

GENERAL PURPOSE STANDING COMMITTEE NO. 3

Monday 1 December 2003

Examination of proposed expenditure for the portfolio area

JUSTICE

The Committee met at 2.00 p.m.

MEMBERS

The Hon. A. R. Fazio (Chair)

The Hon. P. J. Breen
The Hon. G. S. Pearce

The Hon. J. F. Ryan
The Hon. I. W. West

PRESENT

Department of Corrective Services

Mr R. Woodham, *Commissioner*

Mr I. McLean, *Senior Assistant Commissioner, Custodial Inmate Services*

Mr L. Grant, *Assistant Commissioner, Inmate Programs and Services*

Mr G. Schipp, *Executive Director, Finance and Asset Management*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

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**Budget Estimates
General Purpose Standing Committee Secretariat
Parliament House
Macquarie Street
SYDNEY NSW 2000**

CHAIR: I declare the meeting open to the public. First, I welcome you to this supplementary estimates hearing of General Purpose Standing Committee No. 3. I wish to thank departmental officers for attending this afternoon, particularly those who have been asked to attend at short notice. I have just been given an undated letter signed by the Hon. Don Harwin, Opposition Whip, advising that the Hon. John Ryan is substituting for the Hon. Melinda Pavey at this hearing. At this meeting the Committee will examine the proposed expenditure for the portfolio area of Corrective Services. Before questioning commences, some procedural matters need to be dealt with. As you will all be aware, part 4 of the resolution referring the budget estimates to the Committee requires the Committee to hear evidence in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines are available from the attendants or the Committee staff.

I point out that in accordance with the Legislative Council's guidelines for the broadcasting of proceedings only members of the Committee and witnesses before the Committee 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 the Committee you 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 whilst seated at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendants on duty or the Committee clerks. For the benefit of members and Hansard, I ask departmental officials to identify themselves by name, position and agency before answering each question referred to them. Where a member is seeking information in relation to a particular aspect of a program or subprogram, it will be helpful if the program or subprogram is identified.

I encourage witnesses to answer the questions put to them during the hearing, particularly where an indication has been given of the possible areas of questioning. I understand questions have been forwarded to you in advance of this hearing. The Committee must report back to the House by Thursday of this week. Hopefully, only a few questions will need to be taken on notice and if questions are not answered during the hearing I ask members to place these on the *Notice Paper* in the House tomorrow. I declare the proposed expenditure open for examination. We will be taking questions in blocks of 20 minutes from the Opposition, crossbench and Government members. Commissioner, would you like to make a brief opening statement?

Mr WOODHAM: No.

CHAIR: We will now start with 20 minutes of questions from the Opposition.

The Hon. GREG PEARCE: Commissioner, how many mobile phones were found within the prison system in the past year?

Mr WOODHAM: Quite a number. I have a paper here on it and my people will locate it for me.

The Hon. GREG PEARCE: While it is being located, can I ask whether that will give us a breakdown of the number in each prison?

Mr WOODHAM: No, it will not, but I can make that available to you. First of all, may I say that if you or I attended a gaol, we would have to hand in our mobile phones. It is now against our rules to take a mobile phone in. The main offenders for mobile phones, of course, are minimum security areas. We have found quite a number there, particularly over the last 12 to 18 months. I was at a chief executive officers conference on Corrections in Melbourne in May this year and returned for the Ministers' conference on Corrections in July this year where New South Wales placed on the agenda the jamming of mobile phones. We asked the Australian Broadcasting Authority to at least trial a jamming device that we know is available on the market, but which is illegal to use at this stage without the proper approvals. We selected a gaol that we believed would not have any interference with mobile phones outside. The carriers are opposed to jamming phones because there can be an overlap going over the top of the wall and it can jam phones in the community. But if you want to know the number of mobile phones, correctional centre by correctional centre, I can make that information available to you fairly quickly.

The Hon. GREG PEARCE: You do not have the total that they have found?

Mr WOODHAM: No, I do not, but I know we have found well over 200 in correctional centres in the last couple of years. That could include subscriber identity module [SIM] cards, of course. In relation to the use of mobile phones in a correctional centre, if they can smuggle SIM cards in, which are much smaller, and if prisoners can get one phone, several inmates will pass it around and use the one phone with their own SIM card. That could include that, but I will get the exact figures for you.

The Hon. GREG PEARCE: What checks did you make to try to discover who owned the phones that you found?

Mr WOODHAM: We have a SIM card reader in our intelligence section. All the SIM cards that we find with the phones are forwarded to the intelligence section. They can find out what numbers they have been phoning and at what times. Of course, through the police who are attached to our department they then find out who the people are who own those phones.

The Hon. GREG PEARCE: Have you discovered any Corrective Services employees as owners of any of those SIM cards?

Mr WOODHAM: We recently had well publicised that a correctional officer was involved in an Independent Commission Against Corruption inquiry and his services have since been terminated by me. It was a joint inquiry between ICAC and the department where a prison officer is alleged—he has not been charged criminally at this stage—to have been bringing mobile phones and steroids into the Goulburn gaol.

The Hon. GREG PEARCE: Are there any others that you are aware of—other employees?

Mr WOODHAM: There is no-one that I can think of off hand who has been charged in recent times, although there has been intelligence that mobile phones have come in with certain staff. It has been investigated in the best manner we can.

The Hon. GREG PEARCE: Has it been investigated by ICAC or internally?

Mr WOODHAM: We are in a situation now with ICAC that if we get any intelligence, such as a staff member bringing in a mobile phone, we do not wait until we give the schedule at the end of the month. We notify them immediately and that information is passed on to them immediately.

The Hon. JOHN RYAN: Have you made references to ICAC in relation to smuggling phones into correctional centres?

Mr WOODHAM: Yes, we have. I am not going to talk about some things that are in the pipeline at present, but we continually pass information on to ICAC and they have a first look at it and decide if they want to carry it forward, or get involved with us, or hand it back to us to investigate.

The Hon. JOHN RYAN: Have you any reason to believe that there may be organised efforts to smuggle mobile phones into correctional centres?

Mr WOODHAM: I have no doubt that a criminal element has attempted to organise the smuggling of mobile phones into correctional centres.

The Hon. JOHN RYAN: I guess I mean "successful". Have there been any successful attempts by organised elements to smuggle in mobile phones?

Mr WOODHAM: People that you would regard as gang leaders and very violent people have obtained mobile phones in correctional centres. This is not a New South Wales problem; it is a worldwide problem. If you look at France, for example, in the last two years a mobile phone has been used to organise a helicopter extraction. In Israel a mobile phone was used to organise a bombing outside. A number of correctional centres rioted at the same time in South America by the use of a number of mobile telephones organising a disturbance at the same time. It is a worldwide issue.

The Hon. JOHN RYAN: Speaking of helicopter extractions, do you recall a helicopter extraction from a Sydney correctional centre? After that incident there were recommendations about the placing of some sort of wires across the correctional centre in order to prevent that from occurring again?

Mr WOODHAM: Yes.

The Hon. JOHN RYAN: Do you recall a recommendation being made of that nature? What happened as a result of that recommendation?

Mr WOODHAM: Two officers travelled around the world and looked at what was happening in other countries. From memory, particularly in France, attempts at extraction by helicopter were far more violent where they were using anti-helicopter wires. We found that they not only came in and landed and tried to take someone away, but they dropped high-powered firearms into the gaol. In one case that I can remember in France they even attached a claw on a chain from the bottom of the helicopter, trying to lift the top of the cages that some of these heavy prisoners were in. So we decided, after having looked at everything—say, in the Metropolitan Remand and Reception Centre [MRRC] where the helicopter took a person—that we would have an armoured vehicle, which we have, on the perimeter of the correctional centre with trained, armed officers in it rather than helicopter wires. It is illegal for anyone to fire upon a helicopter in the air.

The Hon. JOHN RYAN: I do not imagine you would be giving consideration to firing on a helicopter in the air over a suburban area anyway.

Mr WOODHAM: That is right, but you can fire if people are running to it or if they are hanging off a rope from it. I have seen a video of an incident in France where a person was killed and got hung up in a rope under a helicopter when it was trying to extract him from a prison.

The Hon. GREG PEARCE: I turn now to compensation payouts paid to prisoners last year. I think the total was \$1.7 million.

Mr WOODHAM: Yes.

The Hon. GREG PEARCE: Could you just confirm the total and the amounts paid to each prisoner? I assume there is no problem with identifying those prisoners.

The Hon. JOHN RYAN: My recollection, if it helps the Committee, is that the \$1.7 million figure comes from the answer given to a previous question on notice.

CHAIR: I think it is up to Commissioner Woodham and his staff to answer questions.

The Hon. JOHN RYAN: I was just providing information that I thought would help.

Mr WOODHAM: I think there might have been a question in the questions we got the other day that indicated we might be asked about this today. I will clarify that, if you will bear with me for a minute. My eyes are not the best so I will get Mr Schipp to read out the figures that I believe you are asking for.

Mr SCHIPP: I will read the answer verbatim. I am advised that the compensation paid by the Department of Corrective Services to offenders for personal injury during 2002-03 totalled \$1.728 million for injuries received between 1 January 1993 and 5 October 2002.

The Hon. GREG PEARCE: Can you give us a breakdown of the names of the prisoners and the amounts paid to each of them?

Mr WOODHAM: We can, if we take that on notice.

The Hon. GREG PEARCE: Are there further claims that are currently unresolved?

Mr WOODHAM: Yes there are. Do not ask me how many but there definitely are. I can make that available as well.

The Hon. GREG PEARCE: From your observation of the claims you have processed so far, is there a pattern to the reasons for the claims?

Mr WOODHAM: Being realistic about it, with the clientele we are dealing with, from time to time we get people who think that they can buck the system and get an easy ride one way or another. As an example, we had intelligence in the last week that a prisoner was going to report a needle stick injury and be taken to hospital, and then hopefully go home halfway through his detention period. We had already searched the cell and knew it was clean, and when he came forward to report the needle stick injury we knew it was false. We still did the medical checks but he was not allowed home. If he puts in a claim we will be able to take the appropriate action. There is no doubt that some prisoners think that they can get away with it. I think you will recall that there have been articles in at least one Sunday paper in the past month where a couple of these claims have been totally turned down, dismissed.

The Hon. GREG PEARCE: So you are taking on notice the amounts of the claims, the currently unresolved claims and the category of the claims?

Mr WOODHAM: Yes.

The Hon. GREG PEARCE: Can you tell me how much money was raised through vending machines in visitor areas of prisons in the past year?

Mr WOODHAM: I cannot tell you the exact amount that has been raised but it will be a considerable amount of money. As you know, we have vending machines in visitor areas for inmates and also in staff amenity areas. In some areas in some prisons the staff look after the vending machines. We do not pay someone to come in from outside to fill them, keep them stocked and things like that. The staff do it themselves. As you are fully aware, there has been an issue about who should get the proceeds from the vending machines. We still have an item before our board of management and we have a policy committee running off that board of management. It is still not finalised but hopefully in the new year we will have a policy that will be rolled out right across the department on where the proceeds of vending machines will go. I think the consensus of opinion is that some should probably go into staff amenities and most definitely the bulk would go into inmate amenities and assisting families.

Mr SCHIPP: Funding for the vending machines that are operated by staff social clubs does not relate to the department. It is part of the funding and the financial operations of the social clubs themselves. Similarly, the money that is associated with the vending machines that are operated through the inmate development committees is within the inmates trust accounting rather than the departmental accounting system.

The Hon. JOHN RYAN: In giving us that information about vending machines, and to make the information more comprehensive, in addition to giving us the details of how much money the department collects, can you give us information on any other arrangements that have been made? I do not think it is very many, but there are a number of other places where vending machines are operated either by inmate development committees or by social clubs.

Mr WOODHAM: We have trialled that. One correctional centre I can remember off hand is Cessnock where we have allowed the Coke company to put in a machine. As you know, there is a computer that dials up and tells them what they need to replenish the machine. That worked quite successfully but of course only a small amount of money came back to the social club or for the benefit of the inmates. As I said, we intend very early in the new year to lock in a vending machine policy department-wide.

Mr SCHIPP: To clarify that point, we cannot give you information as it relates to departmental social clubs because those social clubs are independent entities.

The Hon. JOHN RYAN: But you would know the correctional centres that have social clubs.

Mr SCHIPP: We certainly have correctional centres that have social clubs but there would not be a total value of money going through the social club.

The Hon. JOHN RYAN: Mr Woodham, you might recall that when the Administrative Decisions Tribunal made a judgement in the matter involving Josephine Borg, the judge made a number of comments about his concerns about a culture within the Department of Corrective Services, particularly with regard to allegations of sexual harassment. He commented that there was a reluctance of people to report these matters because there was a concern within the department for—to use his expression—putting people on paper. He made some fairly adverse remarks about a general culture of the department and the need to address that. Have the comments made by the tribunal been taken into consideration by the department in a specific program designed to address the issue of sexual harassment in the workplace, particularly by female correctional offices? But I do not necessarily see why it applies only to female correctional offices. He appeared to be making comments that needed some sort of policy response generally from the department. Did that occur and, if so, what has occurred?

Mr WOODHAM: We have a grievance policy that I can make available to you. It is 18 pages long and I think you will find that your concerns may be addressed in here. I have a group that looks at every report such as what you are referring to, whether it is from the Coroner's Court, a tribunal, the Ombudsman or the former Inspector General, about how we can improve the processes and procedures inside correctional centres. As you know, in the case you mentioned, the department had to pay some money, as did the person who was the alleged perpetrator, and there is some hassle with him paying his part of the money. Some advice has been forwarded to Ms Borg about that. I got involved with the Ms Borg case early and interviewed her personally when the allegations were first made at Mulawa. So I am fairly familiar with the case you refer to.

I took it upon myself, and I do from time to time bring people in to show them that they have the support from the highest position in the department, from the most senior level, and support them through their concerns. I can assure you that there is no shortage of officers or staff putting other people on paper. I am not saying that sexual harassment does not occur in my department. It has and we will do everything we can to stamp it out and take immediate action if we become aware of it. As a matter of fact, there is a matter I cannot talk about that we are working on now which will drive this home to a certain group of individuals in my organisation. But I can assure you that no stone will be left unturned to get to the bottom of this problem. I can make this grievance policy available to you today.

The Hon. JOHN RYAN: Was the grievance policy published after the Borg judgment, or was it an existing policy of the department?

Mr WOODHAM: It was in May 2002.

The Hon. JOHN RYAN: Are any other programs designed to promote the unacceptability of sexual harassment and intimidation in the workplace, as occur in other workplaces?

Mr WOODHAM: I will ask Mr McLean to address that. There is a policy to deal with bullying, and my department is concerned about it, as are most other departments. In the past 12 months I have brought our spokeswomen together; we have a good network of spokeswoman around the service, not only in correctional centres but also in probation and parole and on the clerical side. I am bringing them back together because they are very much involved on their side. We have talked about things and they have a committee that has direct access to me. I can make recommendations to improve the services we provide to anyone who may be bullied or harassed. They can report in confidence. It is important that there be confidentiality on some issues until they are dealt with.

We have a dedicated position for anyone to report bullying in the department. There are always external agencies that people can go to if they are not happy with the way that matters are handled internally. We have staff psychologists at the academy and in the regional offices. We have a peer support program, with trained peer support people online and in the workplace. We have a tool

kit for managers to eliminate discrimination in any form, and I can make it available to the Committee. As well, we have information sessions from time to time. Recently at Long Bay there was an information session at which a large number of staff were present.

The Hon. JOHN RYAN: Are you confident that people feel free to report incidents of bullying and harassment?

CHAIR: The time for this block of Opposition questioning has expired, but Mr Woodham may wish to respond to that question by the Hon. John Ryan.

The Hon. JOHN RYAN: I repeat: Are you confident that people feel free to report incidents of bullying and harassment within the Department of Corrective Services?

Mr WOODHAM: Yes.

The Hon. PETER BREEN: I am interested in prisoner education. The Minister recently said that 45 per cent of the State's 8,100 inmates are undergoing some kind of education program. Other figures suggest that only 75 prisoners in the State are undergoing full-time education. I visit prisons on a regular basis, and there seem to be very few prisoners undergoing any kind of education. In the old days they had classes of 30 or 40 prisoners. I do not see that any more.

Mr WOODHAM: I see it; maybe you should come with me and I will show you where it is happening. I will get Mr Grant to talk to you about that. I know about this fairly well but Mr Grant can give you more detail about that, he knows it all off by heart. One thing I am placing online in the young offenders program, as we speak, is what I call a high school. We are in the process of building the construction of three demountable buildings, which I approved, on the site at the back of the workshops in John Morony I, where the core young offender program is. For the first time we intend to set it up like a school and, for the first time, we intend to pay prisoners the same wage for attending full-time education as prisoners receive for work. We think that is a great move, and because of its proximity, we are going to link it with the new women's gaol so women can join in that educational program as it rolls out into John Morony II, or the minimum security section.

The Hon. PETER BREEN: That has been a disincentive in the past, in that people doing education were paid less than people who were working in the industries?

Mr WOODHAM: That is true. Many years ago it was the view that every prison would be a factory and every prisoner would be a worker. Of course, that did not accommodate the programs and activities and other things we must do with inmates who have any chance of rehabilitation. Before the election, the Premier announced that he would provide an additional \$11 million over four years for the targeted rehabilitation programs. When you talk about education a lot of it is linked in with other programs; for example, the Yetta Dhinnakkal program for young Aboriginal men between the ages of 18 and 30. A lot of them have never had any real schooling at all. Basic numeracy and literacy are factored into everything that they do, even counting sheep in a yard, and is part of that program. Basic education is available at every correctional centre. We have just made all our education officers in correctional centres permanent rather than part-time. I ask Mr Grant to tell you how many hours we get from the external service providers and give you further information.

The Hon. PETER BREEN: I have been to Goulburn gaol and recently I went to Long Bay. They do not have any education facilities to accommodate large groups, whereas 20 years ago 30 or 40 people would be seen trooping out of an education class. That is the comparison I am trying to make.

Mr GRANT: I am happy to comment on that. As with school education, there is the notion that smaller class sizes are better for the students. We are looking to having an optimum group of less than 20, as opposed to large groups of 40. People who provide educational programs in gaols would be very disappointed if they thought that people were not aware of the work they were doing, so I would like to give you some of the statistics in relation to that. Currently we employ 145 teachers in various ranges of permanent and part-time teaching capacities. They add up to 76 full-time equivalent teachers. We employ 35 correctional education officers, who also teach 10 hours a week. In January this year we commenced a new award with the Teachers Federation that requires TAFE correctional

education officers to teach. As the commissioner said, for the first time in our history we have not only created permanent teacher positions but also required the correctional education offices to teach for 10 hours a week.

We have also about 30 senior correctional education officers to manage education in the gaol. Altogether they provide 60,000 hours of teaching in correctional centres. The Adult Educational Vocational Training Institute, known as AEVTI, this year received accreditation as a registered training organisation for another five years, and passed its accreditation with flying colours. The quality and standard of education in gaol is better than it has ever been. AEVTI provided training packages according to the currently available system of education. It has a significant focus, and about 60 per cent of its time is spent on adult basic education, which is an appropriate match to the needs of the inmate population.

In addition we buy TAFE hours. At the moment we have about 20,000 TAFE hours, of which 14,000 hours have been bought from TAFE through a memorandum of understanding that has been in place since 1993. In addition, TAFE provides us with about 6,000 hours for Aboriginal vocational education training; that is, the TAFE Equity Division provides us with that. Adding those two groups together that is 80,000 hours of teaching. In response to your question, there are 214 full-time students.

The Hon. PETER BREEN: It has gone up from 75 to 214 in 12 months?

Mr GRANT: This is the figure as at the end of July—214 positions. There are a significant number of enrolments. It varies, but the figure I have for the end of July is 3,684 enrolments at that time in various programs. That was divided between adult-based education, vocational education and a much smaller number of people involved in higher education. In addition to that, because of the time people spend locked in cells, we do allow, encourage and support inmates to complete external education programs. As at that last date, the end of the financial year, we had 345 people enrolled in external education programs, usually through TAFE, the outdoor training education network, and other external education providers.

Your question was about the visibility of people in programs, I presume, and I cannot say that my experience reflects your own. One of the things we know is that inmates have to be fairly motivated to attend education programs. While a very large number may need those programs, we currently do not have a system requiring people to compulsorily attend programs. So the numbers that attend do not reflect the true needs of the population. We put in place whatever incentives we can. One of them is, if inmates are working—and most inmates like to work in custody—they do not lose their pay, all they lose is their productivity incentive. If you are a full-time worker in any of our industries you can attend vocational training and literacy programs, but you cannot attend any of the other educational programs. During the time you are attending those programs you do not lose your wage, all you lose is the productivity you might have earned by contributing to a private-sector, productivity-based employment opportunity. It is very clear that people who are engaged in education in gaols generally are paid less than people who are involved in work but the opportunities are available for people in work to attend those programs. Increasingly we are trying to make it easier than it has been in the past.

The design for a new facility in Kempsey means that education and industries are co-located so the people actually walk across the courtyard from the workplace to the education area, and it is anticipated that all of the inmates will be involved in either work or education at that centre when it is open. We are making all sorts of moves to do that. We are very proud of our vocational training and educational institute. It was recently accredited. It receives a very good level of support from the organisations that carry out the accreditation and it is of a very fine standard.

The Hon. PETER BREEN: The other factor I am interested in apart from education is drug use and drug testing in prisons. The latest urinalysis tests show 10.9 per cent were positive, which means, I think, that roughly 10.9 per cent of the prison population appears to be using drugs, certainly at that time. The editorial in the *Sydney morning Herald* on 31 October described a new drug-free prison that the Premier announced which would cost \$6 million. The editorial suggested that the existing prison system ought to be drug-free and suggested that if the existing prison system was properly policed we would not have this need for a special drug-free prison. I recognise that there are

lots of problems policing drugs in prisons, but in response to that editorial, Mr Woodham, you wrote to the *Sydney Morning Herald*. First of all, you raised the same issue I did in relation to the editorial, and in your letter, dated 3 November, you said that in the first six months of issue there were 164,143 cell searches and 231 searches of the entire centre. As a result, 294 inmates were found with drugs. That suggests a strike rate of about 0.2 per cent and a long way short of the drug urinalysis tests. My question is why were your searches so unsuccessful and, secondly, where are the drugs in prisons if you cannot find them?

Mr WOODHAM: Firstly, we are quite successful at finding drugs in prisons.

The Hon. PETER BREEN: But those figures suggest only 0.2 per cent.

Mr WOODHAM: Could I just answer the question, please? In the late 1980s we changed our emphasis from trying to find drugs after they got into the gaol to attempting to intercept them coming in. That was quite a dramatic change and a traumatic change to some people. It meant that a number of visitors to the correctional centres were getting charged criminally and banned. We have several hundred banned at any one time from entering any correctional centre in New South Wales. As you are aware, around 80 per cent of inmates are intoxicated or drug affected at the time of their arrest. You have to approach this drug problem in two ways, and that is demand and supply. Because the gaol gates close behind someone who is a hardened heroin addict, as an example, that does not mean to say it changes their desire for their preferred type of drug. We could eliminate more effectively drugs entering prisons if there were no contact visits, as an example, but we are not prepared to even entertain that thought, because we know as a fact that the absolute majority of visitors to our correctional centres are law-abiding citizens and concerned family members for their loved ones inside.

We remain very proactive, say, with urinalysis results. Urinalysis results come from a section in our intelligence section that goes to the operational arm. I think we mentioned this the last time we were here, that the mix of inmates changes from time to time in correctional centres, and so does the type of drugs they try to smuggle in. So, at this stage we have 40 drug dogs and we have drug interdiction, and I know that at at least five large correctional centres over the weekend we had major drug interdiction operations in an attempt to stop drugs coming into prison.

The Hon. PETER BREEN: Could I just ask you something about the urinalysis tests. Is it the case that if a test shows that the sample is contaminated or diluted it is discarded and the test is not included in the statistics?

Mr WOODHAM: No. In our statistics the diluted tests are identified.

The Hon. PETER BREEN: But are they included in that 10.9 per cent?

Mr WOODHAM: Just like a "refuse to supply", diluted samples are included in our statistics.

The Hon. PETER BREEN: So they are part of that 10.9 per cent, for example?

Mr WOODHAM: That is right. Sometimes when you look at statistics, a lot of prisoners are on prescribed medication inside the prison and when a positive result comes back from the analytical laboratory we then have to go to the health authorities to see if they are on the prescribed tablets that they may have in their urine, and that just prolongs the action you take later, but you have to go through that process to make sure they are not being legally prescribed a certain type of tablet, particularly.

The Hon. PETER BREEN: Are you aware how many drug tests are contaminated or diluted?

Mr WOODHAM: Not very many, and that is up to the person who takes them. We have uncovered some very sophisticated ways of trying to give us a clean sample or a diluted sample. Some prisoners have been known to get a clean sample and carry it around with them in a small plastic bottle taped to their groin. By all accounts they are giving a urine sample when really they are

squirting a bottle of someone else's urine into the sample bottle. At one stage we had some urine found in a refrigerator frozen, because sometimes if an inmate cannot supply a urine sample we give them a couple of hours to supply one. Of course, they go and defrost the toothpaste tube full of someone else's urine and try to give us clean urine or, to contaminate a urine sample, put something like Ajax powder under their fingernails and sprinkle it into the urine sample where it is being provided. So, all those issues come back to you being as good as the people taking the urine sample to make sure those sorts of things do not occur, but it is not a very high rate of dilution that is occurring.

The Hon. PETER BREEN: If I were to suggest to you that every second test was contaminated or diluted, would that be wrong?

Mr WOODHAM: It is not true.

Mr GRANT: The figure to which you are referring includes targeted urine samples. That means that it is biased. Clearly, if a custodial officer identifies someone for a target sample, that will increase the likelihood of getting a positive in the group.

The Hon. PETER BREEN: So 10.9 per cent does not reflect the drug use across the State. Is that what you are saying?

Mr GRANT: I suggest that it could because it includes the targeted group. It is important to look at the nature of the drug. That includes all types of prescribed and un-prescribed medication. Some figures that we have looked at—I do not have the figures for the whole of the financial year but I went back to 2002—show that between January and August 2002 there were 1,139 urine samples in the women's facilities and there were only seven positive to heroin. That is a tiny number compared to the 53 per cent reported use of heroin amongst those people coming into custody. It is important to recognise that while there are drugs in gaol—that is something that we cannot move away from and on which we are attempting to improve constantly—the nature of drug use is significantly lower than it is in the community. The nature of the drug that is used is different from the drug of choice in the community. The frequency of drug use is significantly lower as well. So the results do not necessarily indicate a picture such as the one that you think it might indicate.

The Hon. PETER BREEN: Mr Woodham, I refer to the letter that you wrote to the *Sydney Morning Herald* and the results of your search. Do you agree that that figure of 0.2 per cent was an extraordinarily low figure?

Mr WOODHAM: I do not think so. The main supply of drugs into any correctional centre is generally small amounts for personal use. That personal use can occur at the visit section.

The Hon. PETER BREEN: So they might not necessarily be in their cells?

Mr WOODHAM: No, not necessarily.

The Hon. PETER BREEN: Where else in prison would they keep drugs?

Mr WOODHAM: They would keep them anywhere. We search workshops, classrooms and anywhere an inmate is able to go. Drugs and weapons can be secreted in gardens. It is not uncommon for us to run metal detectors over garden areas to search for any form of contraband. Some of our people are masters at the art of smuggling and secreting items.

The Hon. PETER BREEN: I remember that the former Opposition spokesman on prisons used to say that drugs were thrown over the wall in tennis balls and in hollowed-out fruit. Does that happen?

Mr WOODHAM: That has occurred, yes.

The Hon. PETER BREEN: Is it very rare?

Mr WOODHAM: It is rare. The procedure that we have on line now is that before inmates are let go in the morning staff search all the outer grounds and they do a double check to ensure that

nothing has been thrown over. We have found other weapons that have been thrown over fences via that process.

The Hon. PETER BREEN: What do you think of the drug-free prison test?

Mr WOODHAM: I think it is a good idea.

The Hon. PETER BREEN: Do you think that it has to be voluntary? Do you think that the inmates who go there have to do so voluntarily? You cannot really force people to give up drugs, can you?

Mr WOODHAM: No. Different people have different views on that.

The Hon. PETER BREEN: They have to want to give up drugs otherwise it is hopeless in my experience.

Mr WOODHAM: I think it is great concept. We are involved in it. Last week some people from the Attorney General's Department, the Special Minister's office and our office had a look at a site where such a facility might be placed.

The Hon. PETER BREEN: Are you going to build it from scratch?

Mr WOODHAM: No.

The Hon. IAN WEST: Commissioner, page 12-11 of Budget Paper No. 3, Volume 2, gives the 2003-04 daily average inmate population projections. Those projections are up from 2002-03. The annual average in 2002-03 was 7,937 and the projection for 2003-04 is 8,300. Could you explain to the Committee what planning the department has in place to accommodate and pay for that 4.5 per cent increase in the inmate population?

Mr WOODHAM: Yes. I will start off by stating that it is difficult to project what the inmate population will be in the future. By December 2005 we will have 9,000 inmates in full-time custody in New South Wales. Bearing in mind that the prisoner population has risen by about 300 in seven or eight weeks, we believe that we will reach that number or we might even go beyond it, so further planning might be required. I was at Kempsey on Saturday for an open day. We had an open day so that the community could come and have a look at a gaol. We underestimated the crowd and some 6,000 people turned up. Instead of taking them through in groups of 30 we took them through in groups of 100.

We are building a 500-bed facility at Kempsey. Approximately 350 beds will be available to us in March 2004. We will then continue to build another 150 beds, which 12 months from now will make that a 500-bed facility. In the new year we will build a 500-bed complex at a new site at Wellington. Additionally, a 200-bed remand facility at Parklea Correctional Centre is about to be occupied. The Dilwynia building site, a purpose-built 200-bed correctional facility for women, is in the process of being handed over to us. So we have another 1,400-beds being built or about to be built. In our planning we have taken on board recommendations from the royal commission that inquired into the deaths in custody of Aboriginal and Torres Strait Islanders and, in particular, a report that we commissioned from former Coroner Kevin Waller on self-harm. We want to minimise prisoner movement.

In the new regional gaols that we are building at Kempsey and Wellington we are ensuring that we cater for men and women and that we have all the various security classifications—maximum, medium and minimum. From the Aboriginal point of view we are trying to keep those people who come into custody as close as possible to where they live. There is a reference in the budget papers to average staffing within the program. I refer to the containment and care of inmates. Those figures indicate that the number of custodial staff will increase by over 200 during 2003-04 so that we can get all those facilities on line, which will enable us to supervise and manage inmates that are being placed in those facilities.

Additionally, we are negotiating with unions. We have had good results, in particular, from the prison officers vocational branch, in implementing into correctional centres that are coming on line a less expensive and what we think is a more modern staffing profile with more flexibility than we have ever had before. After they come on line we intend to roll that workplace reform package into other correctional centres around the State. I will ask Mr McLean whether there is anything further he wishes to say about this matter.

Mr McLEAN: Kempsey, which has been alluded to by the commissioner, is most certainly the first centre where we have come to some agreement with the unions on modern versus traditional practices within correctional centres. As Luke Grant said earlier, we have a responsibility within these centres to blend education delivery to industry delivery, keeping in mind staff safety and the security of those centres. The design, which is based on the design of the Lithgow centre, which is about 10 years old, enhances that strategy.

The Hon. PETER BREEN: Is Lithgow a successful design?

Mr McLEAN: Yes. We have had it there for 10 or 11 years. From a security aspect, most certainly in the early days when it was first opening up there was one escape. We make no secret of that. You would be aware of that. But since then we have not only been successful in managing the security of that centre; I believe we have also, with some very dangerous and long-term inmates, maintained a very harmonious relationship over the last 10 years.

The Hon. IAN WEST: Commissioner, what strategies are you implementing to ensure that the department expenditure comes within the budget allocation?

Mr WOODHAM: That again gets back to the workplace reform package that has been mentioned a couple of times here today. In June 2003 we introduced an agenda of workplace reform called The Way Forward. It will implement a range of strategies that will not need officers to work the excessive overtime that some of them are doing now, and more than their rostered periods. We intend to get to a situation where we are employing permanent part-time officers at the lower level of the rank structure. That means that overtime would be minimised by the rostering of permanent part-time officers into any vacancies on a daily basis. Also, if any overtime is worked it will be worked at the lowest possible rate.

We also intend to implement what are called rolling let goes and rolling lock ins. We will saturate an area of the gaol with staff at the most dangerous times. Over the years the most dangerous times for prison officers on duty has proven to be when prisoners are being let out of their cells in the morning and being locked back in at night. Our intention is to make a safer workplace by saturating with staff those areas of the prison that are being let go or locked in. Then the staff would roll the inmates out to where they had to go. All the workers in the industry section would be in the one area. They get rolled out, they come back. Then they roll the inmates out to programs and activities. Then in the afternoon that is reversed and the last group to be rolled out would be people who would be contained in the yards and who do not have work, who may be on remand or are non-compliant.

We are also aligning courts with correctional centres. We have carried out our first negotiation with the unions quite successfully. The 24-hour court complex at Broken Hill has staff rostered from the Broken Hill Correctional Centre. That will be a far more economical way of doing business and it will enhance the security of Broken Hill having those other officers available and working closer to the correctional centre. Mr McLean had carriage of negotiating with the unions on the workplace reform package. As he said earlier, it is at a very advanced stage. We have had some very pleasing results from our negotiations with the prison officers vocational branch to date.

The Hon. IAN WEST: The Operating Statement for the Department of Corrective Services indicates that a budget of \$3.891 million has been allocated in the 2003-04 budget to grants and subsidies. Can you outline what the money is used for and who will benefit from the allocation?

Mr WOODHAM: Yes. During the 2002-03 financial year the department's Community Funding Program became a three-year-cycle program. Every three years the department will advertise its Community Funding Program and the priority program categories for the three-year period will be put out for expressions of interest. The areas that we look for are areas that will fit into the categories

of inmate support groups, transitional support or family and children support. In 2002 the department invited community organisations that operate programs in any one of those program categories that I just outlined to submit an expression of interest. The expressions of interest were submitted to the transparent, accountable and competitive assessment process that we have on line. The department allocated \$2,231,000 to 10 community organisations. As the department did not expend all of the funds available in the first round, a second funding round was advertised and further expressions of interest were called for. Earlier this year the Minister announced grants to two community organisations that deliver transitions or services to former inmates, as at the moment these appear to be the areas of greatest need.

One organisation, the Bundjalung Tribal Society, provides residential rehabilitation to recently released offenders who have a history of alcohol and other drug abuse. The other organisation, New Horizons Enterprises Ltd, provides support accommodation to male offenders with a mental illness. Each year the department sets aside money for inmate labour programs to assist organisations that work with victims of violent crime. The organisations receive a one-off grant of up to \$15,000. In 2002-03 the department allocated \$206,000 for this purpose. I might now hand over to Mr Grant to see whether there is anything further he would like to add.

Mr GRANT: The only thing I would add is that this year we made a one-off grant to the family drug support services for them to develop a feasibility study for the support of families of offenders who are drug users. That is a one-off funding allocation only.

The Hon. IAN WEST: Commissioner, under the State Asset Acquisition Program, Budget Paper No. 4, page 10 refers to \$10 million in 2003-04 of a total of \$24 million for the construction of mental health units at the Metropolitan Remand and Reception Centre and Mulawa. Can you advise us what these units are designed to do and when they will be completed?

Mr WOODHAM: Yes. I was personally involved in the planning of the mental health assessment units. It was something that I raised with the health authorities three to four years ago. As you are probably aware, a number of courts now assess people for their mental illness needs at the courts. I think there are nine or 11 in the metropolitan area, and that is rolling out to other courts. That program is designed to divert people from custody and definitely from full-time custody. Secondly, given the number of mentally ill people we receive, it is important that we conduct further evaluations and assessments inside prisons. We deliberately targeted our two biggest remand centres or receiving gaols for men and women—the Metropolitan Reception and Remand Centre at Silverwater and Mulawa Correctional Centre. A 40-bed unit is under construction at the male gaol and last week we finalised a plan to demolish areas of Mulawa to allow work to commence on the new assessment unit, clinic and hospital required at that centre.

The department put a paper together under my direction and I personally briefed Professor Penny on the way we see these units coming on line. Professor Penny is the chairman of the Corrections Health Board in New South Wales. He supported what we are doing 100 per cent. Psychologists, psychiatrists and custodial staff will work as a team to serve two important purposes for the mentally ill. First, we will be able to send them back to the courts with a proper psychiatric assessment. Hopefully, wherever possible, those who can be diverted from full-time custody will go into community care. Secondly, we will be able to identify those who are a risk to the community and who may need to stay in a far more secure environment.

We have already trialled the concept in the Metropolitan Reception and Remand Centre. Pod 13 at the centre has 42 beds dedicated to assessing the mentally ill. The mentally ill feel much safer and more relaxed and they get proper treatment and care. It has taken the heat out of the normal routine of the remainder of the gaol. For one reason or another, some inmates with mental problems are seen as a nuisance by other inmates. This measure will reduce the number of assaults and the harm inflicted on them. It is a very positive move in the right direction of assessing mentally ill inmates. Hopefully it will get them back before the courts with a proper assessment so that an educated decision can be made about their placement.

In addition, the department is about to trial a house that has been built beside the new forensic hospital site at Long Bay. The trial will involve the diversion of five mentally ill women in an attempt to keep them out of full-time custody and to link them into community health care. The

inmates will have access to psychiatrists and health workers at the hospital and medical staff will be able to assist in their management. That is another innovative trial that we are about to embark upon in an attempt to keep some mentally ill women out of custody.

CHAIR: We have 18 minutes left. Due to the kindness of the Hon. Ian West, that time will be divided equally between Opposition and crossbench members.

The Hon. JOHN RYAN: I move:

That the Committee sit longer to enable honourable members to have two bands of 15 minutes for questions.

That is reasonable. I do not imagine that an extra 5 or 10 minutes of sitting will cause any difficulty. It is not normal for government members to ask many questions at these hearings when time is limited.

CHAIR: I do not know what other Estimates Committee hearings the honourable member has attended, but government members have asked questions at the hearings I have attended.

Motion agreed to.

The Hon. JOHN RYAN: Is the unit for developmentally disabled inmates at Long Bay Prison, which was the site of a launch by the Premier during the election campaign, still not operational notwithstanding the fact that it was prepared for the media with ready-made beds and packaged soap?

Mr WOODHAM: That question should be asked of the Minister. The unit for intellectually disabled inmates at Long Bay was handed over recently. We were not happy with some building design aspects, and they are being changed. Intellectually disabled inmates will be in the unit by the end of January 2004. They will most likely be the prisoners currently in X Wing at Goulburn, which is a minimum security facility in which we have a number of intellectually disabled inmates. We will be phasing in the 10 or 12 more severely affected inmates who are being held in a special-purpose prison at Long Bay. I will refer the question to—

The Hon. JOHN RYAN: That is sufficient, you have answered the question. You referred to the new arrangements at Kempsey involving the use of permanent part-time staff. Has the union agreed to those arrangements or are you still expecting an industrial dispute?

Mr WOODHAM: We must negotiate with two unions: the Prison Officers Vocational Branch and the Commissioned Officers Vocational Branch. The negotiations with the Commissioned Officers Vocational Branch are complicated because the union is attempting to integrate the workplace reform package with a new award in the Industrial Court. The Prison Officers Vocational Branch has agreed to include a number of permanent part-time positions at Kempsey, Dilwynia and the new corrections centre at Wellington. Mr McLean, who has been chairing those meetings, might be able to provide more detail.

The Hon. JOHN RYAN: I only need to know whether you are expecting industrial action tomorrow.

Mr WOODHAM: We could have it at any time.

The Hon. JOHN RYAN: In response to questions asked on notice in the Legislative Assembly, the department advised through the Minister that all costs incurred in obtaining media monitoring services were appropriate to the needs identified. Can you provide the exact amount spent by the department on media monitoring services?

Mr WOODHAM: Yes, I can. In 2002-03 the total expenditure for media monitoring was \$32,286, which was paid to Rehame.

The Hon. JOHN RYAN: Can you advise the Committee how much money was spent on servicing the Minister's office and providing it with a staffing budget?

Mr WOODHAM: As you would be aware, that budget is allocated through the Premier's Department. Therefore perhaps the question should be directed to the Minister.

The Hon. GREG PEARCE: Justice is one of the ministerial offices that are funded through the Premier's Department?

Mr WOODHAM: Yes.

The Hon. GREG PEARCE: You do not have any allocation in your budget for the Minister's office?

Mr WOODHAM: No.

The Hon. JOHN RYAN: Mr Humpherson asked questions relating to the specific number of random drug tests undertaken each month in 2003 in the Metropolitan Reception and Remand Centre [MRRC], Long Bay prison and Parklea gaol, and he was given an answer that referred to the inmate population tested across the whole correctional system. Is there any difficulty in supplying the Committee with specific details of the number of drug tests taken each month for those three gaols and how many were demonstrated to be positive?

Mr WOODHAM: We would be able to make that information available to you.

The Hon. JOHN RYAN: The shadow Minister was advised that 23 officers of the Department of Corrective Services were found to have engaged in misconduct during the calendar years 2002 and 2003. The shadow Minister asked how many of the officers were retained in the prison service, how many were dismissed, how many resigned, and how many had remained in their roles, and he was advised that each of the officers found to have engaged in misconduct was dealt with appropriately by the Department of Corrective Services under appropriate legislation. Do you have any difficulty in supplying the Committee with a specific breakdown of what happened to those 23 officers?

Mr WOODHAM: No. We can make that information available.

The Hon. GREG PEARCE: Could you also provide details of officers' overseas travel in the last year?

Mr WOODHAM: I think you will find that information in the annual report, which was tabled last Friday.

The Hon. JOHN RYAN: Mr Vern Dalton has acted as a consultant for the department, and I understand that frequently the amounts of money he is paid are under the \$30,000 required for reporting in the annual report. Can you supply to the Committee details of tasks that Mr Dalton has been asked to undertake for the last two financial years and the amounts of money paid to him?

Mr WOODHAM: Yes, we can.

The Hon. JOHN RYAN: Was the department ever asked to comment on either a final report or draft report completed by the former Inspector-General of Corrective Services relating to the MRRC and the Probation and Parole Service?

Mr WOODHAM: Yes.

The Hon. JOHN RYAN: Is it possible to provide those reports to the Committee?

Mr WOODHAM: Yes. The working group was put together to address what we believed should be followed through.

The Hon. JOHN RYAN: Is it possible to supply the Committee with those reports?

Mr WOODHAM: Yes.

The Hon. GREG PEARCE: What sorts of records do you keep in relation to officers on stress leave?

Mr WOODHAM: I can provide you with the details. A total of 134 psychological industry claims were submitted in 2002-03. Of these, 99 claims incurred time lost. With regard to these claims 960 days time lost had been paid.

The Hon. GREG PEARCE: Were other officers on sick leave, or some other leave, who would fall within the category of stress, as distinct from some sort of physical injury?

Mr WOODHAM: With the claims we get, it is classified as a psychological injury or psychological claim, and I have given you the figures we have for that.

The Hon. GREG PEARCE: Do you have details of the numbers of officers on long-term sick leave?

Mr WOODHAM: Yes. I will make those figures available. Like every other department or workplace, there is always someone on sick leave. Some are on long-term sick leave, and some of it is not associated with the workplace at all.

The Hon. JOHN RYAN: You might recall that at the commencement of the session I asked some questions about mobile phone investigations. Other than the matter that has received media attention and has been concluded by the ICAC, have you needed to refer to the Independent Commission Against Corruption any matters involving officers smuggling mobile phones into correctional centres?

Mr WOODHAM: Offhand I cannot recall, but I can check with our committee. Every three months I meet with people from the Independent Commission Against Corruption, and I am not aware of any issue along those lines being raised in recent times. That does not mean to say that the ICAC has not received information from some other source.

CHAIR: The time for Opposition questions has expired.

The Hon. PETER BREEN: Earlier you mentioned a joint inquiry between the ICAC and the department involving a prison officer at Goulburn gaol. I do not think that was the same inquiry we spoke about at the last budget estimates hearing. I think that was an inquiry in relation to Long Bay gaol, and I think I raised a question about legal advice for prisoners. Has that inquiry at Long Bay gaol been completed?

Mr WOODHAM: There was one incident in which, from memory, a prison officer was allegedly bringing in drugs, and mobile phones could have been involved. I know that police conducted a search warrant on his home and that he was criminally charged with a number of offences, which I can inform you about. Offhand I do not know the offences, but he was criminally charged and his services have been terminated.

The Hon. PETER BREEN: The question I raised about that inquiry concerned legal advice to prisoners. Do you know whether that inquiry dealt with any aspect of legal advice to prisoners?

Mr WOODHAM: I think you are referring to the ICAC. I do not know whether the ICAC got involved with—

The Hon. PETER BREEN: I thought the department was also involved in the same inquiry. Was it not a joint inquiry?

Mr WOODHAM: Yes, but I think staff were interviewed, rather than inmates. It was more staff related, I believe.

The Hon. PETER BREEN: Have you noticed any change in the level of complaints by prisoners since the inspector-general's office was abolished?

Mr WOODHAM: No, not really. I refer to the recently tabled Ombudsman's report and to the Corrective Services component of that report. It is quite complimentary of the complaints line that we have in a number of correctional centres. In the next 12 months we will be in the process of rolling it out to every correctional centre.

The Hon. PETER BREEN: Is this a direct line?

Mr WOODHAM: A direct line, toll-free. It has been quite successful to date. Of course, the former Inspector General and the Ombudsman assisted us with placing the process online. We keep the Ombudsman's office briefed on how that is going. We hoped—as I think you will find in the Ombudsman's report, from my memory of reading it last week—that the inmates were sort of shopping; if they could not get what they wanted from one group they would ring someone else. My view is it should be our responsibility. We have to be able to prove to you or anyone else that, first, we can investigate ourselves effectively and, second, that we will follow up these complaints and resolve them, wherever possible at a local level. I anticipate that the number of complaints and requests received by the Ombudsman's office will be dramatically reduced as a result of us rolling out our complaints line.

The Hon. PETER BREEN: I hope that is right. I asked you whether a film crew could go into one of the prisons. What is the policy of the department in relation to film crews going in? Also, are journalists automatically prohibited from going into prisons?

Mr WOODHAM: They are not automatically prohibited. As you know, we let some journalists walk into a gate with you recently.

The Hon. PETER BREEN: We did not get very far. We only got in the front door.

Mr WOODHAM: Yes, I know. Each request is considered on its merits, on a one-off basis. I take advice from my media group. Also, what they want to do is very important.

The Hon. PETER BREEN: So there is not a blanket ban?

Mr WOODHAM: We do not support film crews just going in *carte blanche* talking about the offences an inmate might have committed. We consider what impact that may have on victims who may be watching.

The Hon. PETER BREEN: What are the rules relating to members of Parliament going into prisons?

Mr WOODHAM: If you get approval from our Minister we have no difficulty with it at all.

The Hon. PETER BREEN: But the Minister seems to have an unusual difficulty with it. I do not think I have known a previous Minister to be so difficult in relation to members of Parliament going into prisons.

Mr WOODHAM: That is an issue you must take up with him.

The Hon. PETER BREEN: Is there a policy in place whereby members of Parliament have to go through the Minister if they want to go to a prison?

Mr WOODHAM: From memory, that has been the accepted protocol ever since I have been in the job. It does not matter who has been in government, it has been the same protocol.

The Hon. PETER BREEN: Is there a protocol in relation to lawyers? Can lawyers go in as a matter of course without going through special procedures?

Mr WOODHAM: Lawyers generally go through the normal process and have their visit in the visitors section with the inmates they are representing.

The Hon. PETER BREEN: So there has been no recent change in policy in relation to lawyers?

Mr WOODHAM: No, most definitely if they are representing their clients.

The Hon. PETER BREEN: The annual report indicates that the number of inmates who are under the umbrella of the Serious Offenders Review Council is up 40 per cent on last year. I think the total number is 568 serious offenders. One of the concerns I have is that there seems to be more and more effort into keeping serious offenders in prison. I could be wrong about that, and I am sure you will correct me if I am.

Mr WOODHAM: No, I think you will find that people are getting longer sentences and they are committing more violent crimes on a more regular basis. That is why the numbers have increased. Anyone serving a head sentence of 12 years or more is regarded as a serious offender. Another group of inmates who are called high risk and extreme high risk come under the management of the Serious Offenders Review Council, and those people are of public interest. When you add all that together, you see that the more success the police have in eliminating gangs off the streets of Sydney the more serious offenders we will have inside that we have to manage.

The Hon. PETER BREEN: In relation to serious offenders who come before the Parole Board, do you have a policy for opposing their applications for parole?

Mr WOODHAM: No, I do not have a policy of opposing those who come before the parole board. My role in that area is that I approve or do not approve Serious Offenders Review Council recommendations and they could go before the Parole Board for its consideration. I do not have a policy of automatically opposing anyone.

The Hon. PETER BREEN: Are you opposing more applications for parole now than you were, say, 12 months ago?

Mr WOODHAM: Some very serious offenders have been before the Parole Board. We have really improved our intelligence gathering capability. One of the most critical decisions that can be made with an offender is the release back to the community, particularly someone who has served a long time for a very vicious crime. I ensure that all available intelligence—without mentioning the case, recently we got intelligence from another State—is fed to the Parole Board for its consideration. We do not have a policy of opposing; we have a policy of making sure that all the information we have is before that release authority.

The Hon. PETER BREEN: I put it to you that two things have changed in the last year or so to increase the numbers under the umbrella of the Serious Offenders Review Council. One is the number of applications for parole being opposed by the department and the other is the unwillingness of the Parole Board to allow out people they might have in the past—in other words, everyone is getting tougher. The department is getting tougher and the Parole Board is getting tougher. Would those two reasons contribute to the increased numbers of serious offenders in the system?

Mr WOODHAM: If the numbers are not getting parole who used to get parole, of course that impacts on the people who remain in custody. Again, I think there is a lot more information available to the release authority now than what there used to be. The Parole Board Secretariat is on my staff and we service the Parole Board. We also service the Parole Board from the community offenders services or the parole and probation group, as well as the custodial group, in furnishing to the Parole Board institution and parole reports for consideration. We go to considerable effort to make sure that the reports that come before the releasing authority are of the highest quality available.

The Hon. PETER BREEN: I put it to you that the Prisoners Legal Service is run off its feet dealing with Parole Board matters that a year or so ago they would not have to fight for.

Mr WOODHAM: The Parole Board is autonomous and, as you know, it is under a judicial member. I have no influence on it whatsoever. Perhaps that question should be directed to the chairman of the Parole Board.

The Hon. PETER BREEN: One of the suggestions is that if the department did not oppose applications for parole as consistently and as vigorously as it does, more people would get out on parole?

Mr WOODHAM: It is very minimal, is it not, when you look at the numbers that are still getting parole to the ones that are opposed, for one reason or another. As I say, we are far more effective in gathering relevant information to place before the release authority than what we have ever been before.

The Hon. PETER BREEN: So that is the explanation for the opposition to paroles?

Mr WOODHAM: I think they have far more information before them, and more accurate information. Some of these people have shown no remorse or involved themselves in trying to do anything about their offending behaviour whilst they are in custody, and those sorts of issues are taken into consideration.

The Hon. PETER BREEN: I have one final question about the Serious Offenders Review Council. I understand that the council only sees "C" classification prisoners now?

Mr WOODHAM: No.

The Hon. PETER BREEN: And that "A" and "B" classifications have somehow slipped out of the system, is that right?

Mr WOODHAM: No. It sees every serious offender who is being brought down in classification rating. There are the initial interviews and assessments and then when a person is being brought down from maximum to medium security or from medium to minimum security, they are seen and a report is submitted for consideration from the Serious Offenders Review Council at those time frames.

The Hon. PETER BREEN: But an "A" or "B" classification prisoner who has no prospect of release is no longer under the auspices of the Serious Offenders Review Council.

Mr WOODHAM: Yes, they are. "Never to be released" can be seen every six months.

The Hon. PETER BREEN: So it is wrong to say that the Serious Offenders Review Council is now only looking at "C" classifications?

Mr WOODHAM: It is wrong to say that.

The Hon. PETER BREEN: Thank you very much. I have no further questions.

CHAIR: Time for questioning has expired. I thank the witnesses for their attendance today.

The Committee proceeded to deliberate.
