred, do you have confidence in his ability to prevent similar rorts from occurring in the future throughout the New South Wales prison system—

Mr AMERY: I have total—

The Hon. CHARLIE LYNN: —which, as Senior Assistant Commissioner, Inmate Custodial Services, he will have effective control.

Mr AMERY: I have total confidence in the process of investigating those allegations; I have total confidence in the process of appointing staff. If there are any discrepancies that you have, or any allegations that you have, I suggest you take them to the ICAC. If you have not got any, then I will take on notice some matters that may be appropriate. If I think it is appropriate for this Committee to look at them, we will send them along. If you have got any allegations of corruption or improper behaviour I suggest you take it to the ICAC or the Ombudsman or any of the other authorities.

The Hon. CHARLIE LYNN: This is not an allegation, Minister.

Mr AMERY: Oh, you are not making allegations!

The Hon. CHARLIE LYNN: The Auditor-General has made a report that the rorting did happen—

Mr AMERY: When?

The Hon. CHARLIE LYNN: —in Lithgow gaol when Mr McLean was governor. It happened in a single gaol when he was Governor. Do you have confidence that it will not happen in the system now that he is charge of the lot?

Mr AMERY: I have total confidence in the system, which will investigate such allegations. I have total confidence in the processes in place that will appoint people to various positions within the Department of Corrective Services, and I also have confidence in the process that any allegations that have been made against those persons will be thoroughly investigated by the ICAC or any other investigating body.

The Hon. CHARLIE LYNN: But you—

Mr AMERY: I am sorry, I am not going to respond to something that happened in 1999 which has nothing to do with the budget of 2002-03.

The Hon. CHARLIE LYNN: But I have noted that you are not prepared to expressly put your confidence in Mr McLean.

Mr AMERY: Haven't I? I thought I had.

The Hon. CHARLIE LYNN: No, you have not.

Mr AMERY: I am just telling you now, I have taken the issue of the appointment of Mr McLean to his position on notice. If it is considered appropriate, we will respond to the Committee. But if you have got some allegations to make, well, why do you not make them? I mean, why do you not take it along to the ICAC?

The Hon. CHARLIE LYNN: Well, I am referring to an Auditor-General's report.

Mr AMERY: Why are you muddying the waters? Why don't you be a bit more specific—

The Hon. CHARLIE LYNN: Well, could I ask the Commissioner: was there an Auditor-General's report which discovered rorting at Lithgow gaol at the time that Mr McLean was governor or deputy governor?

Mr WOODHAM: Well, from the inquiries that have been made there is no suggesting of deliberate rorting. There was a total breakdown of some systems in recording leave and, as I said, there has been a process now where I think—and we could give it to you tomorrow because it is really available over in the department—nearly all that money has been recovered. Virtually every cent of it has been recovered and paid.

Ms LEE RHIANNON: But, Commissioner, precisely on that, if Mr McLean was the governor and deputy governor while those activities occurred—

Mr WOODHAM: But I said—

Ms LEE RHIANNON: —on what performance criteria did you judge that he was appropriate for this very senior position?

Mr WOODHAM: I said earlier that it is right across the system. Every single correctional centre that has been looked at, there was a discrepancy in leave. There has been a number of governors and deputy governors who have gone back through some gaols nine years. McLean was not the governor at Lithgow for nine years—

The Hon. GREG PEARCE: Can you explain what you mean by "discrepancy in leave"?

Ms LEE RHIANNON: So you are saying they are all as bad as Lithgow. Is that what you meant by that statement?

Mr WOODHAM: Some were nearly as bad as Lithgow, but Lithgow was the worst.

The Hon. CHARLIE LYNN: It was pretty bad. Some prison officers had taken off more than one hundred days from work which had not been deducted from their records.

Mr WOODHAM: There was a systems breakdown.

The Hon. CHARLIE LYNN: Collectively, officers at one gaol owe the department more than three years in days off over a decade, and you say there are some as bad as that.

Ms LEE RHIANNON: How can he do his job when he manages a system like that?

Mr WOODHAM: A number of gaols have been looked at. I will get the exact figures for you because we still have a team working on the leave cleansing process, as I said earlier, right across the organisation. I will get all the details.

The Hon. CHARLIE LYNN: Commissioner, with all due respect—

The Hon. PETER PRIMROSE: We have just found out in another Committee that we have had four auditors in this place going through members' allowances for the last three months. I mean, an auditor going through allowances does not mean that they are necessarily corrupt, evil, or bad.

Mr WOODHAM: I have met with the Auditor-General's people on this issue, and the external auditors and the internal auditors. There is no suggestion of criminality.

The Hon. CHARLIE LYNN: No, let us say it is bad management. Even so, do you not think—

Mr WOODHAM: There is new system in line now; there is a new rostering system. There was a breakdown in the rostering system right across the organisation which was admitted quite openly and now we have corrected it.

The Hon. GREG PEARCE: And for the occasions when these people were on leave without and the system had broken down, what happened in the correctional facilities? Were other people employed and paid overtime to replace them?

Mr WOODHAM: From my memory there is no suggestion that people were on leave when they should not have been. It was not a problem that people—

The Hon. GREG PEARCE: It was a recording problem, was it?

Mr WOODHAM: Yes—were on leave that were not on leave. How it was recorded back particularly at head office—that is where the problem was and that has been sorted out.

The Hon. GREG PEARCE: Why did they have to repay money if they were correctly on leave?

Mr WOODHAM: Well, because the system did not take it all into consideration, all the facts and figures of the leave. What we did was, we took—say somebody owed us 20 days. We negotiated with that person—and don't forget we owed them some days too and we had to give it back. So it was a systems breakdown both ways. I think in Lithgow, from memory, we went back nine years.

Mr AMERY: Didn't your mob tidy that up when you were in office?

The Hon. JOHN RYAN: Minister, have you been briefed on this irregularity with regard to leave?

Mr AMERY: Just generally speaking, the Commissioner has told me of a process they are going through on leave—it is not right across the system. Yes, generally, but certainly I am not going to be sitting here tonight canvassing something which took place two years ago.

The Hon. JOHN RYAN: No, but have you been briefed on its extent?

Mr AMERY: We have been generally briefed on the issue about looking at the Auditor-General's comments and the processes that the new commissioner now has in place in tightening up security on these matters right throughout the system. I have a lot of confidence in where that is heading, as we have just indicated. I am just trying to get the years involved. Just as an aside, he mentioned it goes back nine years. I am very confident that this commissioner is certainly aware of how these matters occurred and has set in place a process of correcting it. As I say, nine years, I do not expect and do not intend to answer these sort of fishing expedition type questions about matters that have taken place for years in an estimates committee which is designed to talk about a budget for the coming financial year.

The Hon. JOHN RYAN: You have been given some impression as to the extent? You have said it is nine years. Have you been given some impression of the value in terms of money?

Mr AMERY: No, I have not got any figures. I just know that within the correctional systems there has been an issue about security and systems and overtime and claims and so on. That has been going on, as we all indicate, for a couple of years. I am only interested in what we are going to be doing about it in the future.

The Hon. JOHN RYAN: That is understood.

Mr AMERY: And that is what we are doing and I do not intend—

The Hon. JOHN RYAN: But have you been given an impression, have you even asked how much is involved?

Mr AMERY: No. The matter has been—

The Hon. JOHN RYAN: Have you asked how much is involved?

Mr AMERY: No. I have not got the figures with me.

The Hon. JOHN RYAN: No, I did not say that. I did not ask you to reveal the figure I said, have you asked how much is involved?

Mr AMERY: No. I have not been asking those sort of figures.

The Hon. JOHN RYAN: You have not asked?

Mr AMERY: No, I have not asked how much was involved, only substantial amounts of money, which the department—

The Hon. JOHN RYAN: It is millions, is it not, Minister?

Mr AMERY: It is the department's—

The Hon. JOHN RYAN: It is millions, is it not? The amount of money involved is millions, is it not?

Mr AMERY: I am not subscribing to your fishing expedition.

The Hon. JOHN RYAN: It is not a fishing expedition at all, Minister.

Mr AMERY: Where is it in the budget?

CHAIR: Order! We are debating an issue.

The Hon. JOHN RYAN: It is a budget question.

The Hon. GREG PEARCE: It is employee-related expenses.

Mr AMERY: Name it as a budget item. You have got nothing. You have got nothing on the budget again. The same old story.

The Hon. JOHN RYAN: Minister, if you are taking a point of order—

Mr AMERY: It is a good Corrective Services budget. You have nothing to say.

CHAIR: Order! The Minister has the call.

Mr AMERY: You have asked me a question about a car getting a puncture in 1995 and I have to tell there is no briefing note in her about that. This is the sort of standard of questions that you seem to be asking. You are asking the Commissioner to talk about an incident that happened in 1999 and I do not think he should be answering it.

The Hon. JOHN RYAN: Point of order: The Minister appears to be taking a point of order to the question we are asking with regard to this leave discrepancy is not involved in this year's budget. It has already been indicated that amounts of money have been recouped and are being dealt with by means of a union agreement. Clearly, it does involve funds which relate to this year's budget and all I have asked is the extent to which the Minister has attempted to find out for himself the extent of the funds that are going to be recouped at least for this year.

Mr AMERY: Let me just go back to the start, Madam Chairman.

CHAIR: The question is in order.

The Hon. JOHN RYAN: Absolutely.

Mr AMERY: Well, let me put this to the Committee. The questions about this have been raised now for about half an hour, and I said earlier on that the matter has been taken on notice. The matter has been taken on notice. I think this may hurt you, but that means you have to find another question.

[Interruption]

CHAIR: Order! The Hon. Ian West has the call.

The Hon. IAN WEST: I refer to the budget program 22.1.1 on page 3-39 of Budget Paper No 3, Volume 1, Containment and Care of Inmates, and the reference to the average number of periodic detainees. The periodic detention scheme has come under scrutiny at various stages in the past. Could you please advise what the Government has done to improve the attendance rate of detainees?

Mr AMERY: In relation to periodic detention—I welcome a question on the budget—I think one of the first questions the Premier was asked soon after I became the Minister related to periodic detention. Obviously it is an issue that flares up from time to time, particularly with non-attendance obviously causing embarrassment when the orders are not enforced. We have been putting in a program, particularly since Mr Woodham was appointed commissioner, of going through the whole periodic detention program to see what action we can take to deal with non-conformity.

The periodic detention scheme goes back to 1971. It is a form of imprisonment that demands a high level of self-discipline from offenders. It is probably one of the areas where there have been problems in the past. A typical periodic detainee attends periodic detention on a Friday night and remains there until late on Sunday. A detainee must repeat this program every week until he or she has completed the non-parole period of their sentence. If a periodic detainee fails to attend without reasonable excuse the detainee is liable to have his or her periodic detention order revoked by the Parole Board. Prior to 1 February 1999 the revocation of periodic detention orders was a matter for the courts.

On 1 February my predecessor introduced legislation, which came into force, that transferred the revocation function from the courts to the Parole Board. This reform speeded up the hearing of applications by the Commissioner of Corrective Services for the revocation of periodic detention orders. Revocation means that detainees must complete their sentences in a prison or, in some cases, on home detention. In 2000 and 2001 1,075 offenders were placed into full-time custody following the revocation of their periodic detention orders. So you can see that there is a lot of non-compliance—or we had a lot of non-compliance with periodic detention orders. The number of persons sentenced to periodic detention in the past three years totalled 2,087 in the 1998-99 year, 2,108 in the 1999-2000 year and 1,580 in the 2000-2001 year. The Government recognised that members of the public expect the rules of periodic detention to be rigorously enforced. Consequently, the Government is mindful of this expectation when considering any changes in periodic detention policies.

On 7 December 2001 the Commissioner of Corrective Services wrote to all periodic detainees reminding them of their obligations under the periodic detention scheme and informing them that all applications for leave will be closely monitored. For the week ending 3 February this year there were 915 offenders subject to periodic detention orders, of whom 668 attended or only 73 per cent. For the week ended 16 June 2002 there were 898 offenders subject to periodic detention orders, 697 of whom attended, or 77.6 per cent. The Government intends to tighten the periodic detention system still further; there has been a number of tightening over the last few years. In particular, the Government intends that magistrates should pay closer attention to who is suitable for periodic detention, and the Commissioner of Corrective Services asked a senior officer to oversee implementation of improvements in the periodic detention scheme. So overall, we are sending the message out to people on periodic detention that obviously they get that sort of sentence because of family or work-related matters. It means that they can stay in the work force whilst serving their time on relatively minor crimes.

However, if they are not going to comply with the discipline that is required of them to attend the weekend detention, we will now take action to cancel their periodic detention. Some changes coming into Parliament shortly will mean, remembering the decision announced by the previous Minister, three misses and you are in. We are also looking at speeding up the process of reporting non-compliance to the Parole Board, so that we can encourage the parole board to take more action when a report of non-compliance is made to it. By writing to them and, obviously, by cancelling periodic detention and putting a lot of people in full-time imprisonment as a result of breaching these orders, we are going to tighten the scheme up even further, bearing in mind, as I say, that the courts have already allowed some leniency by allowing prisoners to serve what is, in fact, a prison sentence while still being able to work or to look after a family through the week. We believe these tougher policies are appropriate and, hopefully, they will send the appropriate message to those who are subject to periodic detention orders.

The Hon. CHARLIE LYNN: What budget line item was that?

Mr AMERY: 22.1.1, page 3-39.

CHAIRMAN: Minister, I have a question in relation to page 3–9 of Budget Paper No. 3 Volume 1, Throughcare Community Grants:

Additional funding of \$0.8 million has been provided in the department's 2002-03 recurrent budget for an increase in the grants provided to non-government agencies.

What is the total funding for these community grants, to start off with?

Mr AMERY: More than \$1.87 million has been allocated to community organisations and I have got a breakdown. Non-government agencies that have benefited from these grants are the Civil Rehabilitation Committee Justice Support, \$514,336; the Children of Prisoners Support Group; \$225,950—that is probably relevant to what you were asking earlier on; the Prisoners Aid Association; \$206,720; the Judge Rainbow Memorial Fund, \$186,550; Glebe House, \$141,700; Guthrie House, \$135,000; the Link-Up Aboriginal Corporation, \$70,000; Yulawirri Aboriginal Corporation, \$59,237; the Victims of Violent Crime grants program, \$194,616; and the Victim Awareness Program; \$69,224.

In 1998-98 the Department of Corrective Services commissioned an independent firm of consultants to conduct an evaluation of this community grants program. As a result of the findings of the evaluation, the department has recognised this method of allocating funds under the community funding program, so for the coming financial year the community funding program has three categories of ranks: inmates' support, transition support, family and children's support. I have been advised that the Department of Corrective Services placed advertisements in major metropolitan newspapers on 6 February, inviting community organisations to submit expressions of interest in relation to the grants by 20 March.

On 25 March 2002 a funding and assessment panel was convened to assess the expressions of interest and the assessments were made according to departmental guidelines. Funding assessment panels were made up of representatives from the Department of Corrective Services and government agencies. Independent representatives were recommended by the New South Wales Council of Social Services. The Independent Commission Against Corruption has produced guidelines to assist government agencies that manage grants and, consequently, the process has been transparent and accountable. Until recently the Department of Corrective Services has been negotiating with agencies concerning their final budgets. I have been advised that letters of offer are expected to be sent to agencies recommended to receive grants from this community funding program by the end of June, and that amount of money could be as high as \$2.443 million.

CHAIR: Following up on your departmental guidelines, can you tell the Committee what sort of guidelines the department is following to grant this funding?

Mr AMERY: I will ask Ms McComish to come forward.

Ms McCOMISH: I think the Minister mentioned that there were guidelines that were provided by the ICAC and there are additional guidelines in regard to the provision of grants that organisations like NCOSS had input into. That was part of the review that was done that the Minister spoke about in 1998-99 that produced those guidelines for the way in which the expressions of interest would be put out and the way in which grants would be provided.

The Hon. JOHN RYAN: Has the new money been allocated? The \$0.8 million that was in the Budget, has that already been allocated?

Ms McCOMISH: No, the money has not been allocated yet.

CHAIR: Minister, there was an FOI inquiry specifically on this particular community grant in August last year by a group called Nguon Song Group Homes, and they were given information that they apply for the grants and the FOI stated—and I am paraphrasing it—that the program has only

applied to the same agencies since the 1980s and no new agency will be given funding under this program. How correct is that information because you just told me there is a number of agencies. Are these agencies being given continuous grants without any re-assessment or review?

Mr GRANT: In relation to the expressions of interest process, at the time that the request was made the department was unclear as to our success, as the preliminary advice relating to the Budget of this year had not been provided to us. So we were not in a position to anticipate that we would receive any additional funding beyond the funding that we had received in the previous year. In the consultation process that was referred to earlier, which involved NCOS and all of the community agencies, the department had undertaken—

CHAIR: When did this consultation take place?

Mr GRANT: The consultation happened over a period of two years, I think.

CHAIR: Last year?

Mr GRANT: Last year.

CHAIR: You said last year?

Mr GRANT: That is right, finalised last year. In that process, it was recognised that the existing community organisations should have some type of priority and status that would give them an advantage in determining which of those agencies would continue to be funded. As a result, any agency that made an inquiry about seeking additional funding was encouraged to apply and make further expressions of interest at the time when we advertised. But we just reiterate that at the time we advertised we had no confidence that we—

CHAIR: When was the advertisement made?

Mr GRANT: That was in March of this year. Because we had no additional information of that coming about in the budget, we were not in a position to give any indication of the fact that we might have additional funding. Our success in getting additional funding this year means that we will be able to pay some small increase to offset some of the costs that have been carried by the community agencies that have been funded previously and also go out to a second round of expressions of interest. So there will be an opportunity sometime later this year for other agencies who have not been previously funded—

CHAIR: When is "later this year"? Can you be more specific when you say "later this year"—September, October, November?

Mr GRANT: Within this financial year, as soon as we can get the sign-off from the Minister in relation to the funding we are going to make to the existing funding organisations in a process as soon as possible. We have just recruited—we did not have a position, and there is a co-ordinator of community grants funding for a period about a month. We have filled that position now and we are in a position to proceed with that as soon as we have issued the final determination of funding for the existing fund of community agencies.

CHAIR: Is there any new organisation that could make application to get these grants?

Mr GRANT: Yes there is.

CHAIR: Because my information from this group's home, which services the Vietnamese ex-prisoners and the homeless youth, had tried for many years. They would say, "This is only a historical grant, this so-called program."

Mr GRANT: That is exactly correct. In terms of the process for grants, and that is why we decided to introduce the expressions of interest—

CHAIR: Now you have a new process?

Mr GRANT: We have already completed a preliminary round of expressions of interest for this year which will not see the allocation of all of the funding we received and its enhancement. So there will be an opportunity for the remaining component of the funding to be made available through an expression of interest process.

CHAIR: How much is that?

Mr GRANT: Without conferring with the Minister about the final determination of the allocations, it is probably in the vicinity of \$300,000.

CHAIR: In other words, can I assume that this particular group home can make application and it is not too late to be considered?

Mr GRANT: The process will be advertised. We will use the same rigorous process that we applied previously and there will be opportunities for other agencies within the guidelines and meeting the priorities that are the set in this process to make application.

CHAIR: Considering the Vietnamese prisoners are such a high percentage, I think it is a high priority, if I may make that comment.

Ms LEE RHIANNON: Commissioner, you said earlier that the staffing levels were just about full. Could you explain why there has to be any lock downs at all if we have virtually full staffing levels?

Mr AMERY: The department's annual report for 2002 noted that 299 new custodial officers were employed by the department, whilst 98 resigned, retired, transferred or died and five were dismissed in the year ending June last year. During the last financial year the department exceeded its overtime budget by \$12 million. However, the department is taking action to reduce that overrun. The regional commanders are working in conjunction with the governors to manage and control the overtime and to ensure that overtime is restricted to the amount allocated to each correctional centre. In the department's maximum security facilities staff sick leave levels are above the average for other agencies in the public service. However, the level of sick leave taken by staff of minimum security facilities and of mobile prison camps is below the average for the public service averages. This is a natural situation when you consider the large number of people who are confined in close proximity in maximum security centres. In such an environment individuals, including staff members, are more vulnerable to minor illnesses and infections.

In the circumstances where custodial staff numbers are reduced, governors or officers in charge of a correctional centre will implement the restricted correctional activity procedures or what the member is referring to as lock downs. These procedures, which have been negotiated with the relevant unions, will form part of the operational agreement for each correctional centre. Each correctional centre is unique. The department is in the process of negotiating a restricted correctional activity procedure that will meet the needs of individual correctional centres. To date, these particular activity procedures have been negotiated with staff at two correctional centres. An agreement to implement the new procedures at the Grafton Correctional Centre was signed in November last year and the procedures in the agreement are being used at the Grafton Correctional Centre, although the agreement is not officially commenced, as overall staffing levels have not reached the minimum numbers stipulated in the agreement.

The procedure will commence at Lithgow correctional centre when the final details have been agreed to by the Prison Officers Union. The input and co-operation of the relevant unions and the implementation of the agreement is an integral part of the procedures. The new procedures are expected to produce annual savings of \$7 million to \$8 million during the first 12 months of operation, throughout all correctional centres. When developing restrictive correctional centre activity procedures in co-operation with the unions and correctional staff, the department and unions are, of course, mindful of a number of aspects: budget constraints, obviously; staff safety, the most important; need for minimum and possible impacts on correctional centres; the unique characteristics of each correctional centre; the need to ensure that inmates have maximum possible time out of cells; and full staffing on weekends and public holidays. The staffing priorities include, of course,

legislative compliance, family contact, discharges and reception from court, medical services, inmate services and so on.

The honourable member asked why lock downs are necessary. With staffing levels being the way they are and numbers increasing at a dramatic rate, from day to day staffing availability at any particular centre fluctuates. The person on duty of a morning may expect to have so many people involved that they do not turn up; sick leave, for some reason staff numbers are down on that particular day. What the honourable member refers to as lockdowns are implemented as a part of staff safety, which is very important, and also public safety as far as securing the prisoners if staff numbers are not there on that particular day.

Ms LEE RHIANNON: Minister, can I ask you to clarify a figure that you gave. If I asked you correctly, you said that the overtime budget was exceeded by \$12 million. Could you give us a total overtime budget?

Mr AMERY: During the last financial year the department exceeded its overtime budget by \$12 million. The budget was \$13 million, and another \$12 million, so that gives you \$25 million.

The Hon. JOHN RYAN: One of the impacts of lock downs though is that they have a very disruptive impact on the implementation of programs. Is there somebody who is able to supply us with some sort of indication as to what consideration the effective implementation of programs are going to have with regard to these arrangements that are put in place to—

Mr AMERY: The Commissioner has just indicated he would like to comment on that.

Mr WOODHAM: I met with the executive branch of the Prison Officers Union today for an hour and a half. This is one of the main topics we talked about. Rather than just looking at a gaol of a morning and saying, "We have only got X amount of rosters and if we let the prisoners out it is unsafe, and we will lock down a section of the gaol in the morning, and then let them out in the afternoon, so they get their exercise that we are bound to give them", I want to factor into an agreement, and the prison officers have opposed it, is what I call a let-go rolling lock-in. Even if you are shortstaffed, you saturate a section of the gaol, and you roll all your prisoners out to industries. You come back and you roll all the prisoners out that have to go to programs—and that can fluctuate in the morning—roll the prisoners out to activities. When you get, say, a gaol like Goulburn, a very heavy maximum security gaol, the only people that should be locked in are the ones that are left, and then we make sure that we give them two or three hours out of cells each day. Now, that is the type of agreement that I am pushing to sign up with the unions and, as I said, there was initial resistance, but now they have agreed to do it.

Ms LEE RHIANNON: Commissioner, on this issue of the overtime budget, it is an extraordinary amount, a \$12 million excess. There does seem to be a serious question of management here. I put to you that by far the main reason for lock down in your inability to manage sick leave allocations and to ensure that staff attend work on a regular basis and not take advantage of the system and effectively create overtime for fellow officers. We have a crisis here; you have to explain it.

Mr WOODHAM: Well, what you are suggesting is that there is a rorting of sick leave. There is no proof of that at all and Audit Office report on sick leave has not been tabled in Parliament yet, but it is about to be. I think we have to around to 5 July to reply to what they see as the final draft. There is whole range of issues for the increase in overtime. For example, the inmate population could explode by a 100, 150, within a month. We have even been given—I will just check this—money from Treasury for overtime, deliberately for overtime, until we catch up with the recruiting.

Mr SCHIPP: On the occasions when we have had to open new facilities or expand or open wings within the facilities, Treasury has recognised that there is a lag time in getting staff recruited into those positions. For example, with the re-opening of Cooma most recently, and then in previous years with the re-opening of Parramatta and re-opening various wings within Long Bay, additional funding was provided by Treasury, recognising that in the first three to six months of re-opening these facilities the overtime would be higher, as new staff are brought on board and trained.

Ms LEE RHIANNON: So are you saying that you see it as financial responsible, running with this \$12 million additional amount for overtime?

Mr AMERY: I think he was saying it was unavoidable.

Mr WOODHAM: Yes, and what we are saying too is that with these new agreements we will pull that back dramatically.

The Hon. CHARLIE LYNN: Minister, has your inquiry been completed on the recent Goulburn riots?

Mr AMERY: There has been some information on the situation. You are referring to the incident where, of course, prison officers were injured, and I understand we will be talking to them shortly. I will just get some details on the latest aspect of that. The Committee might find it important to know what happened down during what was called the riot at Goulburn and also the follow-up.

The Hon. CHARLIE LYNN: What I am interested in, Minister, would be the conclusions it has reached, and what it particularly had to say about the policy of ethnic segregation in place at the gaol. We would also like to know whether you intend to make the findings public.

Mr AMERY: First, I will go through some of the information that is available. I think 16 April was the date we are referring to. One wing at Goulburn correctional centre was where the officers were attacked. Apparently 30 inmates in that unit were extremely violent. Two officers sustained serious injuries, and five officers sustained injuries of varying degrees. I have been advised that the security emergency response team responded quickly. This whole incident was over, I understand, in just a number of minutes. They used, obviously, what are called chemical munitions—teargas. They were deployed, the situation was quickly detained and all the participating prisoners were secured.

When the Goulburn police arrived at the correctional centre the wing was declared an official crime scene, and the police seized all weapons as exhibits. I have been advised that the inmates used musical instruments such as guitars and a didgeridoo, wooden table legs and other items as weapons against the officers. One officer sustained, as we would know, serious head injuries as a result of the attack, and I have been advised that he remains in a serious condition in hospital. On 7 May, the officer was operated on to remove a clot that developed on his lung, and I have been told that his condition, of course, is still serious. The incident is now the subject, of course, of a criminal investigation by the police. However, officers of the Department of Corrective Services are also conducting an internal investigation to determine why the incident occurred, and what action is required to prevent such an incident occurring again. You have sort of thrown in some assumptions that have not been confirmed yet.

I have been advised that preliminary investigations have identified nine inmates as ring-leaders in the assault on correctional officers, and that these inmates have been relocated to the high-risk management unit at Goulburn. I have, of course, as your question indicates, asked the Department to investigate what heightened the prisoner frustration at Goulburn Correctional Centre and the reasons why prisoners, who had their clothing removed for forensic purposes, were not given clothing or blankets for over 18 hours, which was claimed, I understand, in some complaints that came in. I have also been advised that the Inspector General is investigating food complaints by prisoners at the gaol and a lack of case management at Goulburn. As I say, police investigations are continuing. I do not know if offenders have appeared at court, whether they have been remanded, and I have not got the string of charges that related to all of the people involved with that.

The Hon. CHARLIE LYNN: Minister, will you make that report public when it is—

Mr AMERY: Whatever is appropriate. There will be a report about the reasons, and no doubt a public debate at the appropriate time.

CHAIR: While we are still on that subject matter, Minister, on the ethnic question, there are many inmates from different culture and religious backgrounds. What is the department's current protocol for allowing inmates to celebrate cultural or religious events?

Mr AMERY: The issue which obviously gained a lot of media coverage earlier this year, which focussed attention on these cultural events to—

CHAIR: I am not concerned about one inmate, I am concerned about the general inmate situation.

Mr AMERY: Let me say the issue they were referring to brought public attention to what is, I think, a worthwhile program within the prison system. Within reason, we have events—whether they be Christmas, Ramadan, National Sorry Day, those sorts of events, and, of course, Chinese New Year and other events—that recognise the vast variety of cultures that we have in the prisons. Generally speaking, how these events were organised was that the departmental people and a committee of inmates would organise some event. They would get outside support, and invite people in. They would raise a few dollars and they would make donations to various charities and so on.

The whole program, I believe, was discredited, when Phuong Ngo, the person convicted of the murder of John Newman, was able to manipulate his way—whatever term you might use—onto a prisoners committee and therefore was able to be involved with the organisation of that function and then organise the invitation of people that he knew—not just necessarily people from that community, but people he knew. Of course, it is public record, there were some people involved with the local community from where he came before going into gaol. Obviously the outcry from that, which was very appropriate, brought into question whether we should have these cultural events.

I quickly looked at what had been going on for quite some time, and I did not want to throw baby out with the bathwater, to use that term. We want to make sure that we keep those cultural events in place. However, there obviously has to be a lot more senior departmental scrutiny of those. The first thing we did was—obviously not just talking about the case with Phuong Ngo—was to look at this category of prisoner, these serious offenders, being involved in organising these functions. That is not acceptable to me. I have changed it so that that category of prisoner—not just that person, but that category of prisoner—will not be allowed to get themselves on inmate committees to be involved in this. I have been discussing this with the commissioner—

CHAIR: Can I clarify that. In other words, Chinese New Year, or Ramadan are still being celebrated within the present system?

Mr AMERY: As a result of this the commissioner will be going through looking at the policy. We are confronted with the idea of: do we just throw the whole thing out. I think when we weighed it up that would not be appropriate. The commissioner then gave all governors of all gaols certain times to give him an agenda or a program of what they had planned for this year, and that was by March I think. Then they had to, I think, by a certain time give him a program of what was being planned in the prisons for the following year. I assume that after that no others will be entertained. Of course, it will be the head officer of the department who will oversight how these operate, the security measures involved, and what prisoners will be involved. I am very concerned that the Phuong Ngo case in particular brought discredit on the program itself and, probably justifiably, we have now taken action to make sure that the whole program is not thrown out. Yes, there will be cultural events going on in the prison system.

CHAIR: Or religious events.

Mr AMERY: Religious and cultural events, at various times of the year, part of the various calendars. We will allow it, but I can assure the Committee that the he Deputy Commissioner will now be monitoring those events. I do not want that program, which it has probably got many worthwhile aspects to it, ended because of a public outcry about the inappropriate involvement of a certain person in that particular event. Commissioner, would you like to make any other comments about where we are up to on that?

Mr WOODHAM: Nearly every cultural event will continue but there will be tighter scrutiny on particularly who is invited in and how the food comes in. There will not be any food prepared outside of the correctional centre. It will all be prepared inside and we will scrutinise the people who are invited.

The Hon. GREG PEARCE: On a related issue, what have you done to implement the recommendations of the Lawrence Goodstone Report, "Gangs in the New South Wales Correctional System", which I believe was given to the commissioner in November last year, and Mr Goodstone's April 2002 memo on Goulburn gaol?

Mr WOODHAM: Lawrence Goodstone was commissioned by myself to have a look at that. He is a very experienced man in the ethnic community. He had a very senior post in that area for the Olympic Games and I brought him on board to have a private, independent look at that issue. It is one of a number of reports that I have received, and as a result of that Lawrence is overseas and has been overseas for about three months. He will be back shortly and become part of it again. I have created what is called the security threat group task force. I want to get right away from talking about the ethnic groups and talk about security threat groups.

There are a number of very serious offenders in gaol in those groups. They pose, in my opinion, a very real threat to staff. They pose a very real threat to the community, and we have evidence of some of them attempting to continue their drug operations outside from inside. One that I know of has been charged recently with conspiracy to murder witnesses in his trial from inside prison and pervert the course of justice—a couple. Smuggling of mobile phones is the in thing and we are very concerned this category of inmate that might have access to mobile phones. If they can get one phone in it is quite easy to smuggle SIM cards in. We are doing something about that that is going to cause a bit of angst.

Firstly, we are looking at whether we can jam mobile phones in gaols, and that means everybody's mobile phone will be jammed—whether they are a solicitor, a superintendent, a commissioner, or whoever. We have got some opposition from that from the service providers but we are working with them on a national basis. The other States are involved, and Ken Millbrook, the commander of security investigations in New South Wales in our department, is chairing that national committee. It has been a real problem for us because of this real heavy element of the gang culture coming into prison. So to get back to your point, we have created the Lawrence Goodstone reports. Both of them have been considered by this task force. We want Lawrence's input when he comes back from overseas, which is very shortly, within the next two weeks. Then we want to move forward with a special program of managing these people in the future.

The Hon. JOHN RYAN: Can I ask a question that gets us back to what Mr Goodstone included in his report. As I understand, Mr Goodstone presented in his report two options for Goulburn. One of them was to continue to treat it like room 101 of, I think, 1984, and to continue policies such as ethnic segregation—we virtually had to keep various ethnic groups separated from each other—or you would run it more like Silverwater is now currently run where the ethnic groups are able to mix with each other. Have you made a decision as to whether you intend to continue the segregation of the gangs or are you going to work towards a process whereby you would be desegregating?

Mr WOODHAM: It has always been our aim—and we do not even have to look at the names—to integrate the different groups where we can. But I can tell you—just ask the Opposition spokesman of prisons, who was in Goulburn recently—if you open the gates down there today you would have a bloodbath, and we are not going to have a bloodbath, not while I am in charge.

The Hon. JOHN RYAN: I am not suggesting you would.

Mr WOODHAM: So I do not want to talk about the different groups and how they are thinking and that they want to kill one another at Goulburn. Now, where we can we will integrate them. They are integrated at Lithgow, which is the next heaviest maximum security gaol in the State. When you look at the inmates that are there—the heaviest prisoners in Australia. Now, where we can we will integrate them and that is our aim. The task force is not just talking about keeping them separated, but we will keep them separated if our intelligence is that group A is going to kill group B. We have got some groups that are experts in smuggling, some groups that are experts in making weapons. If we take everything off them, every single thing that we think could be turned into a weapon, they will come out the next day with something they can stab someone with. This is on the street, it is not new and it carries on inside.

The Hon. JOHN RYAN: I do not expect prison officers to put themselves at risk. My concern is this. Ethnic gangs are a feature outside the present system and every prisoner, with the exception of very few, is ultimately going to be outside the prison system. I would hate to think that we are in a position of, I guess, reinforcing racial stereotypes and ethnic gang behaviour in the prison system, and then at some stage or other we turn these lunatics loose, having been unrehabilitated in terms of these ethnic stereotypes themselves. As Aborigines, if they are used to belting up people of Lebanese origin, and they are used to doing that in gaol, then the likelihood is that they will continue to get used to that outside of gaol when they leave. My concern is that if we have that policy it simply reinforces bad behaviour rather than controls it.

Mr WOODHAM: The truth of that matter is, just at present, the Aborigines that are turning into the Muslim faith are a concern to us. But at any rate, what you see on the street is carried on inside. We have got people inside that have murdered there or been charged with murdering their own gang leaders, assassinating their own gang leaders. We have had Vietnamese murder Vietnamese, we have had Lebanese murder Lebanese inside gaol and learn outside. We have got this task force now, Lawrence Goodstone's input is—look, I employed him, and wherever we can integrate we will integrate. I can guarantee you that. That is our aim.

Ms LEE RHIANNON: Commissioner, could you expand why you are concerned about Aboriginal prisoners who are turning to the Muslim faith? Could you tell us what is happening to give you those concerns?

Mr WOODHAM: Well, I cannot tell you everything because there is some intelligence we are working on at the present time, but it would appear that some have turned to that faith for what you could say would be the wrong reason.

Mr AMERY: Just to emphasise, I hope the message that the commissioner has given you is that there is not one hard and fast rule that applies to all. The issue about what is clustering or what is not clustering from one establishment to another, you have got to trust the authorities to make that decision based on the intelligence that is available. So as I say, they may have broken up gangs or groups of one ethnic or whatever grouping and moved them around the prison system to respond to some intelligence and in other areas you have a different policy. So, I hope you picked up the point of what the commissioner is saying: you respond to different circumstances based on intelligence. There is no one quick-fix policy that governs every establishment. That is an important part of what he was talking about.

The Hon. JOHN RYAN: One of the issues raised in the Goodstone report is that part of the reason that ethnic clustering was practised in Goulburn had nothing to do with security. It had everything to do with keeping the unions happy. Are you prepared to assure us that as important as industrial relations might be, they are not going to get in the road of good rehabilitation programs?

Mr WOODHAM: No, that is not true. They mix on the sports field, they mix in the industries, they mix in the visits. There is only one visit section at Goulburn, and every ethnic group gets visits. So it is not that they do not mix in some areas, but they have got certain sections of the gaol that nothing happens.

The Hon. JOHN RYAN: You have not quite got my reasoning. Is industrial relations part of the—

Mr WOODHAM: The unions are not going to drive the agenda.

The Hon. JOHN RYAN: That is what I mean.

Ms LEE RHIANNON: Commissioner, why do you have the strict segregation at Goulburn but not at others? There seemed to be a discrepancy in your argument as well.

Mr AMERY: No, that was his very point, I thought.

Mr WOODHAM: Yes.

The Hon. TONY KELLY: The Opposition spokesman for Corrective Services, I think back in June, credited the Minister with a claim of the Conservatorium of Corrective Services. What he was getting at was that there were huge blow-outs in time and cost to the department in the construction of new prisons. Can you give us some reasons for those blow-outs?

Mr AMERY: That was in the budget speech last week. I will go through some of the prepared notes here. The member referred to the \$65 million increase in project costs over the original estimates and time frames provided to Treasury in the department's forward works over the past three years. The projects referred to are Parklea, which is in the Blacktown local government area—\$36.6 million in 2001, increased to \$40.2 million in 2002-03. That increase cost was due to the facility becoming a reception centre as well as a remand centre and the need to provide a reception facility. Now, consistent with a number of public works going on around the State in other portfolios, the delay of 16 months was experienced due to the Blacktown City Council not approving the development application and needing to refer the matter to the then Department of Urban Affairs and Planning for determination.

That was despite council officers supporting the application. I have also got a transport interchange at Blacktown which is going through the same problems and a few other issues. The DA was lodged—this is only one example with many councils—with Blacktown City Council in July 1999. Council refused to deal with the matter and it was referred to the Minister for Planning in February 2000 for determination. The Department of Urban Affairs and Planning [DUAP] overruled council's objections and granted development consent at the end of November 2000. Following negotiations between the council DUAP, the Department of Public Works and Service and the department, this project is on time and will be completed towards the end of this calendar year.

In relation to his comments about the Goulburn redevelopment: \$40 million in 2000-01, increased to \$47.5 million. That project has been ongoing since 1998-99. During this time project's scope has been adapted to address changes in the operational procedures and external factors such as Aboriginal deaths in custody and the Coroner's recommendations. The project is not behind schedule. It is not due for completion until 2003-04. Increases in costs reflect increases in the CPI over this period and related conditions in respect to inground services within the heritage precinct of the centre.

In relation to Long Bay redevelopment, this project is not behind schedule either and, in fact, elements of the project have been completed ahead of schedule. Dillwynia Women's Correctional Centre was estimated at \$33.6 million in the 2000-01 year, increased to \$53.6 million in the coming financial year. Increases in costs relate to the CPI increase of \$4.5 million. Additional site costs of \$4 million for unforeseen work and headworks, contributions to council and increase in the gross floor area, and \$6 million to meet increased programs and health facilities. The management plan requirement for a campus-style footprint also added to the cost. Finally, the cost was adjusted to meet the tender sum after tenders closed higher than anticipated, for which we, of course, can thank the Federal GST as one of the reasons for that increase.

Delays in time result from wet weather and latent site conditions with underground fill, which occurred during the time of Youth and Community Services occupation of the site. There was also a delay of three months in awarding the tender awaiting approval to increase the TEC. The Mid-North Coast Correctional Centre increased from \$47.2 million in 1999-2000 to \$81.6 million.

The Hon. GREG PEARCE: Sorry Minister, is that Kempsey? Is that the same as Kempsey, the mid-north coast?

Mr AMERY: Yes, to \$81.6 million 2002-03 for the following reasons: The original budget was set prior to confirmation of site location. The cost plan allowance assumed a service site. Additional costs of \$6.5 million were required to accommodate landscaping and infrastructure costs, such as road works and headworks charges, which were consent conditions agreed to between DUAP and the Kempsey council. The addition of 50 female beds took the accommodation from 300 to 350 and added \$9 million. A decision to add a regional kitchen to maximise regional economic benefits for Kempsey added \$2 million to that project. The project budget was finally increased to meet tender sums reflecting market conditions in the construction industry.

The only progress delays in the project were three months awaiting approval to increase the project to enable awarding the tender and awarding wet weather delays. The project was always intended to be completed in early 2004 and is on target to be completed in February 2004. The project is also innovative, as there is a 12-year maintenance contract which requires the builder to main the facility to an agreed standard. This ensures job opportunities for local contractors well after the construction is completed. All construction projects experience delays due to wet weather. That has certainly been the case with Goulburn, Dillwynia and the mid-north coast.

The cost per bed for these projects has been benchmarked against other States and New Zealand and compares favourably, indicating that New South Wales is still a leader in correctional construction. When estimates were prepared for these projects there was an expectation that building costs would fall in the construction industry following the Olympic building program. Unfortunately, that was not the case. The introduction of the GST was also seen as a means of driving construction costs down. Again that has not been realised and tenders being received in many cases are simply higher than the pre-tender estimates used to establish these for the budget submissions. Generally speaking, I think that explains the misrepresentation of those so-called delays by the Opposition in that regard, although it is nice to be able to talk in one way or another about a massive capital works program.

The Hon. IAN WEST: Minister, page 10 of the Treasurer's speech refers to increased funding for amendments to the Bail Act. Could you outline to the Committee how successful video conferencing has been in reducing the number of prisoner movements to the courts?

Mr AMERY: In relation to video conferencing, an interest aspect of the correctional debate about escapes, and so on, and looking at ways of reducing those avenues for escape is video conferencing. It might be of interest to the Committee to note that the commissioner has told me that his organisation has the equivalent of a gaol larger than Lithgow on the road every day. So you can understand that you have not only got these permanently standing buildings, gaols all round the State, but on any one day you have got the equivalent of about 400-odd prisoners in vehicles being transported to and from courts and so on. You can see that the security aspects that the department has to grapple with on that day-to-day issue is a very important component to this whole debate.

When it comes to video conferencing, the department has established video conferencing studios at the following correctional centres: Bathurst, Cessnock, Goulburn, Grafton, Parklea, the Metropolitan Medical Transient Centre, the Metropolitan Special Purpose Centre, the Metropolitan Remand and Reception Centre, where there are four, and Mulawa. Video links have been established between various justice and support agencies to streamline the operation and effectiveness of the justice system. The use of video conferencing technology aims to benefit all participating agencies, particularly by reducing security risks, the costs involved in transporting inmates and witness expenses. As audio and audio-visual technology is to be used for hearings and proceedings before the Parole Board and the Serious Offenders Review Council, video conferencing studios have been established for the Parole Board in Court 17, Hospital Road and for the Serious Offenders Review Council at Silverwater. It is anticipated that the Parole Board and the Serious Offenders Review Council will also be able to use their video conferencing links to conduct meetings.

In the April, the department and the Legal Aid Commission initiated a pilot program that allows legal practitioners to use video conferencing technology to communicate with their clients who are inmates. The pilot program is using the Legal Aid Commission's studio in Castlereagh Street, Sydney, and the studios at the Metropolitan Remand and Reception Centre and the Parklea Correctional Centre. I expect the program to be extended so that the legal practitioners will have access to video conferencing facilities that link the Legal Aid Commission's office at Penrith with regional correctional centres. The Commissioner for Corrective Services is keen to assist visitors to maintain contact with inmates and has directed that the department initiate a pilot program that permits visitors, particularly visitors who are disadvantaged economically and geographically, to use video conferencing technology. The pilot program is designed to ensure that inmates are able to maintain links with family and friends who would otherwise have to travel long distances to visit them at a correctional centre. The department is also encouraging other justice agencies to use its video conferencing studios.

I understand that to facilitate that process the Attorney General's Department plans to establish a central registry that will develop interagency protocols and operating procedures. Statistically, the department is now conducting approximately 580 conferences per month, which should avoid approximately 7,000 inmate movements each year. There are obviously the other issues about priming with the visitors and so on, but from the public's point of view, every time we can reduce the number of prisoner movements from a secure prison to a court via video link-up will certainly give us some security benefits and, hopefully, reduce the number of inmates who are able to make good their escape during those transportations.

The Hon. GREG PEARCE: Minister, I notice that in the less than 10 months to 17 April that the budget figures cover, the number of working days lost due to industrial disputes was 1,252, up from 747 last year and only 603 the year before. I also understand that the Council on the Cost of Government said there is a problem with workplace management and industrial structures within the Department of Corrective Services. We have asked you a number of questions earlier on about problems that appear to be related to the department's inability to manage its industrial relations. What are you doing to address these issues and how can we have confidence that you now have management in place which can deal with those issues.

Mr AMERY: I can table a summary of the industrial action between July 2001 and April 2002 to explain that. First, let me draw your attention again to the words to the Committee by the commissioner, who talked about the issues in relation to the staffing levels and so on with the union, and there is a lot of negotiations going on with that. Hopefully, that will resolve many of those problems. From my point, I have made a direct policy of liaising with both the Prison Officers Union and the PSA. I have been to their quarterly meetings, which are held in Sydney. I have addressed them on two occasions. I have now set up a process where we can have some discussions about many of the industrial issues that confront them. I am not going to make any derogatory judgments on the rights of the union to take action where they think that their working conditions or their safety aspects are in question. I am very confident though, that since Mr Woodham has become the commissioner, that the liaison between the union and the department has been positive.

Rather than read it out and spend all night reading out the reasons, in August 2001, the number of hours lost at the MRRC, at Mulawa, at Bathurst, going right through the year—I will list that for the information of *Hansard* and the members. But that there are a number of issues involved about which the union is still negotiating with the department. From my point of view, I have taken a very co-operative approach with the trade unions in this area to try to resolve many of these issues by way of discussion rather than by way of industrial action. Yes, working hours lost did increase substantially, I think as the member accurately read out. I think this sheet here will show you the list of days lost, and let you know about a number of industrial matters. Are there any matters, Commissioner, you would like to comment on that may have been resolved?

CHAIR: Before the Commissioner answers the question, are you going to table that, Minister?

Mr AMERY: Yes. I can table it. I will table the list to save me reading them all out. I think the issue of industrial relations and negotiations between both my office, the department and the unions, is a high priority and I hope I have set the scene for more fruitful discussions in the future.

Motion by the Hon. Tony Kelly agreed to:

That the document be received.

Mr WOODHAM: I can tell you without any fear of contradiction that there was not one strike action that could not have been resolved without losing any pay. Some of them were quite trivial. They did not give us any warning and just walked out for some local reason. As an example, in the courts recently they knew that we would probably buckle and give them what they wanted if the prisoners did not get to court, but we got them all to court anyhow and they just lost a day's pay. But we are negotiating with them on a regular basis and we are fairly sure that there is going to be quite some stability from here on in.

Ms. LEE RHIANNON: Minister, could you give the Committee a brief rundown about the CORE and CUBIT programs for sex offenders and how much you are spending on the programs?

Mr AMERY: I will ask Ms McComish to give us a rundown on the programs.

Mr WOODHAM: We are just about to put the community-based sex offender program under Probation and Parole.

Ms McCOMISH: The question was a brief rundown on the programs?

Ms. LEE RHIANNON: Yes, just a brief rundown and also the budget for the programs.

Ms McCOMISH: The CUBIT program is the Custodially Based Intensive Treatment Program. It is established at Long Bay in the Malabar Special Programs Centre and it provides intensive programs for sex offenders who are considered more at high risk of reoffending. It has, therefore, two levels of programs. It can take approximately 60 offenders per year, and one is a 50 week program and the other, for lower-risk or moderate-risk sex offenders, is 40 weeks. There is also a program that is run within the community which is called CORE, and that targets the core issues for sex offenders. It is a non-residential therapy program for lower-risk sex offenders. Each can run both within custodial centre and in the community.

In addition to that, the forensic psychology service run treatment for low-risk sex offenders who are being supervised in the community, either under probation or under parole supervision. It also runs community maintenance programs. In addition to those two specific sex offender programs, there is a specific assessment program for sex offenders and the forensic psychology services, which are based in the community, and as the commissioner has said, which are to come under the management of Probation and Parole, provide expert assessment of sex offenders, of the risk of their re-offending, to add to the pre-sentence reports that Probation and Parole staff provide to the courts.

In terms of the actual budget, I have just been given the figures for that now. For the total program—that is for the custody-based program and the community-based program—the budget is \$2.167 million. Obviously because of the intensive nature of the custody-based program that takes the majority of the funding. The assessment programs and the community-based maintenance program take approximately one third of that project.

Ms LEE RHIANNON: Would you tell us at what rate prisoners are withdrawing from those programs?

Ms McCOMISH: No, I am not able to tell you at what rate they are withdrawing. We could certainly get you figures. I could take it on notice. There are both people who are assessed as not suitable, and it might mean that they enter the assessment phase and they are not considered suitable for particularly the intensive programs or they are not considered suitable for programs in the community. There are I think a very small number—I need to confirm those figures—who withdraw—and it might be something like one or two—from the intensive based program.

Ms LEE RHIANNON: So will you take the question about the figures on notice.

Ms McCOMISH: Yes, I will.

Ms LEE RHIANNON: Is there still a discrepancy between the sex offender programs that run out of Junee, and those at Long Bay? What I am referring to there is that prisoners—and you would probably be aware that we have received complaints about this—who do programs at Junee, and they are required to do the same programs at Long Bay. Could you explain what that problem is?

Ms McComish: I think earlier on when sex offender programs were first established both within the MSPC at Long Bay and at Junee that there was some difference in approach. The programs at Junee are basically short-term educationally-based programs which confront offenders with their behaviour but are not intensive enough to greatly change the level of risk that the offender poses to the community. So offenders themselves considered that they have completed sufficient treatment often, and did not like the fact that they were told that for there to be some confidence that they had changed

their behaviour and decreased their risk, they were going to have to do something more intensive. Of course, there were elements of the program that were similar. The program that is run at Junee is the Sex Offender Redirection Treatment—I think it is still called SORT—and that is more similar to CORE, the program I described which is run for low-risk sex offenders, far less intensive, where they tend to group once or twice a week for an allotted period of time. My understanding is that that difference and concern between the two programs, just where Junee fitted in the continuous sex offender programs, has been resolved by and large.

Ms LEE RHIANNON: It does sound as though you have identified a lack of co-ordination between Junee management and the Department of Corrective Services?

Ms McCOMISH: No. What I was describing was a matter of setting place a quite complex or comprehensive treatment program and that there needed to be some issues resolved about how one part of that program that was delivered by different service providers in a privately run prison fitted in the guidelines for sex offender treatment that were established within the department, and that took a year or two to resolve. My understanding is that that has been resolved.

The Hon. JOHN RYAN: Has the inmate health survey that was going to discover the number of inmates that had a mental illness been completed yet and when is it due for release?

Mr WOODHAM: It has been completed. The CHS who ran that survey—our involvement was within the funding area, but we can find out if it is ready for release.

CHAIR: Can you take on notice the outcome of this survey?

Mr WOODHAM: Yes. It has been completed, but it was done by Corrections Health. We were involved in the funding and in having the prisoners available. It was quite a long process. Some individuals took a couple of hours. I forget how many—I think about 1,000 inmates were assessed as they came off the vans. It was not selective. As they came in, they were assessed, and I think you will find it is fairly high.

CHAIR: Is it going to be made public?

Mr WOODHAM: We can find out tomorrow off Dr Matthews, the CEO of CHS and let you know.

The Hon. TONY KELLY: It is under the Minister for Health.

CHAIR: Before we close the hearing, the Minister has taken on notice a number of questions.

Mr AMERY: Yes.

CHAIR: What would the time frame be to provide the answers to the Committee?

Mr AMERY: I think about 30 days I think.

CHAIR: It is usually. 35 days.

Mr AMERY: Yes.

CHAIR: If there are further questions on notice, they should provided to the Minister in two days' time. On behalf of the Committee, I thank the Minister and all the departmental officers for attending our hearing.

The Committee proceeded to deliberate.
