

PORTFOLIO COMMITTEE NO. 5 - LEGAL AFFAIRS

Wednesday 4 March 2020

Examination of proposed expenditure for the portfolio area

COUNTER TERRORISM AND CORRECTIONS

CORRECTED

The Committee met at 09:30.

MEMBERS

The Hon. Robert Borsak (Chair)

The Hon. Sam Farraway

The Hon. Rose Jackson

The Hon. Natasha Maclaren-Jones

The Hon. Shaoquett Moselmane

The Hon. Penny Sharpe

Mr David Shoebridge

The Hon. Natalie Ward

PRESENT

The Hon. Anthony Roberts, *Minister for Counter Terrorism and Corrections*

CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS

Corrections should be marked on a photocopy of the proof and forwarded to:

**Budget Estimates secretariat
Room 812
Parliament House
Macquarie Street
SYDNEY NSW 2000**

The CHAIR: Welcome to the public hearing of Portfolio Committee No. 5—Legal Affairs inquiry into budget estimates 2019-2020, further hearings. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of this land. I also pay respect to the Elders, past and present, of the Eora nation and extend that respect to other Aboriginals present. I welcome Minister Roberts and accompanying officials to this hearing today. Today the Committee will examine the proposed expenditure for portfolio area Counter Terrorism and Corrections. Today's hearing is open to the public and is being broadcast live via the Parliament's website.

In accordance with the broadcasting guidelines, while members of the media may film and record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that you must take responsibility for what you publish about the Committee's proceedings. The guidelines for the broadcast of proceedings are available from the secretariat. All witnesses in budget estimates have a right to procedural fairness according to the procedural fairness resolution adopted by the House in 2018. There may be some questions that a witness could only answer if they had more time or with certain documents to hand. In these circumstances witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members' staff present in the public gallery should be delivered through the Committee secretariat. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table behind you.

Transcripts of this hearing will be available on the web as soon as possible. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister Roberts, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament. As all witnesses in this hearing have previously been sworn at an earlier budget estimates hearing before this Committee, no witnesses will be sworn in today. Today's hearing will be conducted from 9.30 a.m. to 11.30 a.m. with the Minister and from 2.00 p.m. to 5.30 p.m. for departmental witnesses, although we may very well end up moving from 1.40 p.m. to 4.40 p.m. There will be no questions asked by Government members. I declare the proposed expenditure for portfolio area Counter Terrorism and Corrections open for examination.

PETER SEVERIN, Commissioner, Corrective Services NSW, Department of Communities and Justice, on former oath

MICHAEL COUTTS-TROTTER, Secretary, Department of Communities and Justice, on former oath

SIMONE WALKER, Deputy Secretary, Strategy Police and Commissioning, Department of Communities and Justice, on former oath

The CHAIR: As there is no provision for any witness to make an opening statement before the Committee commences questioning, we will begin with questions from the Opposition.

The Hon. SHAOQUETT MOSELMANE: Thank you, Chair. Minister, how many Corrective Services NSW jobs will leave from the communities of the Brewarrina and Ivanhoe as a result of the closure of both correctional centres?

Mr DAVID SHOEBRIDGE: You could have said good morning.

The Hon. SHAOQUETT MOSELMANE: I did say good morning earlier. You were closing the door.

Mr ANTHONY ROBERTS: A very good morning. Can I bring this into a level of context, and that is in late 2019 the New South Wales Government announced major changes to our State's prison bed capacity. That was part of the Government's responsibility to utilise new infrastructure and ensure that the correctional facilities it is using are the safest and most secure available, and that they are best in a position to support what is our dedicated staff who work in these facilities and whose core function is rehabilitation. The prison bed capacity—

The Hon. SHAOQUETT MOSELMANE: Minister, my question was not about the prison bed capacity. It was about how many jobs will be lost.

Mr ANTHONY ROBERTS: I am just trying to put a bit of context around this.

The Hon. SHAOQUETT MOSELMANE: But it is a direct question, Minister. It is about how many jobs will leave the areas of Brewarrina and Ivanhoe.

Mr DAVID SHOEBRIDGE: I think the Minister had started. He is given some leniency to come to an answer but if he could come to the answer quickly, please.

Mr ANTHONY ROBERTS: Could I point out then, by way of again putting this into context, the additional jobs that are being created in our prisons across regional New South Wales? Does that assist?

Mr DAVID SHOEBRIDGE: I think the question is quite specific, Minister. It is about those two localities.

Mr ANTHONY ROBERTS: All right. Are you talking about job losses or job relocations?

The Hon. SHAOQUETT MOSELMANE: No, job losses from those communities in Brewarrina and Ivanhoe as a result of the closure of the two correctional centres.

Mr ANTHONY ROBERTS: We are not closing them. We are retiring them.

The Hon. SHAOQUETT MOSELMANE: You are retiring them?

Mr ANTHONY ROBERTS: That is right.

The Hon. SHAOQUETT MOSELMANE: How many jobs will be lost as a result of retirement?

Mr ANTHONY ROBERTS: Due to the retirement there will be, again, a repurposing of the facilities but on top of that—and I will ask the commissioner to expand upon it further—currently what I can say is at Brewarrina there are 20 staff who will be impacted. Twenty-six approved roles at location at the moment.

The Hon. SHAOQUETT MOSELMANE: From which area? Is it from Brewarrina or both?

Mr ANTHONY ROBERTS: Brewarrina. In Ivanhoe there are currently 19. The staffing impact will be 19 and approved roles at the location are 21.

The Hon. SHAOQUETT MOSELMANE: Can you explain that to me? Does that mean that those 20 and 19 jobs will no longer be there as a result of retirement of the two centres?

Mr ANTHONY ROBERTS: Can I say with respect to Brewarrina, eight voluntary redundancies [VRs] have been offered and accepted. Nine placements to other facilities across New South Wales have been accepted.

We have three still being managed, which comes to the total of 20. In Ivanhoe, seven have had VRs offered to them and they have accepted those. Seven have accepted placement elsewhere with five still being managed. Does that assist you?

The Hon. SHAOQUETT MOSELMANE: It does. So in total how many jobs will be lost?

Mr ANTHONY ROBERTS: Well, no, I have to say at the moment they are still being managed—eight.

The Hon. SHAOQUETT MOSELMANE: Eight will be lost.

Mr ANTHONY ROBERTS: Eight are still being managed. The others have either accepted voluntary redundancy—

The Hon. SHAOQUETT MOSELMANE: Minister, you have taken a decision to retire those two centres some time ago. I would have thought that you would have had those figures at your fingertips.

Mr ANTHONY ROBERTS: Well, they are right here. Again, there have been seven VRs offered and accepted. Do not forget we have a head count of correctional officers of all ranks of 5,554 and then, of course, you add on the total so there is a total headcount of around 9,000, almost 10,000. So it is not unusual to have people who, as they go through their work life, accept a voluntary redundancy. Again, eight at Brewarrina and seven at Ivanhoe. Nine at Brewarrina and seven at Ivanhoe have accepted additional placements. For many of these centres it was very much a fly in, fly out. You actually had people rotating through them anyway and then still being managed—again, three at Brewarrina and five at Ivanhoe. Commissioner, did you want to add to that?

Commissioner SEVERIN: Only to say that there is obviously, with the significant prison bed capacity program, a net increase of roles across the State, including in regional areas. Hunter Correctional Centre has 220 new roles. Macquarie Correctional Centre has 220 new roles—

The Hon. SHAOQUETT MOSELMANE: I was just interested in the local area, Brewarrina and Ivanhoe. Minister, how much money do you expect to save from the closure?

Mr ANTHONY ROBERTS: The retirement of those facilities. Again, these are two of five facilities that are either no longer fit for purpose—and when I say fit for purpose, with respect to ongoing costs, at times, but importantly it is the delivery of services and ensuring that our staff work in safe environments.

The Hon. SHAOQUETT MOSELMANE: Minister, it is a simple question: How much do you expect to save?

Mr ANTHONY ROBERTS: Over the forward estimates?

The Hon. SHAOQUETT MOSELMANE: As a result of the closure of Brewarrina and Ivanhoe.

Mr COUTTS-TROTTER: I think we will take that on notice. I do not have the figure to hand.

The Hon. ROSE JACKSON: What is unsafe about the current work environments in Brewarrina and Ivanhoe?

Commissioner SEVERIN: The decision to actually recommend the retirement of those facilities is not based on safety. It is based on a number of factors, the first of those being that unfortunately it has not been possible to implement the original intent of having a facility at Brewarrina dedicated to Aboriginal inmates from that region. We have not been able to maintain that, certainly in the nine or eight years since I have been here.

The Hon. ROSE JACKSON: Why has that failed?

Commissioner SEVERIN: It is because the facility does not by its very nature allow people to be placed there who have ongoing medical treatment requirements. There is quite a stringent assessment that has to be undertaken in that context. That is not just done by us; that is also done by our partners from the Justice Health and Forensic Mental Health Network. We also have a principle of placing particularly Aboriginal offenders, consistent with the recommendations of the Royal Commission into Aboriginal Deaths in Custody, as close to their place of origin as possible. If you come from the east coast of New South Wales it is not very convenient to actually be housed in Brewarrina when you are coming up to your discharge. There are very limited visits—

The Hon. ROSE JACKSON: That is true, Commissioner, although the original motivating factor for the opening of the Brewarrina centre was indeed that motivation to which you are referring.

Commissioner SEVERIN: That is correct. Not the one that—

Mr ANTHONY ROBERTS: Well, actually—

Commissioner SEVERIN: Yes, Minister?

Mr ANTHONY ROBERTS: No, please. I think you were going to go—

Commissioner SEVERIN: There was clearly an intent to create a facility that predominantly was housing offenders from that region. That has not been achieved, and this is consistently—

The Hon. ROSE JACKSON: Are you disappointed with that, Minister? Are you disappointed that that intent coming out of the Royal Commission into Aboriginal Deaths in Custody has not been achieved?

Mr ANTHONY ROBERTS: Can I say that a debate was held in the other place, your place, in October of last year opposing the retirement of Brewarrina and making reference to recommendations of the 1991 report on the Royal Commission into Aboriginal Deaths in Custody in regard to the placement of Aboriginal inmates. Recommendation 168 of that report, of which you would be aware, states:

168. That Corrective Services effect the placement and transfer of Aboriginal prisoners according to the principle that, where possible, an Aboriginal prisoner should be placed in an institution as close as possible to the place of residence of his or her family.

When the centre at Brewarrina was established it was intended that local Aboriginal inmates from the country would serve at least part of their custodial sentences in a location closer to their communities. In reality, unfortunately—well, indeed, fortunately, because it shows that there were fewer prisoners from the country—very few inmates were suitable for accommodation at Brewarrina who were from the local area. Of the 18 inmates located at the centre when the retirement announcement was made, only three were from the Brewarrina area. Many of the Aboriginal inmates at the centre were from the Sydney metropolitan area, so they were out of country. To top that off, and this is one of the key issues that has come out of all our studies and this report, is the importance of family visits. The average number of visits received by inmates at Brewarrina is less than three per year, where the average visits per inmate across New South Wales correctional centres is around 15 per year. While providing a culturally appropriate program for Aboriginal inmates, which can be, of course, provided at another centre, the Yetta Dhinnakal program at Brewarrina was not meeting the placement implications of recommendation 168.

The Hon. SHAOQUETT MOSELMANE: Minister, you mentioned that the two facilities at Brewarrina and Ivanhoe will be repurposed. What will they be repurposed for?

Mr ANTHONY ROBERTS: Currently there is a process in place with respect to who would be interested in that repurposing of those facilities. A call for the future use of Brewarrina and Ivanhoe centres went live on the Have Your Say NSW website on 7 November of last year and closed on 20 December of last year. We have had a number of community drop-in sessions that have been held. I am informed we have had almost 30 submissions received from individuals, community groups, service providers, NGOs—

The Hon. SHAOQUETT MOSELMANE: When you say "drop-in sessions", do you have particular meetings with local Indigenous groups in Brewarrina and Ivanhoe?

Mr ANTHONY ROBERTS: I have met with local Indigenous groups.

The Hon. SHAOQUETT MOSELMANE: Who are they?

Commissioner SEVERIN: The Aboriginal Land Council and the regional Aboriginal group.

Mr ANTHONY ROBERTS: Yes.

The Hon. SHAOQUETT MOSELMANE: What was their option? What were their suggestions for repurposing?

Mr ANTHONY ROBERTS: Again, some were around—just generally, because we are still going through the process and we are very keen to have those repurposed—

The Hon. ROSE JACKSON: Just to clarify: You are keen to have them repurposed or you will stand by your commitment to repurpose them?

Mr ANTHONY ROBERTS: We are standing by our commitment to go out and, again, talk with local councils—

The Hon. ROSE JACKSON: So there is no commitment that they will actually be repurposed?

Mr ANTHONY ROBERTS: There is a process underway and I am not going to interfere with an independent process that may involve commercial-in-confidence issues but just to say—

The Hon. ROSE JACKSON: So you are telling the communities of Brewarrina and Ivanhoe—

The Hon. NATALIE WARD: Point of order—

The Hon. ROSE JACKSON: —it is quite possible that nothing happens with those facilities?

The CHAIR: Order! The Hon. Natalie Ward has taken a point of order.

The Hon. NATALIE WARD: Point of order: I am just going to ask that the witness be allowed to finish his sentence. I appreciate the enthusiasm of my colleagues and do not disagree with that or in any way want to curtail that, but I just ask for transcript purposes and the other members that we be able to hear the end of the sentence from the witness.

The Hon. SHAOQUETT MOSELMANE: Minister, for the community listening—

Mr ANTHONY ROBERTS: If I can just finish: There was a variety of ideas proposed, including refugee resettlement, drug and alcohol rehabilitation services, research, conservation, emergency services or defence training facilities, as well as other outreach programs. Again, as I say, the submissions are undergoing assessment. All parties who have made a submission will be contacted as that analysis goes through and progresses. Of course, we have had some very positive discussions with Brewarrina council on the future use of the centre there. But I am not going to comment further on what is an independent process. I am happy to do that in six months' time but at the moment there is a process underway where we are engaging groups from right across New South Wales to look at repurposing those centres that are being retired.

The Hon. SHAOQUETT MOSELMANE: But if the community is out there listening to your comments and you are wavering on the issue of repurposing and not being firm on this, they might think that they are wasting their time because the Government may not repurpose the facility. If you are not telling them 100 per cent that you will be repurposing the facility then what is the purpose of engaging with communities and at the end of the day you have already made the decision not to?

Mr ANTHONY ROBERTS: We have not made—in fact, we put a great deal of—

The Hon. SHAOQUETT MOSELMANE: Well, why can you not say that you will repurpose it?

Mr ANTHONY ROBERTS: No, can I finish my answer? It is quite clear we have entered into a very transparent and open process with the community where we have gone to them and we have had incredibly positive discussions. There is a process underway. That process involves organisations where there is certainly commercial-in-confidence issues around that, and I will not be drawn further on that. I am not going to put into jeopardy the potential of one organisation having an opportunity because in this public hearing I disclosed commercial-in-confidence—

The Hon. ROSE JACKSON: We are not asking you to tell us what the repurposing will be. I appreciate your answer that that decision has not been made. We are asking you to guarantee to those communities that the facilities will be repurposed and that the same number of local jobs that you are removing from those communities—20 in Brewarrina, 19 in Ivanhoe—will remain in the repurposed facility.

Mr ANTHONY ROBERTS: What I am saying is that we are undertaking a process in conjunction with, in this case, the local council. We have had very positive discussions with it, with a view to the repurposing of those facilities.

The Hon. ROSE JACKSON: But there is no guarantee that they will be repurposed and that those jobs that you are removing from those drought-stricken communities will remain in a new, repurposed facility? There is no guarantee that, at the end of this process, that will actually be the outcome. You might just decide that none of it really worked for you and so you are just walking away entirely?

Mr ANTHONY ROBERTS: I have to say that we worked very closely with the local member Roy Butler, who has been very positive in working with government to ensure that we have an open, transparent process that engages with the community. We have asked them what they want. That has been very positive. This is not about—

The Hon. SHAOQUETT MOSELMANE: But Minister, you get the point—

The Hon. NATALIE WARD: Let him finish.

The Hon. SHAOQUETT MOSELMANE: You are not being transparent, Minister. You need to tell us whether you want to have those facilities repurposed and being used by the community. You are not being transparent.

Mr ANTHONY ROBERTS: If this Government did not want to see them repurposed then it would not have undertaken those programs. It would have done what your previous government did and close centres down without viewing the ramifications and without looking at repurposing. I say again, Roy Butler does not talk down his local community. Roy Butler does not talk down regional and rural New South Wales.

The CHAIR: Roy Butler is a very good member.

Mr ANTHONY ROBERTS: He is a very good local member and I have no intention of dwelling on hypotheticals that talk down those two towns.

The Hon. SHAOQUETT MOSELMANE: It is not a hypothetical, Minister. It is a question about the facts of the future of those facilities. You said you would repurpose them. Will you guarantee that it will be done?

Mr ANTHONY ROBERTS: We have a process underway where we are dealing with a number of organisations looking at the best fit for those centres, where appropriate. Again, as I said, that involves commercial-in-confidence matters, which I will not be drawn on in this public inquiry.

The Hon. SHAOQUETT MOSELMANE: The communities there need to understand and need to know what is going to happen to their facilities. Do you know what I mean? It is not just Cabinet-in-confidence. The community out there needs to know what is happening to their jobs and what is happening to their future. It is important that they understand what the Government is planning from today and forward—from the day that the decision was taken to close them down.

Mr ANTHONY ROBERTS: That is why we are working closely with the council out there and with communities. This is about self-determination as well. We want to know what they want to see and what their needs are because it is clear that, particularly Brewarrina does not meet the needs of the community any longer with its program. Certainly we will transfer and increase the program in other facilities where people can get home visits and they're closer to country—they are in country. With respect to this, we are asking the communities out there. For example, Ivanhoe used to be a work camp for the railway and that was repurposed. Things change in time and things get repurposed, and that is why we have been very clear with those communities to say that we will work with them, together with Roy Butler—the very good local member there—to ensure that the communities are involved all the way.

The CHAIR: A very good local member.

Mr ANTHONY ROBERTS: Very good local member.

Mr DAVID SHOEBRIDGE: You should have a sign. Just hold it up. "Roy Butler—very good local member". You won't have to say it, you can just hold the sign up.

The Hon. ROSE JACKSON: Commissioner Severin, I want to follow-up a brief discussion that we had at the previous hearing in September. I wondered if you could provide us now with any additional information about whether Mr Abdulrahman, who was an offender subject to an intensive correction order [ICO], had breached, in any significant or insignificant way, the terms of that intensive correction order prior to an incident on 6 September 2019?

Commissioner SEVERIN: The matter is still before the courts.

The Hon. ROSE JACKSON: I am not talking about the incident on 6 September, I am talking about prior to that. You said that you were going to look into breaches.

Commissioner SEVERIN: There was certainly a review done. Some of that plays into the proceedings before the courts. However, in the context of the standards and procedures applicable to the supervision of offenders on intensive correction orders, they were consistently applied.

The Hon. ROSE JACKSON: So there were no breaches prior to the incident? I am not talking about the incident on 6 September. I am talking about the management of this particular inmate—or offender—prior to that. Were there any significant or insignificant breaches of the terms of the intensive correction order?

Commissioner SEVERIN: There was a critical incident review conducted by an independent group within Corrective Services—independent from Community Corrections. It identified some very clear strengths, as I mentioned before. There were some improvement requirements identified that were more of a procedural nature, rather than fundamentally contributing to this alleged offence being committed. Those areas of improvement have been not only identified but also subsequently addressed. They are very much in relation to procedural matters regarding the policy and procedures for the supervision of offenders in the community.

The Hon. ROSE JACKSON: That report that you are referring to, Minister, you indicated in the hearings in September that you would be willing to make that report public. Can we have a copy of that, please?

Commissioner SEVERIN: The matter is still before the courts.

Mr ANTHONY ROBERTS: It is still before the courts.

The Hon. ROSE JACKSON: But I am asking about the supervision of the inmate prior to the incident on 6 September, which is the matter before the courts. All of those matters prior to that incident should not necessarily be something that we are unable to see. You gave a commitment, Minister, that you would release the report publicly.

Mr ANTHONY ROBERTS: I will take legal advice as to whether it can be released now and, if the legal advice says that that will not put the case before the courts in jeopardy, I am quite happy to release it.

The Hon. ROSE JACKSON: Have you met with the family of the victim and discussed with them the contents of the report?

Mr ANTHONY ROBERTS: No, we have not.

The CHAIR: We are in crossbench time now. Minister, what was the impact of the recent bushfires on correctional centres in the State? Can you outline the programs for safety and other things, especially those located in bush areas?

Mr ANTHONY ROBERTS: Corrective Services has been deeply affected by the bushfire emergency. Thank you for taking an interest, particularly in our correctional staff, as well as those people who are in custody. Many of our officers volunteer for the NSW Rural Fire Service as well as the NSW State Emergency Service. A number of them and their families lost homes or sustained damage to their properties and, with road closures and properties to defend, some staff were unable to attend work. As a result of that bushfire threat, Community Corrections centres in Bega, Batemans Bay, Queanbeyan, Coffs Harbour, Taree and Kempsey were temporarily closed during the fires. Glen Innes Correctional Centre was temporarily evacuated in November, as was Oberon Correctional Centre in early December 2019. Mannus Correctional Centre was evacuated on 2 January and inmates from Mannus remained at Junee Correctional Centre until the threat abated and it was safe to return.

Fires also came within a few hundred metres of South Coast, Lithgow, Cooma and Berrima correctional centres. I am pleased to say that Lithgow Correctional Centre was not evacuated during the Gospers Mountain blaze. All the way through, Corrective Services liaised with NSW Rural Fire Service to prepare fire containment measures and the site has firefighting capabilities. I might ask the Commissioner to expand on our risk management. We have also learned from this and we have plans in place.

The CHAIR: I was going to go to your risk management processes. It is good to get a recitation of all the places that did not burn. I take it that you lost no facilities or no significant capability. If you know the answer, you might also give the Committee some idea of how many of your staff were engaged in Rural Fire Service volunteering.

Commissioner SEVERIN: A large number of staff are volunteers of the Rural Fire Service. The exact number I would have to take on notice. Risk management mitigation strategies worked effectively. We established a command post over Christmas and New Year, with regular reporting on a two-hourly basis across the State and to me. We were always trying to be a step ahead of what was anticipated to happen, particularly when the state of emergency was declared, which obviously then gives the Rural Fire Service additional authority to force evacuate, which was done very collegially and very proactively. Particularly in relation to the Mannus Correctional Centre I have to say that while we fortunately did not suffer any losses we certainly continued to cooperate very productively with the Rural Fire Service and the local communities. Our premises, particularly in Glen Innes and Oberon, were used as areas for the Rural Fire Service to assemble and to store their vehicles and position their vehicles to fight fires in that particular vicinity.

The CHAIR: Just as an aside, did you have much smoke ingress at the prisons?

Commissioner SEVERIN: Yes.

The CHAIR: So what do you do with prisoners in confined areas?

Commissioner SEVERIN: We have an arranged stock of relevant masks that are purchased or provided through Justice Health. We continued to up that because there was significant smoke issues at the South Coast Correctional Centre in particular and Lithgow. And while we did not have to evacuate these, and in all likelihood would not have had to because of the very nature of the construction there, both staff and inmates were affected

by the smoke. To manage that safely these masks were provided. I have to say that my absolute respect goes to our staff and the discipline of the inmates who did not set one foot wrong. They understood the gravity of the situation and were fully compliant.

We had staff that were not able to come to work and we had staff that were not able to go home. I am talking maximum security here which of course is a different proposition to an open campus environment. I visited the facility afterwards and spoke personally to many staff members and I have to say it was one of those situations where you can say that everybody not only rose to the challenge and occasion but really exceeded beyond what would be considered the normal line of duty in the application of mitigating strategies and helping each other out and smoke was certainly one of the factors in that context.

The CHAIR: What evacuation plans do you have in place?

Commissioner SEVERIN: The evacuation plans are very much based on the minimum security facilities. In terms of fire I am talking about we have business continuity plans for other eventualities as well. Maximum security facilities by their very nature have sufficient ring main of water et cetera that would allow us to combat any fire that could come close and most importantly they have a concrete wall around them, meaning that the fire would not be able to penetrate the actual facility. Smoke is an issue and, as I mentioned, that has been mitigated on health advice through the masks.

The evacuation of the minimum security facilities was again achieved in a very efficient and effective way; most of them out of hours. We had to source bus services and others and move inmates from Glen Innes to Grafton and move inmates from Mannus, as the Minister outlined, to Junee and move inmates from Oberon to Lithgow and Bathurst. Again the staff at the receiving end, likewise, immediately applied to the additional challenges of having to house many more inmates in their facilities for a short period of time than they are normally set up for.

The CHAIR: Just turning to the latest issues around coronavirus. What is the story there with the prisons? How are you managing that risks and if it does get into the prisons how will you stop infection from spreading?

Commissioner SEVERIN: We have had pandemic plans in place for quite a number of years now. At the first sign of this becoming an issue for the community the Ministry of Health, through Justice Health, contacted us. We put measures in place that prevented anyone who had travelled overseas in the preceding two weeks from visiting any of our facilities. Signage was put up. There were measures taken to establish, through dialogue with visitors in particular, if any of them fell within that category. This was all based on advice at the time. We have daily communication with the Justice Health network who are obviously informed through the Ministry of Health and the communication is very operational. If we have a situation that is escalating, it is about how we isolate people and how we enforce hygiene procedures.

The CHAIR: You are saying that once you became aware of the risk that you at that time immediately excluded anyone from visiting who had been overseas or in the risk areas?

Commissioner SEVERIN: That is correct.

The CHAIR: For the previous two weeks?

Commissioner SEVERIN: That was proactively enforced right across the State within literally a half of a day. I received the notification from Justice Health one morning, which would have been about a day or two after the news first became concerning, and then we implemented the protocols right across the State.

The CHAIR: Has anyone tested positive in the prisons yet?

Commissioner SEVERIN: Not to my knowledge at this point in time and my knowledge is as current as early this morning.

The CHAIR: Turning your mind to pop-up prisons—and we did some work in another inquiry in relation to that—what are your current plans for prison expansion and how is that particular model working for you?

Commissioner SEVERIN: The prison bed capacity program is in the final stage of delivery.¹ The last beds that will come online are at the Metropolitan Remand Reception Centre in 2021, which are 400 beds at the Dillwynia Correctional Centre later this year. Bathurst will commission beds later this year. We also have recently commissioned beds at the Mid North Coast correctional centre in Kempsey and we are to commission another 280 minimum security beds at the Cessnock Correctional Centre in Cessnock. The two rapid-build prisons, being the Hunter Correctional Centre at the Cessnock complex and the Macquarie one in Wellington, have actually operated very effectively.

Through the strong structured day arrangements and the close interaction between staff and inmates I think they have really set a new benchmark for good prison management and good opportunity for inmates to proactively engage in those measures that we think will make a difference in regards to their reoffending. The whole program, as you would recall, is being evaluated and we obviously will carefully take note of the evaluation outcomes to ensure that if there are things we need to improve we will do so. At this point in time some of the key indicators, such as assault rates, participation in work, participation in education, are very heartening. We have different populations in both facilities. We have a quite different cohort at Hunter than the one we have at Macquarie. They are not an apples with apples comparison, if I might say so.

The CHAIR: Can we drill down into that a little bit. The open plan management process, why would it be different if the concept is similar?

Commissioner SEVERIN: Because we are dealing with a different cohort of inmates. At the Hunter facility we have an older profile. It is what you would generally call a protection profile. So we have a larger number of older men there, a lot of them being child sex offenders, and we obviously need to adjust our program to that cohort.

Mr DAVID SHOEBRIDGE: They are less likely to assault each other based upon their prior history—that is what I remember from the visit. They were chosen on the basis of being collectively a more compliant group?

Commissioner SEVERIN: That is correct.

Mr DAVID SHOEBRIDGE: At least amongst themselves.

Commissioner SEVERIN: Also what is interesting in that context is that clearly the advice we are getting from our health colleagues but also our own observations—and we have not got any immediate plans in that regard—the dormitory style environment is very conducive for the aged and frail just because of the logistics of moving and the fact that you have the ablutions quite separate and there is more ability to respond to the particular needs of that cohort. It is another benefit going into the future. However, in response to your original question, may I add there are no plans at this point in time to add any additional rapid-build prisons to the system. They were in need at the time it arose because of the rapidly growing numbers of inmates. They blend in well with the rest of the system. I would not want that to become the only model of prison design that we have available to us.

The CHAIR: Minister, are there any plans to privatise any more prisons?

Mr ANTHONY ROBERTS: No.

The CHAIR: Berrima prison, what is the status of that?

Mr ANTHONY ROBERTS: As part of our retirement of five of our fleet, of course Berrima is one of those, there has been a level of community consultation and I understand a great deal of interest with respect to Berrima. We are continuing to consult with the local council and stakeholders regarding future use options. We have engaged the expertise of the NSW Department of Planning, Industry, and Environment to assist with the future use processes. Does anybody want to add to that?

Mr COUTTS-TROTTER: Nothing at all.

Commissioner SEVERIN: Berrima has a very large component of heritage listed buildings, which our colleagues from the Department of Planning, Industry, and Environment need to take into consideration. As I understand it, constructive dialogue with the council—

¹ In [correspondence](#) to the committee received 25 March 2020, Mr Peter Severin, Commissioner, Corrective Services NSW, Department of Communities and Justice, provided clarification to his evidence.

The CHAIR: When is it likely to be decommissioned?

Commissioner SEVERIN: It will be decommissioned in the next few months. It is one of the earlier ones that we are going to retire.

The CHAIR: So it is quite likely that the Powerhouse is not going there then?

Commissioner SEVERIN: The commitment at the time we had to reopen the facility was made by the then Minister that we would close it down as soon as we practically could. This time has now come and that is why we are moving out of there.

Mr DAVID SHOEBRIDGE: It could be for arts and crafts probably.

The CHAIR: It could be for arts and crafts. Is it going to be the council's job to fund that? It is quite an historical item. It would be very useful in Berrima as a tourist attraction.

Mr ANTHONY ROBERTS: Absolutely. We will work, again, particularly with—and I go back to our other centres—we have put a lot of money, time and effort into taking the burden off local communities and councils when looking at potential repurposing. The opportunities in Berrima are uniquely different because of the heritage aspect of it to other places.

Commissioner SEVERIN: I might add? All the assets are assets of the Government, in this case the Department of Communities and Justice. We will continue to have responsibility to maintain those assets in accordance with the relevant standards.

Mr ANTHONY ROBERTS: If I can take this opportunity, to the tens of thousands of people watching this budget estimates Committee meeting—

The CHAIR: Tens of thousands.

The Hon. NATALIE WARD: Millions.

Mr ANTHONY ROBERTS: Billions. If people have ideas, get in contact with us.

The CHAIR: You mentioned decommissioning other prisons, obviously opening new capacity you will close others, especially the older ones and Berrima is a good example of that. What others have you got slated for closure in the near future?

Mr ANTHONY ROBERTS: The retirements of part of our fleet—and these tend to be facilities that are ageing and not fit for purpose—are Berrima, Brewarrina, Grafton and Ivanhoe. With respect to Illawarra, I am pleased to say there has been very strong movement from Wollongong City Council and some providers. Would you like to give us an update, Mr Coutts-Trotter?

Mr COUTTS-TROTTER: There is interest from a non-government organisation, repurposing Illawarra Reintegration Centre as potentially a crisis accommodation service for people experiencing homelessness. We are in discussions at the moment with that as an objective.

The CHAIR: Minister, could you broadly explain what the Government strategy is in relation to counterterrorism?

Mr ANTHONY ROBERTS: I certainly can. As this is the first question on counterterrorism responsibilities, can I make it clear that for security reasons at times I am not able to discuss aspects of our counterterrorism arrangements publicly, as you will be well aware and understand. The operational response for a terrorist incident is managed by the New South Wales Police Force. Of course, it is also not appropriate for me to comment on individual matters, particularly given the suppression orders currently in place in some cases. As part of the current budget process, New South Wales government agencies are considering options to continue to deliver countering violent extremism [CVE] programs from July 2020.

The CHAIR: You must be able to say something?

Mr DAVID SHOEBRIDGE: How many staff have you got in counterterrorism?

Mr COUTTS-TROTTER: I think we would need to take that on notice.

Mr DAVID SHOEBRIDGE: Seven?

Mr COUTTS-TROTTER: There are staff with specific functions within Corrections but to some extent the whole of the Corrections custodial workforce and the whole of the Youth Justice workforce both have training and some degree of responsibility in trying to identify and call out for specialists any concerns they might have

about extremist views emerging, the radicalisation of individuals. It is a difficult thing to quantify. We have got particular roles that are wholly devoted to—

Mr DAVID SHOEBRIDGE: Could we start with how many are in the Ministry as such?

Mr COUTTS-TROTTER: We will give you that data but I need to take it on notice.

Mr DAVID SHOEBRIDGE: Last year it was six, I think.

Mr COUTTS-TROTTER: I am sorry?

Mr DAVID SHOEBRIDGE: Has it increased substantially?

Mr ANTHONY ROBERTS: I think we will take that on notice.

Mr COUTTS-TROTTER: Yes, we will take it on notice. The elements of the cross-government strategy work in schools, work with non-government organisations through the COMPACT Program, the Step Together helpline, capability in youth justice, funds for future initiatives, training for frontline workers, so there are a lot of people involved in this.

The CHAIR: Why not say you have got hundreds and that would scare everybody?

Mr ANTHONY ROBERTS: But I would be misleading the Committee.

The CHAIR: Do you not do that anyway?

Mr ANTHONY ROBERTS: Not me.

Mr DAVID SHOEBRIDGE: Anyhow. It is a secret.

The CHAIR: We will find out in due course.

Mr ANTHONY ROBERTS: Overall, my role is to drive the Government's strategic policy agenda on counterterrorism and CVE and that is providing leadership and a whole-of-government coordination for a range of CT and CVE activities undertaken—as the secretary said—by New South Wales agencies. As part of that strategic coordination, this Government has released the New South Wales Counter Terrorism Strategy. We issued that in December 2018. That outlines the approach taken by New South Wales to coordinate our policies and programs and law enforcement intelligence measures, which are critical, and legislative mechanisms to achieve those CT and CVE objectives.

The Hon. ROSE JACKSON: Commissioner Severin, I want to go back to the issue we were discussing prior to questions from my colleagues. You referenced the critical incident response report that you have. You said it found that the standards and procedures were consistently applied by your staff. That is good but it was not actually what I asked. I asked if Mr Abdul Rahman had breached in any significant or insignificant way the terms of his intensive corrections order? Can you give me an answer to that question?

Mr ANTHONY ROBERTS: As I said before, we will seek legal advice. If we are able to give you that advice, we will. The matter is still before the courts.

The Hon. ROSE JACKSON: That answer leaves me with the impression that there were breaches but you are not prepared to be forthcoming on that.

The Hon. NATALIE WARD: That is not what he said.

Mr ANTHONY ROBERTS: I did not say that. I said I will take—I am not going to jeopardise a serious case by giving information in a public space that could jeopardise a court case. The matter is before the courts. We will take advice. I am happy to take advice and if we are able to provide that information to you whilst the case is running, then we are happy to do that. But if the advice is no, we will have to wait until—

The Hon. ROSE JACKSON: When we discussed this matter previously, you said that you would conduct a report, that the report would take two weeks and you repeatedly said that it would be publicly available. So I do not have a lot of confidence that this new advice you are receiving, that we are ever going to see that or ever see any results from this conversation.

Mr ANTHONY ROBERTS: Do not get me wrong. I am happy to make the report available to you. It is just the appropriateness of when I make it available to you.

The Hon. SHAOQUETT MOSELMANE: You said you would make it available two weeks after—

Mr ANTHONY ROBERTS: No. I have not seen the exact—

Mr DAVID SHOEBRIDGE: Depending on legal advice, given the ongoing—

The Hon. ROSE JACKSON: So how long is it going to take to get legal advice on this matter?

Mr ANTHONY ROBERTS: I will take that on notice.

The Hon. ROSE JACKSON: Will you give a commitment now to come back to the Committee and give us the legal advice you have received in relation to this matter?

Mr ANTHONY ROBERTS: The legal advice will be privileged.

The Hon. ROSE JACKSON: Will you give a commitment that if the legal advice indicates that any part of the critical incident report can be released, perhaps with some elements redacted, that that will be publicly released?

Mr ANTHONY ROBERTS: More than happy to. I am happy to oblige. I am here to cooperate with this Committee.

The Hon. SHAOQUETT MOSELMANE: Minister, do not the parents of Ryan Wang deserve an answer to this? You clearly said at the last occasion that you would release a report two weeks after our budget estimates hearing.

Mr ANTHONY ROBERTS: We are dealing with a very, very tragic case that should not be politicised. I have made it quite clear and I have played it very straight with you, and that is that I will seek legal advice. If the report can be available while the case is on foot, then I am happy to provide that to the Committee, but I do not think it does anyone good at this moment, while this matter is before the court, to politicise this. I am more than happy to cooperate.

The Hon. SHAOQUETT MOSELMANE: No-one is politicising. We are just asking for the sake of the parents, who understood that you would release a report. Now you are saying you will not and we will not know when you will release it.

The Hon. NATALIE WARD: That is not what he said, with respect.

The Hon. SHAOQUETT MOSELMANE: That was on a previous occasion.

Mr ANTHONY ROBERTS: What I am saying is that I do not want to jeopardise potentially a court case involving a very tragic incident by the release of information while it is before the courts. What is the value to the parents then? Where does that get them if there is any issue that causes this person who is before the courts to have a finding that may not be the finding that we would expect or want?

The Hon. SHAOQUETT MOSELMANE: What do you expect?

Mr DAVID SHOEBRIDGE: Point of order: I do not think it is appropriate for the Minister to second-guess judicial proceedings.

The Hon. SHAOQUETT MOSELMANE: He is the one who raised expectations.

Mr DAVID SHOEBRIDGE: First of all, the Minister should not be giving an opinion and, secondly, we should not in this hearing be trying to second-guess the outcome of judicial proceedings.

The Hon. ROSE JACKSON: Commissioner Severin, you said in your initial answer to my question that there had been—I think the word that you used was "procedural"—issues identified and that, in fact, action had been taken to remedy or rectify those issues. Can you talk us, in general terms, through what those procedural issues were and what you have done in response to them?

Commissioner SEVERIN: I have to refer to exactly the same response that the Minister provided. I am quite open about the fact that we identified some procedural improvements, the detail of which I am not in a position to disclose due to the fact that they could have a material impact on proceedings. I do not think they do, but I do not want to make that judgement in the absence of some legal advice indicating to me one way or the other.

The Hon. ROSE JACKSON: If you are unable to talk us through what the issues were, can you give us any more information about action Corrective Services has taken in relation to ensuring that if there are issues that improvements have been made?

Commissioner SEVERIN: I think what I can say is that at this point in time there is no indication that I have that the work by Community Corrections was a significant failure contributing to the very tragic incident.

But that is my personal assessment and, obviously, I am not going to second-guess what might happen in court proceedings.

The Hon. ROSE JACKSON: I accept that as a personal assessment and quite possibly as a true statement. I guess what I am looking for is more information about changes or improvements that you referred to, even in general terms, that you have made to the way that Community Corrections staff are supervising people on ICOs perhaps. I appreciate that I am not going to be able to get any more specific information, although I say again I am not quite sure how incidents prior to what occurred on 6 September are sub judice. However, I appreciate that the Minister has given an answer on that. Can you, in general terms, talk about some of the changes you have made?

Commissioner SEVERIN: I can do that in very general terms, not in any way relating to this particular case or any other specific case.

The Hon. ROSE JACKSON: Let us try that.

Mr ANTHONY ROBERTS: Can I just make it quite clear that in no way these general terms relate to this case at all.

Commissioner SEVERIN: For example we are looking at—and this is very procedural, this is not a policy shift—some of our immediate communication protocols and that involves the State Parole Authority. We are looking at just our general approach to determining the level of engagement et cetera.

The Hon. ROSE JACKSON: I recall last time you referred to some of the professional discretion that Community Corrections officers exercise in the nature of their work—perhaps some additional updated training in relation to the exercise of that discretion.

Commissioner SEVERIN: I do not think we have some updated training, but at the same time it is really about clarifying that whole professional discretion needs to be applied. Again, I very clearly state that there are no fundamental observations identified relating to any case, and we do include incident reviews as a matter of routine that have resulted in us having to shift policy or make significant changes to practice.

The Hon. ROSE JACKSON: And this is not one of them. You have identified some clarity around the exercise of professional discretion and communication.

Commissioner SEVERIN: Amongst many other things. There is a consistent process of identifying where your practice can improve. It is not, fortunately not, always driven by incidents. It is driven by an embedded culture of reviewing your practices, identifying opportunities to improve. We do that in the prisons, we do that in Community Corrections. I would like to think that is not inconsistent with any organisation, be it human services or otherwise, looking at improving the way business is done.

The Hon. ROSE JACKSON: Minister, as a result of these general improvements or changes that the commissioner has referenced, do you now have full confidence in the operation of the intensive correction order regime?

Mr ANTHONY ROBERTS: The intensive correction orders, again a 2017 Bureau of Crime Statistics and Research [BOCSAR] study showed that there was an 11 to 31 per cent reduction in the odds of reoffending for an offender who received a pre-reform ICO compared with an offender who received a prison sentence of up to 24 months. So with respect to reoffending, that is indeed a very good outcome. BOCSAR will complete an outcome evaluation of the sentencing reforms, including ICOs, in two stages. Stage one is scheduled for publication this year; stage two is to be published in 2021.

The Hon. ROSE JACKSON: I am familiar with the report. In fact, we discussed it in the September hearings as well. I suppose that speaks to you why it is so important that we have full confidence in the operation of ICOs, because they can deliver good outcomes, as you have identified, but in order for that to be an effective regime in which the community has confidence and one that can be continuing, we need to have a full assurance that the operation of the regime is absolutely as tight as it can be, because these are convicted criminals—

The Hon. NATALIE WARD: Point of order: I am just wondering if there is a question.

The Hon. ROSE JACKSON: I am asking again, do you have full confidence in the operation of intensive correction orders and their supervision by Community Corrections staff?

The Hon. NATALIE WARD: It is the same question as was asked before.

The Hon. ROSE JACKSON: But he did not answer it.

Mr ANTHONY ROBERTS: Can I just say that ICOs are critical to the entire process. They work in reducing reoffending. We continue to monitor the effectiveness of those and, again, we do our very, very best dealing with a difficult, at times, tranche of individuals, but I have full confidence that the system is working as well as it can. Again, we continually evaluate and monitor the whole program to ensure that when we can make improvements we do.

The Hon. SHAOQUETT MOSELMANE: Without disclosing what was in the report, Minister, after the incident where we are told that he was, sadly, killed and the report became apparent to you, what action did you take to immediately rectify some of those recommendations? I hear there were issues about communication perhaps.

Mr ANTHONY ROBERTS: No, you did not hear that there were issues with communication. We gave a general answer about how as we move through ICOs we have a look at how they are operating, how the system works, how we can improve them, and that was very broad and general.

The Hon. SHAOQUETT MOSELMANE: The report landed in your lap and there are recommendations that there are urgent things in there. Now in almost six months—

Mr ANTHONY ROBERTS: I never said that, no.

The Hon. SHAOQUETT MOSELMANE: No, I am asking the question. You would have immediately taken action to rectify those problems. Did you or the Department of Corrective Services improve or do anything since then?

Mr ANTHONY ROBERTS: Now you are talking hypotheticals. How do you know there were problems?

Mr DAVID SHOEBRIDGE: Have you implemented all the recommendations? This is the question.

The Hon. ROSE JACKSON: There are thousands of people on ICOs. We are asking you if you have made any changes based on the report that you have seen, which we have not seen, to give us confidence that that scheme, applicable to thousands of convicted criminals living in the community, is working as well as it can.

Mr ANTHONY ROBERTS: I will take that on notice.

The Hon. ROSE JACKSON: You are taking on notice a question as to whether you made any changes subsequent to a report that you received to give us confidence that thousands of people living—

Mr ANTHONY ROBERTS: That implies that there were changes recommended in the report.

The Hon. ROSE JACKSON: The commissioner referenced the fact that there were procedural issues identified and changes that were made. He would not go into detail as to what they were; I appreciate that. But he referenced that fact.

The Hon. NATALIE WARD: Point of order: Can I ask for the clarification of the question? Is it in relation to that specific incident or is it in relation to generally—

The Hon. ROSE JACKSON: We are asking about the Minister's actions subsequent to that incident.

The Hon. NATALIE WARD: Generally, not related to that particular incident.

The Hon. ROSE JACKSON: He has received a report that has identified issues. They could be significant; they could be insignificant. We do not know. Has he taken any action to rectify those issues in relation to the thousands of people on ICOs in the community?

Mr ANTHONY ROBERTS: Any action would be purely operational.

The Hon. ROSE JACKSON: Have you taken any operational action?

Mr ANTHONY ROBERTS: It is not my job to take operational actions. It is the job of operational—

The Hon. ROSE JACKSON: Have you instructed the commissioner to take operational action?

Mr ANTHONY ROBERTS: The commissioner and I discuss numerous things from time to time and various things come up. I leave the commissioner to take operational actions.

The Hon. SHAOQUETT MOSELMANE: Minister, did you see the report?

The Hon. ROSE JACKSON: So you have not intervened at all to ensure that the recommendations of this report have been implemented at an operational level by the commissioner? You have not sought any assurance on that?

Mr ANTHONY ROBERTS: I have full confidence in the capabilities of my commissioner and departmental staff to ensure that where operational changes are required or systems need to be reviewed, that occurs.

The Hon. SHAOQUETT MOSELMANE: Minister, did you see the report?

The Hon. ROSE JACKSON: Have you seen the critical incident report that the commissioner referred to?

Mr ANTHONY ROBERTS: Yes, we have.

The Hon. SHAOQUETT MOSELMANE: Without disclosing what is in the report about the recommendations, did you take any form of action subsequent to you reading the report?

Mr ANTHONY ROBERTS: Yes, certainly there were conversations with respect to that.

The Hon. SHAOQUETT MOSELMANE: Conversations with whom?

Mr ANTHONY ROBERTS: Within the department itself.

The Hon. SHAOQUETT MOSELMANE: With which part of the department?

Mr ANTHONY ROBERTS: It would have been with the commissioner. Those were progressed.

The Hon. ROSE JACKSON: So is the "full confidence" that you just referred to based on specific assurances that you sought and received from the commissioner or is that just a general confidence that you have in the operation of the department?

Mr ANTHONY ROBERTS: Again ICOs are being reviewed. At the request of our department and that of the Attorney General, the Department of Communities and Justice is undertaking a review in addition to all aspects of ICOs.

The Hon. ROSE JACKSON: When was that review commissioned?

Mr ANTHONY ROBERTS: That review was commissioned—

Mr COUTTS-TROTTER: I would need to check the date but just prior to Christmas the Attorney General and the Minister commissioned our department to undertake a review of, after 18 months, the operation of the intensive correction order system. I might add as well that in addition to the commissioner reviewing the individual report that you are talking about, I reviewed it. I met with the people who wrote it. I have spoken on many occasions with the commissioner about the general operation of ICOs. There is oversight to ensure that the individual recommendations of that review and, indeed, any other critical incident reviews are implemented. There is an assurance process to ensure that recommendations that are accepted are acted upon. That holds true of this report as well.

The Hon. ROSE JACKSON: Apologies, Mr Coutts-Trotter. Was one of the reasons that this review into ICOs was commissioned the incidents of 6 September 2019 and the outcomes of the critical incident report that the commissioner is referring to? Was that one of the contributing factors?

Mr COUTTS-TROTTER: To be honest, I do not know what was in the mind of the Minister or the Attorney General, but the new system of intensive correction orders was introduced in September 2018. We have around 8,500 people who are subject to intensive correction orders. It is an order that is now consistently used by the local courts. We have employed 200 additional staff to manage intensive correction orders. I think it simply makes good sense 18 months in, ahead of the BOCSAR initial evaluation of outcomes in 2020, to check in on the operational oversight of a really important element of the sentencing reforms. That is what we are doing.

The Hon. ROSE JACKSON: Minister, are you able to give any clarification of Mr Coutts-Trotter's answer? He says he does not know what was in your mind. Can you give us some clarification as to whether the incident on 6 September and the critical incident report that you received and reviewed was part of your prompting with the Attorney General to request this review?

Mr ANTHONY ROBERTS: Certainly in any significant program such as this that is quite new, if you do not measure, you cannot manage it. It is very important to continually review operations or have staff review the operations and we set policy. Again, the Attorney General and myself are always seeking reviews of how we

could work better and provide better services. This is nothing unusual except the evaluation of a program that is 18 months into its conception.

The Hon. SHAOQUETT MOSELMANE: Mr Coutts-Trotter, you mentioned something about oversight. Who will oversight what? In terms of the management of the ICOs, is that what it is?

Mr COUTTS-TROTTER: We commissioned a team within the department to undertake this work. They have not completed that work. There are teams of people in the legal and policy area. Their task really is to look at the design of the program to see whether that has been implemented in practice. If there are any recommendations for improvement, I am sure they will make them. But it is fundamentally about the operational implementation of a key aspect of the Government's sentencing reform policy.

Mr DAVID SHOEBRIDGE: Minister, you were asked some questions by the Chair about the response to the fires. Do you remember that series of questions? I need a verbal response for Hansard, please. Is that a yes?

Mr ANTHONY ROBERTS: Yes.

Mr DAVID SHOEBRIDGE: You said that the Lithgow jail was not evacuated.

Mr ANTHONY ROBERTS: That is correct.

Mr DAVID SHOEBRIDGE: I understand that the fire approached within roughly 50 metres of the correctional facility at Lithgow. There were very substantial concerns amongst the staff and inmates. Despite the proximity to the fire and despite the impact of the smoke, a decision was made not to evacuate. What happened?

Mr ANTHONY ROBERTS: I will ask the commissioner to respond to that. That was an operational issue.

Commissioner SEVERIN: Can I say unequivocally that none of those concerns were ever raised. It was always seen that the evacuation could have actually exacerbated the actual risk, particularly in the situation that the surrounding area of Lithgow found itself in at the time. The centre is completely able to self-sustain. There are substantial fire-combating mechanisms in place there, through statutory-required ring mains around the buildings. It has a significant capability of not actually being burnt down. It would have been far more unsafe to evacuate than to just manage. That being said, the fire came very close. Staff did an outstanding job in mitigating even the closeness of that by making sure that no embers were able to get over the wall. If they did, there would have been the capability to deal with that straight away. The wall would have been the most significant protector. All the advice that we received—I know I have read reports to the effect, there were some media that reported that it was almost the wrong decision not to evacuate. But that is against every piece of advice that I had, every piece of available good practice in the context of mitigating significant risks to correctional centres.

Mr DAVID SHOEBRIDGE: Commissioner, that is because, as I understand it, by the time any serious discussion about evacuation was happening at Lithgow, it was effectively surrounded by fires. Why did it take so long, given the enormity of the fires, for there to be serious consideration about the evacuation of Lithgow? If you were wrong about ember attack, there being one of those pyrocumulus events and embers had been thrown into Lithgow, we could be having a very different discussion now? Why did it take so long to seriously consider the evacuation of Lithgow given the extent of the fire?

Commissioner SEVERIN: It did not take long at all because it was not a consideration that had to be made based on all the professional advice—and I am not relying on correctional officers. I am relying on the Rural Fire Service, I am relying on the experts around the State. We had staff embedded within the emergency management centre at Homebush. So we did not act on our own at any point in time. It was never a consideration—I say this unequivocally—to evacuate that centre based on the situation that we faced.

Mr DAVID SHOEBRIDGE: So you never considered evacuating, or are you saying you assessed evacuation but the decision was taken not to evacuate? They are two different things.

Commissioner SEVERIN: I personally am not involved in advising on possible decisions. Ultimately, of course, I confirm that the advice provided is the action I would like to see taken, and the advice was at all times that the centre was safe in the context of the risk that it faced with the fire coming down that hill.

Mr DAVID SHOEBRIDGE: That included when the fire got to within 50 metres of it?

Commissioner SEVERIN: That is correct.

Mr DAVID SHOEBRIDGE: Your advice was that it was always safe?

Commissioner SEVERIN: Yes, that is correct, because there is also a sterile zone, as you would be well aware. The sterile zone is one that has got its own, basically, barrier for fires not to cross.

Mr DAVID SHOEBRIDGE: Who gave that advice that it was safe notwithstanding the proximity of the fire?

Commissioner SEVERIN: The advice was provided by the emergency management experts. As I mentioned before, we had staff embedded in the emergency management centre. We had a command post established with our own fire safety officer involved. We consulted, as we are required to consult, with the local emergency management staff.

Mr DAVID SHOEBRIDGE: I asked who gave the advice.

Commissioner SEVERIN: I would not be in a position to answer the individual person who might have provided bits of advice. I can only refer to the fact that based on all the assessments and based on the judgement of what was the safest way of dealing with the fire risk at Lithgow Correctional Centre, evacuation was not considered.

Mr DAVID SHOEBRIDGE: I accept you will not have the name and you may not even have the agency to hand. Will you take on notice who gave the advice not to evacuate Lithgow Correctional Centre and when that advice was provided?

Commissioner SEVERIN: I have to take that on notice if there is any such thing as reconciling where the advice came from in detail.

Mr DAVID SHOEBRIDGE: And when the advice was delivered? When the final decision was made not to evacuate or when the issue was considered and the decision was taken not to evacuate.

Commissioner SEVERIN: The issue was considered throughout the whole fire threat. It is a very continuous process.

Mr DAVID SHOEBRIDGE: Will you provide that detail on notice, Commissioner?

Commissioner SEVERIN: We will.

Mr DAVID SHOEBRIDGE: Minister, something is wrong in New South Wales prisons, is it not, because of the collapse, if I could say that, in successful rehabilitation? Recidivism rates in New South Wales prisons have skyrocketed from 32.9 per cent in 2009 and the most recent data delivered in 2019 shows a 41.4 per cent recidivism rate within two years. You would accept that that is a terrible result, is it not?

Mr ANTHONY ROBERTS: The Government allocated \$330 million in 2016 to support a four-year strategy to reduce adult reoffending. That strategy provided a system-wide approach focusing on those high-risk offenders who are responsible for a disproportionate amount of crime. The aim is to target those priority offenders earlier and at all points in their contact with the justice system. Large numbers of those high-risk offenders had historically slipped through the gaps. Those receiving short custodial sentences in particular were unlikely to participate in rehabilitation activities. Targeting this priority cohort earlier is expected to have the greatest impact on the adult reoffending rate and increase the community's safety. It is premature to comment on the success of this strategy as most of the new interventions were complex, have lead-in times and had only been recently fully bedded down.

Reoffending measures will always be retrospective and this means that there is a significant delay between the date that a new strategy is implemented and when any impacts on reoffending can be observed. We use reconvictions as a proxy measure for reoffending. It is likely that an increase in reoffending rates observed over the last few years has been the outcome of more efficient policing and not a failing by the correctional system.

Mr DAVID SHOEBRIDGE: Minister, you are not seriously defending those figures, are you? The reoffending rate in 2009, two years before your Government came into office, was 32.9 per cent. Using the same statistical criteria, last year the reoffending rate went up to 41.4 per cent—a 25 per cent increase, a deterioration in the recidivism rate, on your watch. What has gone wrong and what has gone wrong with the \$330 million spend you had, given those terrible results?

The Hon. NATALIE WARD: Can I ask, for the benefit of the Committee, where those numbers are coming from?

Mr DAVID SHOEBRIDGE: Is that a point of order?

The Hon. NATALIE WARD: Yes.

The CHAIR: Questions should be directed to the Minister, not to members of the Committee.

Mr DAVID SHOEBRIDGE: Minister, they are the rates from the Bureau of Crime Statistics and Research: 32.9 per cent in 2009, 41.4 per cent in 2019. It is a staggeringly bad result, yet you are quibbling with the data involving policing.

Mr ANTHONY ROBERTS: This Government does not apologise for the fantastic work our police are doing in catching crooks.

The Hon. ROSE JACKSON: Do you apologise for the fact that your 5 per cent reduction in recidivism goal or the \$330 million—2016 to 2019 you had a 5 per cent reduction goal and you have completely failed to meet it? Do you apologise for that?

Mr ANTHONY ROBERTS: Can I just apologise, I have a division. Can I kick that question to the commissioner?

The Hon. ROSE JACKSON: Do you apologise, Commissioner Severin?

Mr DAVID SHOEBRIDGE: You did not organise a pair, Minister?

Mr ANTHONY ROBERTS: No.

The Hon. NATALIE WARD: They do not have them in the lower House.

Mr ANTHONY ROBERTS: We do not have them.

Mr DAVID SHOEBRIDGE: Very uncivilised.

Mr ANTHONY ROBERTS: It is.

[The Minister withdrew to attend a division.]

Mr DAVID SHOEBRIDGE: You are not going to argue with the figures, are you, Mr Coutts-Trotter? They are BOCSAR's figures: 32.9 per cent in 2009, 41.4 per cent in 2019. You are not going to argue with the figures, are you?

Mr COUTTS-TROTTER: I do not argue ever with BOCSAR figures, but I would take issue with the interpretation that you attach to it that the Reducing Reoffending Strategy has not been effective. We simply do not know yet. We do know that we have, through the Prison Bed Capacity Program, done an awful amount to create a physical and operational environment that enables more work opportunities, more opportunities to deliver foundational education and more opportunities to deliver people programs that, based on evidence, if delivered in the right dose—and it is possibly a simplistic notion—with sufficient hours of involvement, will have an impact on people's future reoffending behaviour.

Mr DAVID SHOEBRIDGE: Let us go to that. In answers that were given on notice last year, the number of inmates participating in vocational training, now at this stage 2½ years into this \$330 million spend, collapsed as well from 5,127 in 2017-18, to 4,139 in 2018-19, almost a 20 per cent collapse in the number of inmates participating in vocational training. That surely would indicate that you are going to have further recidivism problems, and that is what has happened.

Mr COUTTS-TROTTER: Can I just take issue with that? The change that you are describing to the way education and vocational education is delivered inside the—

Mr DAVID SHOEBRIDGE: I am simply reading back the numbers you gave in an answer to a question taken on notice.

Mr COUTTS-TROTTER: I know but if you would look back to 2015-16, which was the last year before the change, the number of people who participated in vocational education and training was 2,978. So while there was a fall from 2017-18 to 2018-19, in 2016-17, 2017-18 and 2018-19 there was a very significant increase in the number of people undertaking vocational education and training.

Mr DAVID SHOEBRIDGE: Why was there a 20 per cent fall?

Mr COUTTS-TROTTER: There was also a tripling in the number of people who undertook a core skills assessment. The focus of the strategy is twofold: one, to screen and then respond to people who have fundamental problems with their literacy and numeracy to ensure that there is more focus on providing foundational literacy and numeracy; and, secondly, a strong focus on equipping people with the skills and capabilities to work as well as trying to give them work experience inside prison.

Mr DAVID SHOEBRIDGE: Skills and capacity to work—that is vocational training.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: There was a 20 per cent drop in the number of inmates participating in vocational training between 2017-18 and 2018-19.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: That is 1,000 less participants in vocational training. What went wrong and why were there 1,000 less inmates engaged in vocational training in the 2018-19 calendar year than there were in the year before? What went wrong?

Mr COUTTS-TROTTER: I am happy to provide more detail on notice but we have two vocational education training providers. About 30 per cent of the work, I think, is delivered by TAFE and the advice I have is that we had some issues to work through with TAFE in that year. As a former managing director of TAFE, I do not want to be deprecating of TAFE at all. I have not had a full brief on what the issues were but I have had a brief to suggest that the issues were current in 2018-19 are being rectified in the current year and we can expect to see an increase in the number of people undertaking vocational education and training in the current year. But I do make the point that in 2018-19, 1,200 more people undertook vocational education and training than in the last year prior to the changes.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, the numbers are actually worse when you drill down into them than just the 20 per cent reduction in participation because the number of inmates enrolled in vocational training actually went up between the two years—from some 7,765 in 2017-18 to 8,440 in 2018-19—and yet more than 50 per cent of the people enrolled in 2018-19 did not even participate. So you are paying more for courses and you are getting less inmates doing them. That is more than just in the 30 per cent undertaken in TAFE, this is a systemic collapse.

Mr COUTTS-TROTTER: No, you are catastrophising—

Mr DAVID SHOEBRIDGE: I am not catastrophising.

Mr COUTTS-TROTTER: You are catastrophising the data.

Mr DAVID SHOEBRIDGE: Over 50 per cent of the inmates enrolled in 2018-19 did not even participate.

Mr COUTTS-TROTTER: Fundamental assessment of people's core skills, 9,996 people assessed in 2018-19 compared to 3,040 three years before; completed a literacy and numeracy qualification, 849 in that year compared to 322 three years before; and participated in vocational education, 4,139 compared to 2,978. So it is a story of improvement.

Mr DAVID SHOEBRIDGE: I am not talking about participation in a literacy program. I am talking about the vocational training that inmates need to get a job when they leave. You had 1,000 less participating between 2017-18 and you had a 50 per cent collapse in the number of people participating who were enrolled. How do you explain the fact that more than half of the inmates enrolled in vocational training in 2018-19 did not even participate? Commissioner?

Commissioner SEVERIN: Yes, I can. It is not participation; it is completion. So the number that enrolled is—

Mr DAVID SHOEBRIDGE: You cannot complete if you do not—

The Hon. NATALIE WARD: Let him finish.

Commissioner SEVERIN: —actually much higher than it ever was, and the number that complete is higher than it was before the reform. The people who are enrolled are going to complete. When you look at the point in time—and, again, the detail of which I have to take on notice—they might complete in the following counting period because a course takes time to complete. So we found our data often had too short a period to look at. Even when a course starts in June, you might be in the enrolled number but not in the complete number because the course goes through until September, for example.

Mr DAVID SHOEBRIDGE: This data is not about completion. Your obviously cannot complete if you do not participate. They are not even participating. More than half of the inmates enrolled in 2018-19 are not even participating, let alone completing.

Commissioner SEVERIN: No, once you enrol you actually participate—again, the detail of which I am happy to take on notice. We would not enrol inmates in courses—I mean, it might happen if somebody has to transfer very quickly.

Mr DAVID SHOEBRIDGE: Commissioner, I will read to you the answer that the Minister gave to a question taken on notice after the last set of budget estimates hearings. You can then put to the Committee the mysterious explanation of it. The Minister stated:

In 2018-19, the number of inmates participating in vocational training was 4,139. In the same period, 8,440 inmates were enrolled in one or more vocational training programs.

[The Minister returned.]

Commissioner SEVERIN: Again, the detail of which I take on notice in terms of the explanation of what the enrolment vis-a-vis participation means. For me, it is about you enrol, you participate and that is the norm unless you actually have to move somewhere, which is not something that would happen to 4,500 people. There are obviously situations where you might enrol somewhere, then you have to transfer somewhere else.

Mr DAVID SHOEBRIDGE: Is it your position that the Minister's answers on notice after the last budget estimates hearings were wrong.

Commissioner SEVERIN: Obviously not, no.

Mr DAVID SHOEBRIDGE: The Minister on notice stated:

In 2018-19, the number of inmates participating in vocational training was 4,139. In the same period, 8,440 inmates were enrolled in one or more vocational training programs.

You now say that that participation figure is somehow inaccurate or misleading and we should be looking at enrolments.

The Hon. NATALIE WARD: That is not what he said.

Mr DAVID SHOEBRIDGE: I do not understand.

Mr COUTTS-TROTTER: No, we do not have the counting rule for enrolments as opposed to participation. The only data I have over pre-reform/post-reform is participation in vocational education and training which, on my rough calculation, of course, within that year shows about a 30 per cent increase on the year before the reforms.

Mr DAVID SHOEBRIDGE: But we see a 20 per cent decrease midway through. How is it that you explain, Mr Coutts-Trotter, that more than half the inmates enrolled do not even participate? What is going on there? It is a fair question.

Mr COUTTS-TROTTER: I do not understand the counting rule around enrolment versus participation but the fundamental story is a tripling of the number of people receiving foundational literacy and numeracy assessment in response and a big increase in participation in vocational education and training.

Mr DAVID SHOEBRIDGE: And a continued, inevitable increase in recidivism, showing a failure of these programs, Mr Coutts-Trotter.

Mr COUTTS-TROTTER: No, as I said before, I think it is much too early to say that the strategies deployed from 2016 onwards, based on strong evidence base, have not had an impact. We simply do not yet know.

The Hon. ROSE JACKSON: Commissioner Severin, I want to clarify something you said earlier. You said that one of the general improvements or changes that has been made in relation to the operation of intensive correction orders was improved communication with the State parole board. You listed that as one of the improvements that had been made. Is that because incidents that should have been communicated to the State parole board by Community Corrections staff were not, in fact, being properly communicated or communicated in a timely manner to the State parole board?

Commissioner SEVERIN: I have no evidence to that effect. What I was referring to in the broadest of contexts, not applicable to any particular case, was the fact—and I used it as an example—that we are always looking at communication processes in the way cases are managed and that different parts of the criminal justice system are talking with each other. That was a very general statement and, again, I am not making this in the context of saying it failed and therefore we had to fix it. There was, to the best of my knowledge, no significant issue identified in the context of the case management that is applicable to ICOs at that point in time—these are

the critical incident reviews that I am referring to—and there were no systemic or policy changes required as a result of these critical incident reviews.

The Hon. ROSE JACKSON: We will get more information but there were, potentially, insignificant breaches and operational matters that did need to be rectified.

Mr ANTHONY ROBERTS: Before the commissioner continues, I apologise for having to go across to a division that was called by The Greens. I took the opportunity to have a look at the *Hansard* from last year's Committee meeting where—and I think this needs clarification—with respect to releasing information about the incident you referred to earlier where you said we would make it public, can I correct the record to say that that is not correct. I am on the record as saying, "I am very happy to provide information to the Committee in a timely manner where it is appropriate."

The Hon. ROSE JACKSON: You also subsequently said, "I will be making our position public on that report." That is also a direct quote from the estimates. It was discussed at some length, Minister.

Mr ANTHONY ROBERTS: It was, but I am just saying "where it is appropriate", which goes to the point that we will seek legal advice as to when it is appropriate for that information to be released to the Committee. We will come back to you on that.

The Hon. SHAOQUETT MOSELMANE: Minister, I will ask a couple of questions about the Counter Terrorism portfolio, if I may. The new ASIO boss has outlined four key issues, and one of them is far-right extremism. That is a good way to approach it, Minister, is it not—recognising the operations of far-right organisations in Australia as a threat?

Mr ANTHONY ROBERTS: As you mentioned, last week the director-general of ASIO, Mike Burgess, reported that the threat from the extreme right wing in Australia has increased in recent years and will remain an enduring threat. ASIO reported that extreme groups were gathering in small cells to share online propaganda and spread messages of hate. Whilst any extremist-inspired attack in Australia is expected to be low capability, ASIO advises that more sophisticated attacks are considered possible as these groups have become more cohesive and organised than in previous years. Again, can I say New South Wales is a very strong and connected society, but there will always be a small number of individuals with extreme and violent views who want to divide us and threaten our safety.

The Hon. SHAOQUETT MOSELMANE: Have you heard of the organisation Golden Dawn?

Mr ANTHONY ROBERTS: Can I say the New South Wales Government is committed to countering all forms of violence extremism—

The Hon. SHAOQUETT MOSELMANE: Yes, I understand that, Minister.

Mr ANTHONY ROBERTS: —whether motivated by politics, ideology or religion. I am agnostic as to the extremism that we take on.

The Hon. SHAOQUETT MOSELMANE: I am not asking you how extreme this group is. I am asking you whether you have heard about the Golden Dawn organisation in Australia.

Mr ANTHONY ROBERTS: I am not, at this point, going to discuss who we have heard of and who we have not heard of.

The Hon. SHAOQUETT MOSELMANE: It is a simple question. It is not confidential. You are the counter terrorism Minister. Some of the members and MPs of this group are apparently, according to the report, being prosecuted for some of the hate and crime that they have committed. They have cells in Australia with, apparently, 60 to 70 members. Are you aware of Golden Dawn and what are you doing about them?

Mr ANTHONY ROBERTS: I am not at liberty to discuss issues that I discuss with Federal and State bodies. I am not going to do it publicly at this Committee.

The Hon. SHAOQUETT MOSELMANE: I am not asking you to discuss it. I am asking you, are you aware of them? Yes or no?

Mr ANTHONY ROBERTS: I am aware of numerous organisations that pose a potential threat to our society, and I am not going to expand on it further unless Ms Walker feels in any way in a position to provide more general information. These are very serious issues and I am not going to put at risk potential police operations and Federal operations.

The Hon. SHAOQUETT MOSELMANE: I am not asking for police operations. I am asking you whether you are aware of them. That is all; full stop.

Mr ANTHONY ROBERTS: I am aware of a number of—

The Hon. SHAOQUETT MOSELMANE: Well, let's get an answer from Ms Walker, if we can.

Mr ANTHONY ROBERTS: No, I am aware of a number of organisations. But I am not going to come in here today and potentially jeopardise investigations that are underway.

The Hon. SHAOQUETT MOSELMANE: Are there investigations into Golden Dawn?

Mr ANTHONY ROBERTS: I am not even going to go there. I am not going to go near it. I think it is very unfair and I think you are being very loose with raising specific organisations. I am putting on record now that you are being very loose.

The Hon. SHAOQUETT MOSELMANE: I do not understand what you mean by "very loose". It is a very specific question about a group that has been identified in the papers as having been associated with extreme right-wing organisations, and its existence in Australia.

Mr ANTHONY ROBERTS: I am telling you I am not going to put at jeopardy any potential police operations or investigations underway. Ms Walker?

The Hon. SHAOQUETT MOSELMANE: I will move onto the next question.

Mr ANTHONY ROBERTS: No. Ms Walker?

Ms WALKER: We are aware of that organisation. But just to be really clear, the NSW Police Force has the Engagement and Hate Crime Unit, and they are the ones with the primary responsibility for action against those groups if that is required.

The Hon. SHAOQUETT MOSELMANE: So the Counter Terrorism portfolio—

Ms WALKER: No, the Minister was really clear that our Counter Terrorism portfolio is agnostic to types—it looks at all types of extremism. But we would not run specific programs targeted, from a policy point of view, towards individual groups. That is the role of the NSW Police Force.

The Hon. SHAOQUETT MOSELMANE: Sure, but the reason I am raising it is that the new ASIO boss has raised right-wing extremism—

Ms WALKER: Absolutely.

The Hon. SHAOQUETT MOSELMANE: —and this group is one of them.

Ms WALKER: Yes.

The Hon. ROSE JACKSON: Minister, do you share your Federal colleague's objection to the term "right-wing extremism"?

Mr ANTHONY ROBERTS: I am agnostic as to any form of extremism.

The Hon. ROSE JACKSON: Even though that term is internationally recognised by security agencies as describing a certain form of terrorist activity?

Mr ANTHONY ROBERTS: There is left-wing extremism politically and right-wing extremism politically.

The Hon. SHAOQUETT MOSELMANE: Are you offended by it, Minister? That is the question.

Mr ANTHONY ROBERTS: Mr Chair, that is just objectionable.

The Hon. NATALIE WARD: What does this have to do with the proposed expenditure of the 2019-20 budget?

The Hon. ROSE JACKSON: Your Federal colleague raised a specific objection to the new director of ASIO in relation to his use of that term as the security chief in this country. We are wondering, as the New South Wales counter terrorism Minister, whether you share their objections.

Mr ANTHONY ROBERTS: There are both right wing extremist groups operating in this nation and there are left wing extremist groups. Again, as far as I am concerned, any form of extremism potentially poses a

threat and danger to our society. I am agnostic as to whether we—I do not care about whether it is the left or the right. It is countering any form of extremism.

The Hon. SHAOQUETT MOSELMANE: Minister, there has been a rise in attacks on, particularly, Muslim women. There was a press release by Muslims Australia that gave an indication that about 72 per cent of victims were women. They note that there is a rise in far-right activism, racism and discrimination and increasing cases of physical attacks and so forth. You indicated earlier when, I think, the Hon. Robert Borsak asked a question that you work with various community organisations. Have you had any discussions with Muslims Australia, otherwise known as the Australian Federation of Islamic Councils?

Mr ANTHONY ROBERTS: We meet with many organisations. My role as counter terrorism Minister is to ensure that our agencies are actively engaged with organisations right across the board. I might ask Ms Walker to run through the exact amount of work through communities, through all parts of government and what we are doing to actively engage with them.

Ms WALKER: We have had a range of meetings with Muslim groups, particularly Muslim youth, as well as Muslim religious leaders. It is also important to note that we held a conference in November that looked at both Islamophobia and right-wing extremism, just to highlight the fact that we look across all types of extremism. The engagement, certainly, through Multicultural NSW—they are one of the stakeholders that we work with very closely because they are very connected to the Muslim community and had a lot of their own stakeholders coming forward and asking them for advice from us. So we have worked with them through that agency.

The Hon. SHAOQUETT MOSELMANE: There are three big organisations: Lebanese Muslim Association, Australian Federation of Islamic Councils and the Australian National Imams Council. Have you met with those three big umbrella organisations?

Ms WALKER: Certainly through the Office of Community Safety and Cohesion, we have been working with those groups. But I can get you the detail on notice of meetings with those groups.

The Hon. SHAOQUETT MOSELMANE: Minister, have you had a chance to meet with them at all?

Mr ANTHONY ROBERTS: My position is to coordinate, again, the whole-of-government approach. We have agencies that meet with them, but my door is always open to meet with everyone on request. At the moment I am very satisfied that our outreach to various groups is successful. Certainly, if you have got anyone who specifically wants to meet—and I say this generally—I am always happy to meet those people. But, again, my role is to ensure, right across government, that our policies are being implemented. One of those is through communities reaching out and ensuring that the various parts of our society are looked after.

The Hon. ROSE JACKSON: What percentage of serious sex offenders on parole, or having completed their sentence and now living in the community, are you electronically monitoring?

Commissioner SEVERIN: The actual percentage details I have to take on notice. However, there has been change in government policy and legislation that requires, as a condition of parole, all serious sex offenders to be subject to electronic monitoring.

The Hon. ROSE JACKSON: So it is 100 per cent at this point, as a result of that?

Commissioner SEVERIN: It is under law, obviously. It was not retrospective so the legislation which was obviously passed by both Houses was only prospective. Anybody who, once the bill became law, was subject to consideration by the Parole Authority and subsequently released to parole is subject to electronic monitoring.

Mr ANTHONY ROBERTS: If I can add to that to assist, I am advised that as at February this year electronic monitoring anklets were being used on 52 offenders on parole, as per the State Parole Authority's suggestion or request, and 218 serious sex offenders on parole.

The Hon. ROSE JACKSON: Minister, in response to a question from my colleague Mr Borsak that was taken on notice at the previous estimates hearings in relation to Damien Peters, a convicted double murderer who removed his electronic bracelet, the answer in relation to how he did that was:

Police at the time indicated that the offender used some form of cutting tool to work through the device's strap and remove it.

That does not exactly fill you with confidence in relation to these electronic monitoring devices, does it?

Mr ANTHONY ROBERTS: I am incredibly confident and in fact I am very proud of the world-leading, cutting-edge technology—excuse the pun—that we use. Effectively in years gone by someone would have been

released with really very little observation—maybe occasionally reporting. Now we track them 24/7. Part of the conditions is having that bracelet strapped to you and if they remove that, they are in breach. So we are monitoring these people 24/7 and again if they go so far as to remove their anklet then they go so far as to show us that really they are not ready for parole.

The Hon. ROSE JACKSON: If you can catch them. In the case of Mr Peters it took some time, I understand, for him to be—

Mr COUTTS-TROTTER: No. He was detained very quickly.

The Hon. ROSE JACKSON: Perhaps it was another offender. Commissioner Severin, do you have any comment on that response in relation to how he removed the device?

Commissioner SEVERIN: The devices are intentionally—there is no device in the world—

The Hon. ROSE JACKSON: I appreciate they are not designed to be easily removed.

Commissioner SEVERIN: —that you cannot actually remove. You have to, for safety reasons. If there is a need to remove, you need to be able to do that. The Minister has already outlined that the good thing about this is that there is a triple redundancy built in. There is not just a singular alarm that is triggered when somebody starts manipulating—certainly when somebody cuts the device what you require to cut is a boltcutter-style device. It is not something where you can use a pair of scissors to cut it off. It is Kevlar coated with, obviously, rubber. It has got a range of, as I said, triple redundancy measures to alarm the system, and you need quite a robust tool to do so. There is no such circumstance as accidental removal. Nobody can come up with an excuse that it fell off. It is really a deliberate act of trying to remove, which then obviously constitutes a breach and can in different cases also result in prosecution.

The Hon. ROSE JACKSON: How many, if any, offenders have removed their electronic devices?

Mr COUTTS-TROTTER: It is 18 out of 1,011. In the 12 months to February 2020 eighteen offenders had removed their tracking device. Of course the system registered that and people responded.

The Hon. ROSE JACKSON: And so all of those 18 have now been reapprehended and prosecuted? As the Minister said, there is a breach.

Mr COUTTS-TROTTER: It is a breach. I would have to take on notice what the response to them removing their devices was.

The Hon. ROSE JACKSON: Minister, do you have any information on that, for those 18 individuals?

Mr ANTHONY ROBERTS: No, but 18 out of—

Mr COUTTS-TROTTER: It is 1,011.

Mr ANTHONY ROBERTS: That is 1,011 people that in the past would not have been monitored. This is like having a corrections officer following you around 24/7, right? To remove that is very serious and again it is a breach. With respect to the 18 offenders I am happy to take that on notice to get the outcomes as to what that breach of parole resulted in.

The Hon. ROSE JACKSON: Commissioner Severin, how many chargeable incidents have there been at the Parklea and Junee private correctional facilities?

Commissioner SEVERIN: At the Junee Correctional Centre there has been no charge event. At the Parklea Correctional Centre there have been three charge events since the contract commenced. One related to a discharge error. One related to a death in custody. I need to quickly refer to my notes for what the third one related to. All of those obviously attract a penalty under the contract, or withholding of fees, and that was obviously implemented at that point in time. The third one was also an erroneous release—a discharging error.

Mr DAVID SHOEBRIDGE: Minister, you would be aware of the recommendations and findings, as far as they relate to your portfolio, from the inquiry into ice. The report was recently made public.

Mr ANTHONY ROBERTS: Yes.

Mr DAVID SHOEBRIDGE: I will just read to you from the findings of that inquiry:

Available evidence suggests that if prison NSPs—

which is needle and syringe programs—

were introduced in NSW, they would reduce the harms associated with ATS—

which is amphetamines—

and other drug use in custody and would further serve to protect the community at large from the spread of blood-borne viruses by reducing their prevalence among inmates returning to the community from custody.

You are aware of that conclusion?

Mr ANTHONY ROBERTS: Yes.

Mr DAVID SHOEBRIDGE: Why will you not accept all the medical evidence? Why will you not accept the recommendations of the study commissioned by your own Government and finally put in needle and syringe programs in New South Wales prisons?

Mr ANTHONY ROBERTS: Can I again remind the Committee of former officer Geoffrey Pearce, a Corrective Services officer who was attacked by an HIV-infected prisoner and stabbed with a syringe full of the inmate's infected blood? He tested positive for HIV a few months later and died of an AIDS-related illness in 1997, seven years after being stabbed. Look, Mr Shoebridge, the New South Wales Government does not support a needle and syringe program in correctional centres due to the potential safety risks to inmates and correctional officers. This Government remains committed to considering other measures that are effective and targeted at reducing use and the impact of amphetamine-type stimulants on individuals, their families and the broader community. I am not going to introduce weapons into jails. I am backing my corrections officers, their safety and the safety of their families. Can I say, we do have with respect to this issue some very good news that I might ask the secretary to discuss, with respect to hepatitis C.

Mr DAVID SHOEBRIDGE: We will come to hep C separately.

Mr COUTTS-TROTTER: Well, the two are fundamentally connected.

Mr DAVID SHOEBRIDGE: My question is about needle and syringe programs. Did you seek advice before rejecting the recommendations from your Government's own ice inquiry on needle and syringe programs?

Mr ANTHONY ROBERTS: The advice certainly from any corrections officer or Corrective Services is that they oppose this. I stand firmly by them and, with all due respect, we are not going to introduce weapons such as needles into prisons. The answer is no and it is never going to change.

Mr DAVID SHOEBRIDGE: Minister, are you pretending to this inquiry that there are not needles in New South Wales prisons? There is a notorious level of drug use in New South Wales prisons. The question is whether they are going to be dirty and old needles or clean needles, and you are choosing dirty and old needles, are you not?

Mr ANTHONY ROBERTS: I continue to stress that we will not be a partner to introducing weapons into our prisons. The answer is no. We will not be introducing needles into our prisons.

Mr DAVID SHOEBRIDGE: Are you saying to this inquiry that needles are not currently available to prisoners in New South Wales prisons? Is that what you are telling this inquiry—that they are not currently in widespread circulation in New South Wales prisons?

Mr ANTHONY ROBERTS: What I am stating is that we are not going to be in partnership with introducing needles into our prisons.

Mr DAVID SHOEBRIDGE: You keep saying "introducing needles". Do you acknowledge the fact that needles are widespread and readily available in New South Wales prisons? Do you acknowledge that simple fact or are you in complete denial about this?

Mr ANTHONY ROBERTS: No, I am not on a river in Egypt, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: It looks like it, as you are disappearing off into irrelevance and fact-free responses.

Mr ANTHONY ROBERTS: No, what I am saying quite clearly is that this Government is going to back its workforce in and ensure that we do not bring and make available needles to inmates, which are effectively weapons. You can ask me any which way, but I have to say it is very clear: The answer is no.

Mr DAVID SHOEBRIDGE: Commissioner, needles are available to inmates, are they not, through illegal means, in New South Wales prisons?

Commissioner SEVERIN: We do have situations where obviously we have evidence that prisoners do get hold of needles and other means of contraband. We have a very proactive strategy of searching and ensuring

that we take any of those types of weapons out of circulation. We have a whole range of other engagement strategies. It is a strategy based on deterrence, detection and treatment. By and large, we are in no way different—and that is not an excuse, just an explanation—to what has been observed worldwide in correctional facilities. There is very little evidence to confirm that needle exchange programs in Corrective Services—and I speak from an international perspective, having been very heavily involved in that area—make a significant difference vis-à-vis the risk that is carried in relation to staff in prison exposure.

Mr DAVID SHOEBRIDGE: You reject the position of key organisations who made submissions to the ice inquiry supporting needle and syringe programs, which include the Australian Medical Association, the Public Health Association, the Royal Australian College of Physicians and Hepatitis Australia? You say they are all wrong and, despite their position, needle and syringe programs should not be introduced in New South Wales prisons? You are saying all of those organisations are wrong?

The Hon. NATALIE WARD: Point of order—

The CHAIR: What is the point of order?

The Hon. NATALIE WARD: Calling for an opinion of the commissioner. I am not sure it is within his remit to comment on his opinion about—

Mr DAVID SHOEBRIDGE: Why do you reject the position of the Australian Medical Association, the Public Health Association of Australia, the Royal Australian College of Physicians and Hepatitis Australia? Why do you reject their position and their call for needle and syringe programs in New South Wales prisons?

Commissioner SEVERIN: I refer to the answer already provided by the Minister very clearly—

Mr DAVID SHOEBRIDGE: His computer says no.

Commissioner SEVERIN: I have not in any way indicated that the approach the health professionals take is an approach that is entirely without merit, and I am talking about community-based settings. In a prison I clearly have very different views, and I have no evidence that indicates to me that the introduction of needle exchange programs in prisons has made a substantial difference to the wellbeing of offenders in the context of misuse of drugs.

Mr DAVID SHOEBRIDGE: You say there is no evidence, Commissioner, but I will read to you again another paragraph from the conclusions of the ice inquiry, which has just considered this in detail:

Data on needle and syringe programs in prison consistently conclude that they are feasible to implement and result in reduced needle sharing, reduced transmission of bloodborne infections such as hepatitis C, reduced overdose risk, no increase in drug consumption or injection, and no respondent misuse of needles and syringes as weapons. Data conclude prison needle and syringe programs also improve inmate-staff communications and increase opportunities to link prisoners with treatment, and improve living conditions.

Your position—

Mr ANTHONY ROBERTS: The Government's position.

Mr DAVID SHOEBRIDGE: The Government's position in terms of your position, Commissioner, of there being no data is directly at odds with the most comprehensive statewide review of the matter. How do you explain that?

Commissioner SEVERIN: I have not said that there is no data. For me, there is no compelling data. We are looking at 10,000 prisons in the world. A very small number of those has introduced needle exchange programs. A very small number of those are needle exchange programs that have any reach in terms of number of inmates involved—

Mr DAVID SHOEBRIDGE: Have you read the ice inquiry report, Commissioner?

Commissioner SEVERIN: I certainly have, and again I am not going to start interpreting the motivations for the inquiry to come to those conclusions. We provided evidence that, in my view, outlined a different opportunity, particularly the opportunity in relation to other means of very proactively dealing with drug dependency and hepatitis C, in particular, as a harm minimisation and mitigation strategy. The inquiry chose to adopt a different viewpoint. I accept that, but again the Government has made a decision which we are obviously going to abide by.

Mr ANTHONY ROBERTS: Can I also point out—it is a good opportunity—that we are very proud in New South Wales that Commissioner Severin now heads up, as president, the International Corrections and

Prisons Association. So he has the ability to meet with many people from many jurisdictions, and I am sure these things are discussed on a regular basis.

Mr DAVID SHOEBRIDGE: That is actually a nice little travelogue, thanks Minister.

Mr ANTHONY ROBERTS: I just thought it was rather important.

The Hon. ROSE JACKSON: Congratulations, Commissioner.

Mr DAVID SHOEBRIDGE: Yes, that is good, Commissioner; I am glad.

Commissioner SEVERIN: Thank you.

Mr DAVID SHOEBRIDGE: In 2018-19—this is again in answers on notice provided by you, Minister—of the 21,495 offenders released, a total of 7,190 were identified as eligible for rehabilitation programs, but less than a third of those released inmates actually engaged in and completed programs. If we want to reduce recidivism, why are you not getting to all of the released offenders who are eligible for these programs? What is going wrong?

Mr ANTHONY ROBERTS: We have a good story around that, particularly with the machinery of government changes. I want to commend the secretary—sorry to do that to you.

Mr COUTTS-TROTTER: No, commend away.

Mr ANTHONY ROBERTS: There is now a whole-of-government approach. The Premier is driving through her targets of reducing recidivism—a whole-of-government approach—so I might ask the secretary to explain what we are doing to ensure that what we had to discuss last year is actually being dealt with.

Mr COUTTS-TROTTER: We do want to increase the share of so-called eligible prisoners who get access to not just work, not just education, but also programs designed from a strong body of evidence that tackles so-called criminogenic risk, which is what you are talking about, and that captures just that third category of interventions. The massive investment in improving both the workplace but also the living space of jails that comes as a result of the \$3.8 billion investment will make it much more feasible to avoid moving people between facilities because the system is overcrowded. Those moves are driven by pressure on the system. The investment and infrastructure will help moderate much of that, which in turn makes it easier for people to have consistent access to the programs you are talking about.

We have seen a gradual increase year-on-year in the proportion of people who have been identified as suitable for the programs, who have participated and completed, and we want to significantly increase that. So we want more people doing it, we want the right people doing it—in other words, people who are assessed at medium or high risk of reoffending, which is where the evidence lies, are the right people to tackle—and we want at least 120 hours of participation for people at medium risk and 160 hours of participation for people at high risk.

Mr DAVID SHOEBRIDGE: I hear wants, but I am giving you the figures from the last financial year—

Mr COUTTS-TROTTER: Sure.

Mr DAVID SHOEBRIDGE: They showed dreadful results, and it is part of a pattern here which has seen recidivism rates deteriorate by 25 per cent over the last decade. The Premier comprehensively failed to meet the 5 per cent target of a reduction in recidivism. It is all going the wrong way, Mr Coutts-Trotter.

Mr COUTTS-TROTTER: The BOCSAR data is the BOCSAR data. The number of hours of evidence-based programs that have been delivered inside prisons have risen very significantly in the last two years. The targeting of the right people is happening as the prison environment changes and it makes it easier to do that. You would take issue with the investment in education, but we see real effect there, getting to people with foundational problems in literacy and numeracy—

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, I will allow you on notice to give me any hard data—I repeat: any hard data—that shows an impact on reduced recidivism, and impact on inmates' successful integration in society.

Mr COUTTS-TROTTER: Okay.

Mr DAVID SHOEBRIDGE: Any hard data that there has been improvement as a result of the \$330 million that has been allocated since 2016.

Mr ANTHONY ROBERTS: Can I ask—

Mr DAVID SHOEBRIDGE: Can you give me that or can you do it on notice?

Mr ANTHONY ROBERTS: I am happy to do it. The commissioner, I think, has the figures for you now.

Commissioner SEVERIN: These are the figures just on the effort or the improvement that has been occurring since 2016-17 to the last financial year. Just to quote a number or the figures there, the number of programs—this is criminogenic programs—has risen from 371 in 2016-17 to 712.

Mr DAVID SHOEBRIDGE: Commissioner, I do not mean to interrupt, but I was actually talking about outcomes—not effort, outcomes—so I am not interested in the number of people you have got involved in programs that do not seem to be working. I am interested in the impact on inmates.

Mr ANTHONY ROBERTS: But that has always been there.

Commissioner SEVERIN: It is a lag indicator, as you would be well aware. It is two years prior so a lot of the inmates that are in that statistic right now—

Mr DAVID SHOEBRIDGE: You have not got data—that is one thing—but I am not interested in effort and spend. I am interested in outcomes and what you are giving is details of effort and spend.

Mr ANTHONY ROBERTS: But can I just make it quite clear that the reoffending measures are always going to be retrospective and that means, as the commission said, that there will be a delay between the date—

Commissioner SEVERIN: Two years.

Mr DAVID SHOEBRIDGE: I understand that the 2019 data is of people released in 2017. I know how it works.

Mr ANTHONY ROBERTS: —that a new strategy is implemented and when any impacts on reoffending can be observed. I just want to make that very clear.

Mr DAVID SHOEBRIDGE: Minister and/or commissioner, there was the tragic death of David Dungay just before Christmas in 2016. Commissioner, you are aware of that?

Commissioner SEVERIN: Certainly am.

Mr ANTHONY ROBERTS: Yes.

Mr DAVID SHOEBRIDGE: There was a detailed coronial investigation in relation to Mr Dungay's tragic death, which concluded only in the last few months. I see you nodding, Commissioner. Could you answer for Hansard?

Commissioner SEVERIN: Yes.

Mr ANTHONY ROBERTS: Yes.

Mr DAVID SHOEBRIDGE: Are you aware of the fact that there has been an ongoing discrimination-victimisation claim made regarding one of the officers involved in that death which has direct relevance to that officer's conduct regarding Mr Dungay on the day that Mr Dungay died?

Commissioner SEVERIN: I am aware, having been at the findings delivery by the Deputy Coroner, that there was certainly a finding made that there was no misconduct that warranted disciplinary action in the coronial hearing.

Mr DAVID SHOEBRIDGE: That was not my question, Commissioner.

Commissioner SEVERIN: I am aware that family members obviously have a different view in relation to individuals involved. It is not incumbent on me to re-prosecute a matter that has been dealt with in a proper process.

Mr DAVID SHOEBRIDGE: Are you aware that the issues raised in that discrimination complaint have been lodged? Are you aware of any of the issues regarding the alleged conduct of one of those officers being raised in the coronial investigation?

Commissioner SEVERIN: I am not aware of the lodgement of the discrimination claim. I am not aware of that. I am certainly aware, based on the investigation, based on the coronial inquest, of the whole scenario that unfolded on the day.

Mr DAVID SHOEBRIDGE: Will you take that on notice?

Commissioner SEVERIN: I certainly can, yes.

Mr DAVID SHOEBRIDGE: I was encouraged to end my questioning at that point. I have plenty more but I think we are winding up. Is that right?

The Hon. ROSE JACKSON: It is finished.

The CHAIR: Sorry. I was consulting. We are going to break now for lunch.

The Hon. NATALIE WARD: We could keep going now and then finish in half an hour, if you want to.

Mr DAVID SHOEBRIDGE: You mean rather than have the Minister come back after lunch?

The CHAIR: Yes. That is why I was consulting because there is a view that the Minister would come back after lunch or we can carry on through until 12 and get it done. And then, if the Minister needs to come back, there may be some questions after lunch.

Mr DAVID SHOEBRIDGE: That would make a lot of sense.

The CHAIR: Does that make more sense?

The Hon. SHAOQUETT MOSELMANE: Yes.

The CHAIR: All right. We will do that then. We will carry on.

The Hon. ROSE JACKSON: Okay. Can you take over questioning? I just need to get some instructions.

Mr DAVID SHOEBRIDGE: Minister and/or commissioner, what is the current prison population in New South Wales, or the most recent figure?

Mr ANTHONY ROBERTS: In a facility within a 24-hour period as of Sunday 16 February we had 4,496 males on remand, 436 females on remand, which is a total of 4,932 on remand; sentenced, males 8,460, females, 567, which is a total of 9,027; and other, which is police bail refused or discharged same day, males 60, women 15, a total of 75, which brings the total of males 13,016, women 1,018 and a total of 14,034. Again, that is as at 16 February, which is the most recent data.

Mr DAVID SHOEBRIDGE: That is either a record, or a near record, prison population in New South Wales. Commissioner, you would know these figures the best. For what has been in your term, is that a record or near record?

Commissioner SEVERIN: It is not a new record. It is a bit lower than the record was, but the numbers are very high.

Mr DAVID SHOEBRIDGE: How many of those prisoners were in private prisons? How many of those prisoners were in public prisons?

Commissioner SEVERIN: I have to take the detail on notice. It is obviously somewhere in the notes—

Mr ANTHONY ROBERTS: No, I can assist.

Mr DAVID SHOEBRIDGE: Minister, do you have it?

Mr ANTHONY ROBERTS: Yes, I can assist there. Totals at Parklea Correctional Centre, 1,160 males; at Junee, 853 males. You will have to add those up, unless you want me to go on my iPhone calculator.

Mr DAVID SHOEBRIDGE: No. It is a little over 2,000. In terms of the number of beds for privately operated prisons, what are the numbers of beds, and that includes the newly completed facilities? What are the bed numbers, and the breakdown between public and private?

Mr ANTHONY ROBERTS: Can I take that on notice, please?

Mr DAVID SHOEBRIDGE: Yes. How is it—I accept that you do not create the problem in terms of the high proportion of female prisoners being held on remand and I accept that you, Mr Coutts-Trotter, are responsible for all elements of it, but the Minister and the commissioner deal with what the courts give them in terms of remand population. But do you accept that it is a very significant problem when more than 40 per cent of the female prison population are being held on remand? Minister?

Mr ANTHONY ROBERTS: One of the saddest things to see is a mother who is removed from her children and family. I can say we have some great programs underway. It is certainly the view of this Government's

Premier that we need to keep mothers with their children as much as possible if they are at no risk to the community.

Mr DAVID SHOEBRIDGE: Yes, but Minister, we know from previous answers that the majority of women prisoners have dependent children. I assume that has not changed.

Mr ANTHONY ROBERTS: There is certainly, again, through our cluster, a number of programs that we are undertaking. Secretary, did you want to outline—

Mr COUTTS-TROTTER: I am happy to update the Minister—

Mr DAVID SHOEBRIDGE: Well, before we go to the programs can we just get the data? Do you have data on the number of women prisoners on remand who have dependent children? I will ask the same about sentenced women.

Mr ANTHONY ROBERTS: Can we take that on notice?

Commissioner SEVERIN: I have got some numbers here.

Mr ANTHONY ROBERTS: There are some numbers, Commissioner Severin?

Commissioner SEVERIN: But they are not—

Mr COUTTS-TROTTER: It does not differentiate sentenced women from remanded women.

Commissioner SEVERIN: They are just the one number.

Mr DAVID SHOEBRIDGE: Do you have the proportion of the number of women inmates who have dependent children there, Commissioner?

Commissioner SEVERIN: Yes, I do. There is a figure of 1,506 women. Again, this is—

Mr DAVID SHOEBRIDGE: Sorry Commissioner, I missed that.

Commissioner SEVERIN: During 2018-19—so this is not a point in time—there were 1,506 dependents of women in custody. Some 429 of those were children and that is a percentage of 57 per cent. Some 38.4 per cent had no dependents and 4.6 per cent is unknown.²

Mr DAVID SHOEBRIDGE: The takeaway figure there is 57 per cent of women inmates had dependents at the time that they went into jail.

Commissioner SEVERIN: Out of which 16 per cent had those dependents living with them before they got to jail.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, given that you have responsibility both for what used to be Family and Community Services as well as the prison system, are you tracking what is happening to the kids of women prisoners and have you got a program to try to keep those families together, and is part of that program actually reducing the number of women held on remand?

Mr COUTTS-TROTTER: There is a range of questions there.

Mr DAVID SHOEBRIDGE: I accept that.

Mr COUTTS-TROTTER: Taking probably the easiest to answer, from this month onwards we are trialling introducing child protection practitioners into women's prisons to act as case coordinators and advocates for the women in prison to coordinate family time between mothers and children, facilitate connection with family and particularly community for Aboriginal women, help the mother participate in out-of-home-care case planning, advocate for secure housing for women to transition to on their release, post-release supports and, as is often the case, try and help people navigate a very complex child protection system. How would we know whether that has had an impact? We would want to see an increase in restorations of children to women who are in and have left

² In [correspondence](#) to the committee received 25 March 2020, Mr Peter Severin, Commissioner, Corrective Services NSW, Department of Communities and Justice, corrected his evidence and advised that 'There were 1,506 women in custody with dependent children which represents 50% of women received into Corrective Services' custody during 2019/19. Some 429 dependents were living with the offender prior to reception'.

custody, a decrease in reoffending, as well as some measures of how women feel about the support they get along the way. But the key outcomes are children being restored to mothers and mothers reducing their reoffending.

Mr DAVID SHOEBRIDGE: Is there a plan or a target to reduce the number of women with dependents in jail?

Mr COUTTS-TROTTER: As part of the criminal justice reforms that were introduced about 18 months ago there is an effort to increase diversionary opportunities, so to try to keep women out of jail and particularly where it is possible to support women in the community rather than seeing them remanded. I note that I think 60 per cent of women in custody, either remanded or sentenced, are there for nonviolent offences. Our view would be that the best result for women and the best result for the community's safety is actually good quality support outside the prison system in the community, where we can deal with the mental health, the trauma, the effects of poverty, the impact of domestic and family violence that so often is a fundamental part of the story about women in contact with the justice system.

Mr ANTHONY ROBERTS: If you will just give me one moment to unpack some of those programs, the Mothers and Children's Program at Emu Plains Correctional Centre opens up a range of options to eligible women who wish to assume—

Mr DAVID SHOEBRIDGE: But Minister, that is a handful. I think it is at most five—

Mr ANTHONY ROBERTS: No, I have not finished yet. There is more. Again, to assume an active parenting role while serving a custodial sentence. Then you have got Mothering at a Distance Program, which aims to enhance the mother-child relationship and increase the mother's knowledge and skills to care for her infant. In addition to ordinary visiting hours, centres have special child visit days to help enhance that relationship. Then you have the Parramatta Transitional Centre providing—

Mr DAVID SHOEBRIDGE: But Minister—

Mr ANTHONY ROBERTS: —support for women who are serving longer—

Mr DAVID SHOEBRIDGE: Minister, this is the ambulance-at-the-bottom-of-the-cliff territory. Some 60 per cent of the women in jail are there for nonviolent offences. Over half of them have dependents. Surely the better policy response is to not put them in jail in the first place and to provide the support in the community, rather than distance parenting programs once they are in jail and in custody.

Mr ANTHONY ROBERTS: Certainly whilst it is outside my remit, I can assure you that there is a whole-of-government approach looking at this. The fact is that it is one of the Premier's Priorities not just to reduce recidivism. The Premier herself takes an active interest in this. I think the increase in various orders that are seeing women who might have ended up in a custodial sentence not—

Mr DAVID SHOEBRIDGE: But it is not showing up in the figures. You have still got a near-record number of women in jail and over 40 per cent of them are being held on remand, the majority of those for nonviolent offences. The reforms are not showing up in any of those figures, are they Minister?

Mr ANTHONY ROBERTS: What I am saying is that from where I am, when they are in our custody—again, the police are doing a fantastic job ensuring that people who break the law are captured, caught then potentially prosecuted. From where we are, we very much understand the importance of that mother-child relationship and the importance of having a mother in a family. For this, we understand this is generational—

Mr DAVID SHOEBRIDGE: Minister, you say that, but the data does not show that. Your own data does not show that. Your own data shows that more women are being put in jail, more families are being broken up and—

The Hon. NATALIE WARD: Point of order—

Mr DAVID SHOEBRIDGE: —by and large that is for nonviolent offences. You say that, but your data does not show it, does it Minister?

The CHAIR: Order! The Hon. Natalie Ward has taken a point of order.

The Hon. NATALIE WARD: My point of order is relevance. As the member knows, custodial sentences are an issue for the courts, not for this Minister, so it is not within his purview. As he stated, once they are inside—I just ask that the member contain his questions to matters that are relevant to this portfolio.

Mr DAVID SHOEBRIDGE: Well, it is clearly—

The Hon. NATALIE WARD: If I can finish? Whether people are placed in remand or custody is a matter for the courts, as the member well knows.

Mr DAVID SHOEBRIDGE: It is clearly relevant to this portfolio because the end result is a vast amount of money is being spent in this portfolio on trying to maintain the connection. It is clearly relevant.

The CHAIR: Okay. There is no need to rule on it.

Mr DAVID SHOEBRIDGE: Minister?

Mr ANTHONY ROBERTS: What I can say is that we are undertaking new programs, programs from a whole-of-government perspective that will be looking at those issues—that are looking at those issues. We very much understand the importance of that mother-child relationship and having mothers with their families.

Mr DAVID SHOEBRIDGE: Minister, will you come back next year and show less mums in jail? Is that one of the things we can look to as your key performance indicator: less mums in jail?

Mr ANTHONY ROBERTS: I would be happy to come back and show you what we are doing with mothers who are in our custody in ensuring that they have the skills and the opportunities to be with their children. That is in my purview.

Mr DAVID SHOEBRIDGE: Commissioner, what proportion of the women in jail identify as Aboriginal or Torres Strait Islander?

Commissioner SEVERIN: It is 35.6 per cent.

Mr DAVID SHOEBRIDGE: Is that 15 times, 20 times or 25 times the rate of non-Aboriginal women?

Commissioner SEVERIN: It is obviously out of a total of 364 Indigenous offenders—sorry, the total of Indigenous offenders was 364 out of a grand total of 571.³

Mr DAVID SHOEBRIDGE: But in terms of the disproportionate rate, does that mean Aboriginal women are going to jail at 15 times, 20 times or 25 times the rate of non-Aboriginal women? Do you have that data?

Commissioner SEVERIN: Regardless of the exact number it is a disproportionately high number of Aboriginal and Torres Strait Islander people in custody, yes.

Mr DAVID SHOEBRIDGE: I would ask the same question about male inmates. What proportion of male inmates identify as Aboriginal or Torres Strait Islander?

Commissioner SEVERIN: The male inmates, 25.9 per cent.

Mr DAVID SHOEBRIDGE: So that is either 15 or 20 times the rate of non-Aboriginal members of the community, isn't it Commissioner?

Commissioner SEVERIN: Once again, in my view, it is a disproportionately high representation of Aboriginal and Torres Strait Islander people.

Mr DAVID SHOEBRIDGE: Minister, these figures do not change much from year to year, do you agree with that? I am not pointing to you and saying that there has been a terrible collapse in the past 12 months—these figures do not change much from year to year.

Mr ANTHONY ROBERTS: Those figures are individuals and human beings provided to Corrections by our court system, by the judicial system. We do our very best to ensure that while they are in our custody they have every opportunity—everything from learning to read and write to gaining trade certificates and, hopefully, providing them at times with probably the safest place, in the case of some women, they have been since a child—to look at ways to start afresh and anew. We deal with what would be considered a representative population disproportionate to the general population. The programs and the efforts of our staff are to ensure the safety of those prisoners to ensure that they have opportunities to leave our custody as better, law-abiding and generally educated people. We take every opportunity to do that.

³ In [correspondence](#) to the committee received 25 March 2020, Mr Peter Severin, Commissioner, Corrective Services NSW, Department of Communities and Justice, corrected his evidence and advised that the actual grand total of female inmates was 1022. 571 was the grand total of female inmates who were sentenced.

Mr DAVID SHOEBRIDGE: Mr Coutts-Trotter, do you accept that these figures—these appallingly disproportionate rates of Aboriginal men and women in jail—show that we have a problem with systemic discrimination against First Nation peoples in the criminal justice system? Do you accept that?

Mr COUTTS-TROTTER: No, I do not think I can accept that. I can simply restate the obvious: In every State and Territory of Australia, Indigenous people are dramatically overrepresented in the justice system, as well as a range of other service systems, including child protection. That is a result of both the history of the country and also the enforcement of laws. It is beyond doubt that there are examples of discrimination within public service systems against Aboriginal people, but I think that the drivers for the high incarceration rate of Aboriginal people are much more complex than simply examples of discrimination inside the justice system.

Mr DAVID SHOEBRIDGE: To be clear, I did not say examples; I said systemic. But my time has run out.

Mr COUTTS-TROTTER: Okay.

The Hon. ROSE JACKSON: Minister, have you read the report recently released by the Queensland Productivity Commission into recidivism and rehabilitation in the Queensland correction system?

Mr ANTHONY ROBERTS: I cannot say that I have.

The Hon. ROSE JACKSON: Has anyone on the panel? Commissioner? Mr Coutts Trotter?

Mr COUTTS-TROTTER: No, I must confess I have not.

Commissioner SEVERIN: I am broadly aware but I do not have a reference for the detail of the recidivism reference.

Mr ANTHONY ROBERTS: I am happy to be enlightened.

The Hon. ROSE JACKSON: I am surprised that the Queensland Government recently undertook a massive Queensland Productivity Commission report looking at the issues of recidivism and rehabilitation in the Queensland criminal justice system and released a very comprehensive report with many recommendations, and that the New South Wales corrections system seems to have completely not noticed that happened. But you are aware of it, Commissioner?

Commissioner SEVERIN: Yes, absolutely.

The Hon. ROSE JACKSON: But the Minister is not. You have not briefed him on it? Minister, you are not across any of the recommendations they made?

Mr ANTHONY ROBERTS: No, but I am quite happy to get a—can we organise for tomorrow's meeting to get a copy?

The Hon. ROSE JACKSON: Great. The New South Wales Government's \$43 million countering violent extremism package finished up in 2019—that is my understanding. What has it been replaced with?

Mr COUTTS-TROTTER: It is still funded this year. It finishes at 30 June this year and it is a \$47 million package over four years.

The Hon. ROSE JACKSON: So what is it going to be replaced with?

Mr ANTHONY ROBERTS: That is a question you can ask me at the next estimates.

The Hon. ROSE JACKSON: So we can anticipate that there will be a new package for CVE announced? It is now March. Obviously there are a couple of weeks before the end of June—not a long time.

Mr ANTHONY ROBERTS: No, not a long time. I am quite happy to answer those questions—when is the next budget estimates? Then we will look at next year's budget.

The Hon. ROSE JACKSON: In budget estimates last year when we discussed the COMPACT grants, it was stated that there would be an additional round of COMPACT grant funding. Is that still the case?

Mr ANTHONY ROBERTS: The \$10.8 million community grants program to foster, promote and create youth resilience and community cohesion, which included the COMPACT program, has been quite successful. I will ask Ms Walker to outline.

The Hon. ROSE JACKSON: I do not need to be convinced that it has been successful. What I am asking, Minister, is if it has been so successful, will you commit to a new round of grants? You in fact already committed to that in estimates last year, so I was just wondering where that was up to.

Mr ANTHONY ROBERTS: What I am saying is that anything in respect of next year's budget I will deal with at next financial year's budget estimates.

The Hon. ROSE JACKSON: Have you made representations to the Treasurer in relation to the continuation of those successful grants?

Mr ANTHONY ROBERTS: I do not think there is a Minister in this Government who has not been making representations to the Treasurer for budgetary considerations.

The Hon. ROSE JACKSON: So we can anticipate that the funding will be delivered in the budget? Is that what you are telling us?

The Hon. NATALIE WARD: That is a question for the Treasurer.

The Hon. ROSE JACKSON: I have asked the question.

Mr ANTHONY ROBERTS: I am quite happy to let you know if and when I make Government announcements, but I will wait until the budget is brought down. It's like Christmas—let's not ruin the surprise.

Mr DAVID SHOEBRIDGE: I doubt it is going to be Christmas this year. I really doubt it.

The Hon. ROSE JACKSON: Minister, the State Parole Authority [SPA] is subject to the efficiency dividend, isn't it?

Mr COUTTS-TROTTER: Yes, albeit the delivery of the efficiency dividend has two guiding principles in mind: Do not compromise frontline services or essential services, and do not reduce regional job numbers in total. While the State Parole Authority is within the scope of an efficiency dividend, and there is an expectation that it would try and improve efficiency, in truth, the scope for it to do that is pretty limited, given the nature of what it does.

Mr ANTHONY ROBERTS: I think the commissioner has some additional information.

Commissioner SEVERIN: As a result of the increase in offender numbers, the authority has been receiving additional resources.

The Hon. ROSE JACKSON: We asked Justice Wood, when he appeared at the September hearings, if they were. His answer was, "Not that I am aware of", although it was subsequently revealed in answers to questions on notice that there were. So I imagine that you have now made it aware that it is indeed subject to them and your expectation is that they deliver efficiency improvements within the cluster?

Mr COUTTS-TROTTER: I think the fact that Justice Wood was unaware of it suggests that it has not been the top priority topic of discussion with the State Parole Authority. As I say, the opportunities for the State Parole Authority to improve its efficiency are extremely limited. I am sure there would be nothing that the Minister, or indeed the department, would push for or demand that in any way compromised its ability to do its work.

The Hon. ROSE JACKSON: In relation to its ability to do its work, one of the topics of conversation at the September hearings was the potential provision to the State Parole Authority for some kind of media capacity. Minister, you acknowledged that there was a potential communication breakdown with decisions that it had made and the public's understanding of those issues. Is that something you have acted upon since those hearings?

Mr ANTHONY ROBERTS: I will get the commissioner to expand on this, but one of the key issues that I believed the State Parole Authority always had was communicating its decisions the broader public. I am pleased to say that that is being addressed, has been addressed and continues to be addressed. On our recommendation, SPA now opens itself up to the media for explanation of various orders, how parole works and the background of it, again, to provide the general public through media that greater understanding of the system. In the past it was very much opaque; people were not sure how the system worked and the complexities of the system.

The Hon. ROSE JACKSON: Have additional resources been provided to support the State Parole Authority?

Commissioner SEVERIN: There is a media officer appointed to the SPA. Some of the findings have been delivered in public through video and Justice Wood, when he was the chair of the parole authority, conducted media briefing sessions that I attended and they were well attended by mainstream media and subsequently some explanatory media resulted from those sessions.

Mr ANTHONY ROBERTS: The offer is always open to any members who wish to have a briefing by SPA on SPA the offer is there.

The Hon. ROSE JACKSON: Commissioner, how many times has the Special Operations Group been onsite at Parklea since last year?

Commissioner SEVERIN: I would have to take that on notice.

The Hon. ROSE JACKSON: Could you give us a sense, is it there every day, every week?

Commissioner SEVERIN: Certainly not. What we did do is we had support from the special operations group for a period of time where they were literally, at my request, there for the initial embedding of routines and other processes. We cannot forget that Parklea up until now was a building site of significance. Having the Special Operations Group there was additional insurance. That has ceased a while ago.

The Hon. ROSE JACKSON: When did that cease?

Commissioner SEVERIN: I need to take the exact date on notice but quite a while ago, a few months ago. Right across the system they assist any of our operations as required.

The Hon. ROSE JACKSON: Of the \$330 million, Minister, that has been referenced variously out of the 2016 reducing reoffending package, as of June last year only \$156 million of that had been spent. Of that \$330 million announced in 2016, what is the latest figure of how much has been spent.

Mr ANTHONY ROBERTS: As of now?

The Hon. ROSE JACKSON: Yes.

Mr COUTTS-TROTTER: I am sorry, I do not have that figure to hand but we can provide it on notice.

The Hon. SHAOQUETT MOSELMANE: With regard to court cells and mental health, how long are inmates being held at Surry Hills and Amber Laurel without access to professional mental health screening and assessments?

Mr ANTHONY ROBERTS: That is a matter for Justice Health.

Commissioner SEVERIN: If the question relates to specific mental health screening by a psychiatrist, they are admitted to a secure facility before they see a psychiatrist. If they are triaged and fast-tracked to be admitted to a secure facility as a result of the initial medical screening because they have mental health issues, they will spend a minimum amount of time there. To answer your question in a broader context. We have medical services at the Amber Laurel facility Mondays to Fridays from 2.00 p.m. until 10.00 p.m. and Saturdays and Sundays from 8.00 a.m. to 10.00 p.m. because we obviously have high admission rates during that time. Surry Hills, Monday to Sundays, seven days a week, from 7.00 a.m. until 11.00 p.m. Anybody that comes during the major admission hours where we do undertake that screening, if the health screening indicates a need for a person to be referred to a more specialised service immediately that is actioned.

The Hon. SHAOQUETT MOSELMANE: In response to that, how many inmates have been taken out to hospital who have self-harmed from these two locations?

Commissioner SEVERIN: I will have to take that on notice.

The Hon. ROSE JACKSON: Commissioner, could I ask about some of the well-documented workforce issues. Obviously there have been public reports in relation to bullying and harassment, particularly of female Corrective Service officers, and I want to know what steps you have taken to ensure that kind of behaviour does not occur into the future?

Commissioner SEVERIN: First of all, it is very clear that we have a zero tolerance approach to bullying and harassment. What we are very proactively doing is, first of all, engage with the workforce in that context, identifying the underlying causes of bullying. Harassment has many forms that it takes. It is perceived to be between peers, it is between subordinates and superior staff and again we are very mindful that there is not a one solution for any of these type of misbehaviours. We take allegations very seriously. We have introduced a range of programs that are being rolled out as we speak. The policy and guide to ethical conduct and behaviour is one

that is obviously subject to any entry training for staff but also then subsequently available online and the take-up rate has been very, very high, which is good. For many staff it is a refresher.

The Hon. ROSE JACKSON: Participation in this training is voluntary?

Commissioner SEVERIN: In the refresher programs it is very high. It really is also about identifying what of the behaviour is actually considered to be inappropriate behaviour. There is often limited awareness as to "my behaviour impacts negatively on my fellow workmates". More broadly we are in the process of introducing a My Positive Workplace program that is a program operating departmental wide. We are introducing the Stand T.A.L.R. program, which is a program that stands for stand, talk, ask, listen and refer. That is a program that was originally developed in Western Australia and very strongly supported by the industrial union. We launched it here in New South Wales a few week ago. We have borrowed and expanded the RAW Mind Coach program which is a program that the Fire and Rescue NSW service and the Ambulance Service, who experienced similar situations in the past, have introduced and those programs are there to achieve sustainable difference in inappropriate workplace behaviour.

The Hon. ROSE JACKSON: Minister, were you concerned at reports in the media that sex discrimination was rife within Corrective Services?

Mr ANTHONY ROBERTS: Can I say that there is no room for discrimination. We have a zero tolerance approach to discrimination, bullying and misconduct in the workforce. Can I say that corrections officers do a fantastic job under difficult circumstances. I want to congratulate the unions and staff for coming on board and accepting the cultural changes that are occurring. It is strengthening the workforce. Corrections is celebrating this year. It is a family. Our corrections officers have very strong ties and relationships. The introduction of great opportunities that we have developed ourselves, great programs, or programs that have been developed in another jurisdiction, we welcome that. Having the commissioner heading up an international organisation of prisons and corrections gives us an even greater opportunity to see what is working and what is innovative overseas. We are very much open to introducing those programs here.

The CHAIR: Minister, you are released. Thank you for coming this morning.

(The Minister for Counter Terrorism and Corrections withdrew.)

(Luncheon adjournment)

The CHAIR: Good afternoon and welcome to the afternoon session. We will now recommence questioning.

The Hon. ROSE JACKSON: I wanted to ask about the Explore, Question, Understand, Investigate, Practice and Succeed [EQUIPS] program. which, from my understanding, is one of the main programs for people experiencing drug dependency in prison. Is that accurate?

Commissioner SEVERIN: That is correct.

The Hon. ROSE JACKSON: We talked about it a bit at the September hearings and we got an answer back on notice that said a pre and post measure of drug dependency for inmates completing EQUIPS addiction has not been undertaken at this time. I guess I wondered whether there had been any pre or post measures undertaken since then and if not, why not? This is linked to questions asked earlier around trying to dig a little bit more into the effectiveness of some of these programs.

Commissioner SEVERIN: The effectiveness demonstrates itself or documents itself upon release. That is the main indicator. Evaluation of the EQUIPS program is still underway. It was a process evaluation initially to identify that we are targeting the right people and how effectively we implement the program. The evaluation of the effectiveness, obviously, is a longitudinal evaluation. What we can say is it is never a single program that makes all the difference in changing somebody's life, particularly when it comes to drug and alcohol abuse or misuse and in many cases, unfortunately, through comorbidity or some mental health related issue.

What we are looking at really is the total package, for want of a better word, rather than trying to identify exactly what effect this particular intervention versus that particular intervention has. What we do know—and this is not research from New South Wales but it is accepted worldwide—is that the evidence-based practice indicates that cognitive behavioural therapy is a very successful way of addressing criminogenic risks and this program aims at that. The dosage is one—and the secretary alluded to that earlier—that we clearly have an eye on when it comes to the Premier's Priorities on reducing reoffending.

There is clear evidence that the higher the dosage, the more effective a program is likely to be. So our focus at the moment is not necessarily on the merits of the program—if the long-term evaluation identifies that they are not effective then we would certainly change—it is the dosage and the supporting factors. So creating a good environment, creating an environment that has multiple options for people to engage, not just a program but also work, education—we talked about that area. So it is not a straight answer to your question but I have tried to paint a picture that, no, we have not completed a pre and post evaluation on individuals but it is part of a broader evaluation that is currently underway.

The Hon. ROSE JACKSON: Obviously I appreciate that it is a complex problem requiring a complex solution and, of course, it is unlikely to be the case that this program is going to resolve a lot of those intersecting issues that people have. But in some ways it does not seem to me to be too difficult to do some kind of assessment where you say we have 1,000 people participating in this EQUIPS addiction program and, as a result of their participation, this percentage showed improvement. Hopefully, a certain number no longer had issues with addiction and showed improvement with their addictions, had less addictive issues. To me, that assessment, whilst I agree a lot more has to go into a longitudinal work to track how people are performing, does not seem too difficult to undertake. So I am asking again why would you not do that, just to at least have some data about how many people going into the program come out of it with improved outcomes?

Commissioner SEVERIN: As part of our updated case management we undertake dynamic assessment of risk. We want to make sure that a person decreases their risk as they address their offending behaviour. So there are exit interviews and observations from the therapists or the staff undertaking this training. What we have not done is an empirical evaluation that says this amount went in, this amount came out and we now know that a certain number no longer have addiction—

The Hon. ROSE JACKSON: Why have you not done that?

Commissioner SEVERIN: Because, in itself, that is not necessarily the most meaningful way. But certainly we do not just let somebody go into a program and float back out without taking note of the effect that the program had, based on the assessment of the person running the program and also, at periods of time when we do case reviews, a risk assessment or a change risk evaluation.

The Hon. ROSE JACKSON: I might come back to some more questions about a role that an empirical study may play but, based on the feedback you are getting from those case managers and those more holistic assessments you are making about people participating, is it your view that this program is effective or is helping? Do you have any sense of that, even if it is anecdotal or general?

Commissioner SEVERIN: I am firmly of the view that the suite of programs under the EQUIPS banner that we are running are representing good practice as is established through evidenced-based evaluation. Dosage remains a focus. So increasing the dosage, ensuring that we target the risk element appropriately, clearly remains a task that we are currently working on very strongly.

The Hon. ROSE JACKSON: Is there any openness in future to undertaking a more empirical, analytical study of the direct impact of participation in this program on people's addictive behaviours?

Commissioner SEVERIN: Let me answer that in reverse. There is no objection to that. If it makes good therapeutic and statistical analysis sense, there is no objection at all.

The Hon. ROSE JACKSON: And who is making those decisions about what makes good sense in relation to the analysis of the programs? Who is making those calls?

Commissioner SEVERIN: We work very closely obviously with our internal experts but we also deal with the tertiary sector, who undertake evaluations of programs independently from Corrective Services or, indeed, the department. Coming together as a department as we have in the past 12 months or so, we are having a much broader base of being able to undertake evaluations. That is in addition to BOCSAR doing evaluations, as it has done. I have just been advised that we have commissioned research from a university to evaluate the effectiveness of two major components, which is EQUIPS and our Practice Guide for Intervention, which is the way we manage people in the direct engagement. A study is underway.

The Hon. ROSE JACKSON: Which university is doing that and are any time frames available?

Commissioner SEVERIN: Again, EQUIPS, as I mentioned before, is very much part of that story, as it clearly is. We are also looking at drug treatment other than EQUIPS. We have other addiction programs. We had 1,900 participants. A total of 2,976 inmates benefited from a one-to-one brief intervention as well. All of that is part of the cohort that will be evaluated in the context of drug and alcohol misuse.

The Hon. ROSE JACKSON: Do you have information then, Commissioner, about which university is undertaking that and/or—

Commissioner SEVERIN: I need to refer to my—

The Hon. ROSE JACKSON: That is okay. You could take on notice a time frame for that.

Commissioner SEVERIN: I definitely have to take the time frame on notice.

The Hon. ROSE JACKSON: Thank you. That is great. Moving on, some of these issues were briefly touched on earlier so I apologise for jumping around a bit. In response to questions on notice from the September hearings, there was a report that 80 per cent of women imprisoned reported being treated or medicated for a mental health issue previously. Obviously that is a very high number. I just wanted to ask about what specific programs were underway to support the 80 per cent of women in prisons who have mental health issues.

Commissioner SEVERIN: The figure you referred to relates to women reporting at some stage in their life, not at the time of incarceration.

The Hon. ROSE JACKSON: Yes, I appreciate that.

Commissioner SEVERIN: It is still a very high number. There is no doubt about that. I start with the most significant intervention, which is for the acutely unwell women. It is a program that runs at Sydney Silverwater Women's Correctional Centre and it is a program that is run obviously in combination with Justice Health. There is a specialist unit for those women set aside, which has been designed to ensure that the particular needs of women with severe and acute mental health illness are cared for. The practice approach there is one where we have joint teams. We have joint case management. We obviously have a focus on de-escalating and stepping women down as they get better.

The Hon. ROSE JACKSON: Do you have a figure or a percentage figure of women who are in that particularly acute situation?

Commissioner SEVERIN: I would have to take that on notice. More importantly, what we also have is a program for women that might not be acutely mentally unwell but who show personality disorders. For Corrections practitioners, the line is not as clearly defined as it is for health practitioners. For us, a person who presents with highly dysfunctional behaviours is often, particularly women, suicidal and homicidal. There is a high risk that they represent as well a risk to themselves. We have a unit set aside, which I have to say from my experience is quite outstanding called the Mum Shirl Unit at Silverwater Women's, which again is predominantly managed by our psychologists and correctional officers but with input from Health to deal with those women. Not that that is any measure of success, but we are managing very difficult women without having to resort to restraints and those types of measures that are taken in every other State here in Australia and elsewhere in the world with similar types of women. That is the top end of the spectrum, I guess.

The other end very much relates to a stronger wellbeing focus. It is about ensuring that we create an environment where women's needs are met, which are often impacted by mental health trauma. A lot of women obviously have experienced trauma in their lives. There we can actually ensure that women can focus on their wellbeing without being impacted by the environment. The Dillwynia design and the design at Emu Plains, to some extent—certainly in the newer parts—are clearly ones that do that. Staff are being trained in trauma-informed care, which again is a very strong focus that is aimed to ensure that we deal with trauma adequately. Trauma often manifests itself in mental health issues.

We have a number of initiatives, particularly focused on Aboriginal women—the Minister alluded to some of those earlier today—often involving the dependants, and children in particular. Through the initiative that the secretary alluded to or referred to, we are, with the child protection caseworkers, now also looking at enabling women very early to develop the mechanisms and skills—again, I am not the expert there—to be able to actually have their children back with them in care at some stage in the future rather than having their children separated from them, which is often a result of mental health related illness as well.

Mr COUTTS-TROTTER: The other thing worth highlighting is that women who are the victims of domestic and family violence and sexual assaults seek out, I am told, and make great use of counselling sessions provided through Victims Services. That is a psychologist who is not Corrections who is made available to women, I think, in every location with the possible exception to Bathurst. I am not sure. It is apparently very well used.

The Hon. ROSE JACKSON: You alluded to this, Commissioner, but I just want to clarify. In terms of women who either have or have reported mental health issues and the support that Corrective Services is trying

to give them to deal with that whilst they are in your custody, obviously, as you alluded to, connection to children and, for Indigenous women, the connection to family and culture more broadly would seem to be central to that.

Commissioner SEVERIN: Very much so.

The Hon. ROSE JACKSON: Is that something that is foundational in your response to those issues and in your management of those issues?

Commissioner SEVERIN: Very much so, yes. Again, the journey of women in custody is often one where really trauma is the most significant issue that we need to attend to. It is quite different to men.

The Hon. ROSE JACKSON: Is that suite of services—whether it is access to victim support counselling or other programs that you are identified—available for women on remand as well, which is obviously a substantive portion of the female prison population?

Commissioner SEVERIN: Yes, very much so.

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: Excellent. Just briefly on women on remand, there was information provided out of the September estimates that, of the 40 per cent of women who were in custody on remand, 35 per cent of those were subsequently not sentenced to a custodial sentence.

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: That is, in some ways, quite a substantial portion of women who are in the custody of Corrective Services who are, in fact, innocent, or who, at the resolution of their trial, are not subject to a custodial sentence.

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: I really want to hone in—if we are trying to reduce the number of women in prison. That group is either not guilty of the crimes they were charged for or guilty of low-level crimes that were not subject subsequently to a custodial sentence. I want to hone in on what we are doing to support those women on remand in the period where they are in custody—they are subsequently released from custody, they are not sentenced to a custodial sentence—to sort of try and break that cycle.

Commissioner SEVERIN: First of all, I agree with the numbers. I also consider that there is a very high number of women and the majority are obviously being found not guilty; they are just simply getting penalties of a lesser nature. What we are trying to do while they are on remand—and obviously we cannot change them being on remand until the court finds that they no longer need to be on remand—is to provide those types of supports that we alluded to that will give them a better opportunity to survive without committing other crimes in the future. The new women's section at the Clarence Correctional Centre, which will open for occupancy in July is a privately managed facility. It will have likely targets set of a time for assisting not just women but men in reducing reoffending, which are more ambitious than the State-based targets. It is an incentive for the operator to do even more. One of the mechanisms there will be very much linking up with non-government organisations and other support mechanisms—not that we do not do that in the State-based system, but I believe that the non-government sector can play a prominent role in that context as well.

The Hon. ROSE JACKSON: What are the targets that you have set for the Clarence facility?

Commissioner SEVERIN: Individual targets will be set. This is all publicly available information on the contractual KPI regimes for the Clarence Correctional Centre.

The Hon. ROSE JACKSON: I will look that up. We might move to Mr Shoebridge.

Mr DAVID SHOEBRIDGE: Also on the Clarence correctional facility, that is the Serco facility, is it not?

Commissioner SEVERIN: That is correct.

Mr DAVID SHOEBRIDGE: Can you remind me, Commissioner, what the original budget for the construction cost for the facility was? Was it \$700 million or was it \$798 million? What was the original budget for it?

Commissioner SEVERIN: I will have to take the detail of that on notice. It is a public-private partnership, so the figures are quite different because they include an amortisation of 25 years et cetera.

Mr DAVID SHOEBRIDGE: I think the whole-of-life contract has got something there of \$2 billion plus, but the actual cost for constructing the project has been variously cited at \$700 million or \$798 million, through statements from the Minister.

Commissioner SEVERIN: If I can take that detail on notice. I am not disputing the fact that you are right, the figure does ring true, but if I confirm the figure and if it is not entirely accurate, I would much rather take—

Mr DAVID SHOEBRIDGE: That is okay. If you can get some clarification this afternoon that would be great. The two questions are: What was its initial budget for the construction and what is the current estimated cost? I do not know if you have those figures there, Mr Coutts-Trotter?

Mr COUTTS-TROTTER: I am afraid I do not.

Commissioner SEVERIN: But I can tell you that the initial budget has not been exceeded. Clarence Correctional Centre was in its very early days conceptualised as a smaller facility and then it was led to market as a larger facility, but the budget attached to that, which was ultimately subject to a contract between the State and the consortium, has not changed.

Mr DAVID SHOEBRIDGE: If you can get those figures: the original budget for the construction, what the current estimated cost will be for the completion of the construction, and then if you could also provide on notice the overall amortised cost of what the contract is, and I think that is in the order of \$2 billion plus. If you can provide it this afternoon that would be great. That is a 1,700-bed—

Commissioner SEVERIN: It is 1,700 beds.

Mr DAVID SHOEBRIDGE: When is it estimated that that will come online?

Commissioner SEVERIN: It is not estimated—

Mr COUTTS-TROTTER: It is contractual.

Commissioner SEVERIN: —it is contractually fixed. It will be in the first three days of April—there is a little bit of discussion at the moment, as I have been informed by Infrastructure NSW [INSW], who manage the project, on wet weather claims that can be made, like just delay, but we are talking days—and the first prisoner in the first three days of July.

Mr DAVID SHOEBRIDGE: So it will be open and will have been bedded in in the first three days of April.

Commissioner SEVERIN: That is right.

Mr DAVID SHOEBRIDGE: That is like a hospital without patients at first and then the first inmates in July.

Commissioner SEVERIN: July.

Mr DAVID SHOEBRIDGE: When do you expect it to have a full complement of inmates?

Commissioner SEVERIN: We are not going to contract the facility at this point in time to its full capacity. Under the contract we have the ability to contract to certain levels, meaning that it is a more efficient way to operate the network. So we are looking at contracting in the first instance less than 1,700 beds and over time, obviously as prisoner numbers develop and grow, we may exercise the option of contracting all 1,700 beds.

Mr DAVID SHOEBRIDGE: Going forward is it anticipated that the Clarence correctional facility will be, if you like, a kind of reserve reservoir for beds? Is that the intention?

Commissioner SEVERIN: All three private sector facilities where we have the ability to step up—

Mr DAVID SHOEBRIDGE: Junee, Parklea—

Commissioner SEVERIN: Junee, Parklea and Clarence.

Mr DAVID SHOEBRIDGE: So those will be the ones that oscillate up and down while the publicly run ones will be run at notional full capacity. Is that how it is intended going forward?

Commissioner SEVERIN: Notional full capacity is right, but obviously there is also the ability to not operate certain parts of a facility at times when maintenance has to happen or other things. But in terms of a

contract, there is really an advantage for the State to have the ability to very flexibly adjust—with, obviously, a notice period—the occupancy rates at the privately managed facilities.

Mr DAVID SHOEBRIDGE: But I assume there is a base payment for the availability of 1,700 beds.

Commissioner SEVERIN: Yes.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: And then you pay on an occupation basis. Is that right?

Mr COUTTS-TROTTER: That is correct.

Mr DAVID SHOEBRIDGE: A premium? Is that how it works?

Mr COUTTS-TROTTER: No.

Mr DAVID SHOEBRIDGE: There is a base rate to have the facility available and then you pay an additional amount, depending on how many inmates are there. Is that how that contract works?

Commissioner SEVERIN: There is a base rate to have the facility available and that includes maintenance. Then obviously the prisoner numbers, there is a rate per prisoner up to a certain level and then—

Mr DAVID SHOEBRIDGE: In tranches.

Commissioner SEVERIN: That is right.

Mr DAVID SHOEBRIDGE: Can you provide on notice what the base rate payment for Serco is anticipated to be in the first financial year of its operation?

Commissioner SEVERIN: I can provide on notice, and I think it is on the public record, the cost that we are contracting to. I cannot guarantee that it is for the first 12 months. If we need to bring more beds online—

Mr DAVID SHOEBRIDGE: I understand that. Whatever the base fee is.

Commissioner SEVERIN: Yes, I can do that.

Mr DAVID SHOEBRIDGE: Excluding the variables, based upon inmate numbers.

Commissioner SEVERIN: Yes, I can do that.

Mr DAVID SHOEBRIDGE: Once the Clarence correctional facility comes online, is that when you will be in a position to transfer inmates out of Long Bay? Is the intention to transfer prisoners out of the Long Bay facility once Clarence comes on board?

Commissioner SEVERIN: We have a program of adjusting capacity, which we talked about this morning in the context of those facilities that will be retired. There is also a provision to reduce the occupancy of some other facilities—that includes Long Bay—details of which are still being worked on, based on the configuration of the system, based on demand in particular geographical areas, but the short answer is yes, we will be in a position once Clarence comes on to start looking at reducing capacity, as we have started already in some facilities, and that will include Long Bay.

Mr DAVID SHOEBRIDGE: If you have the figures to hand I would appreciate it, but if you do not—what is the prison bed number reduction that we are going to see from the retirement of the facilities that have already been agreed, and we are talking about Grafton, Berrima, Brewarrina, Ivanhoe and Unanderra.

Mr COUTTS-TROTTER: I have got the figure for those five facilities plus higher-risk beds or obsolete beds. It is a total of 2,500 beds, of which 1,800 are high risk or obsolete, so I assume then the difference is 700 beds across—

Commissioner SEVERIN: It is 700 across the five centres.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: And then 1,800 beds come in. That is triple-ups going back to doubles—

Commissioner SEVERIN: Double-ups, triple-ups.

Mr COUTTS-TROTTER: Triple-ups and double-ups.

Mr DAVID SHOEBRIDGE: —double-ups going back to singles. Is that right?

Commissioner SEVERIN: Yes.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: And then, obviously, a proportion of the new bed capacity, that 2,500, will be soaked up by the 1,700 additional beds at Clarence. Is the balance of it made up by the two pop-up prisons? Where are the other 700 beds?

Commissioner SEVERIN: Sorry, the 700 beds is the number of beds of the five facilities we are going to mothball. Then the 1,800—

Mr DAVID SHOEBRIDGE: I get that. Of the 2,500, 700 come from shutting or mothballing those facilities, and that is Berrima, Grafton, Brewarrina, Ivanhoe and Unanderra?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Is that right?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: And another 1,800 come out of other existing facilities that are remaining.

Commissioner SEVERIN: That is right.

Mr DAVID SHOEBRIDGE: And you are going from triple-ups back to twins and from double-ups to singles.

Commissioner SEVERIN: That is right.

Mr DAVID SHOEBRIDGE: But the total bed reduction is 2,500.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: The new beds coming online are 1,700 at Clarence. There are another 800 beds to make it up. I am wondering where they are coming from.

Commissioner SEVERIN: There are many more beds coming on.

Mr COUTTS-TROTTER: So 5,000 new beds arrive, 2,500 beds come out—net change, 2,500 beds more, and they are spread between Clarence and a whole range of other facilities.

Mr DAVID SHOEBRIDGE: That is what I am asking you to answer on notice—where those other beds are: for the ones that are online, when they came online; and the ones that are due to come online, when they will come online.

Mr COUTTS-TROTTER: Yes, sure.

Commissioner SEVERIN: We are certainly very happy to provide all that detail, facility by facility.

Mr DAVID SHOEBRIDGE: That would be appreciated.

Commissioner SEVERIN: So it is the prison bed program. I mentioned some of the numbers this morning, and with the last of those will be 400 beds at the Metropolitan Remand and Reception Centre.

Mr DAVID SHOEBRIDGE: Yes, and that is the completion of the \$4 billion program.

Commissioner SEVERIN: It is \$3.8 billion. That is correct.

Mr COUTTS-TROTTER: Yes, \$3.8 billion.

Mr DAVID SHOEBRIDGE: Because some of this budget is split between Infrastructure NSW and Corrections—

Commissioner SEVERIN: No.

Mr DAVID SHOEBRIDGE: It was in previous reporting. Is it all now sitting in your Corrections budget?

Commissioner SEVERIN: It was always set with, previously, the Department of Justice, now the Department of Communities and Justice. Infrastructure NSW is just the agency delivering the construction side of the program for the department.

Mr DAVID SHOEBRIDGE: In answers to questions on notice following the September 2019 budget estimates hearings we were advised that:

The Prison Bed Capacity Program incurred \$771 million in capital expenditure in 2018/19. This included \$183 million in relation to the privately operated prisons.

It continues:

Note: Clarence Correctional Centre is not included in CSNSW budget for 2018/19, as this project is managed by Infrastructure NSW.

Commissioner SEVERIN: Sorry, that needs to be clarified. The budget is held by the department but it is not accounted for in the \$3.8 billion. It is not in the figures that you were provided with in that response because it is held separately.

Mr DAVID SHOEBRIDGE: It is still part of the \$3.8 billion?

Commissioner SEVERIN: It is not part of the \$3.8 billion, no. It is separately held, it is a separate appropriation. It is managed by INSW on our behalf, but it is held physically in—so we get an invoice and we pay the invoice to INSW.

Mr DAVID SHOEBRIDGE: Sorry, so is payment for the Clarence facility part of the \$3.8 billion program?

Commissioner SEVERIN: No.

Mr DAVID SHOEBRIDGE: So what is the total cost of the program then?

Commissioner SEVERIN: I have to take that on notice.

Mr DAVID SHOEBRIDGE: Could you give us the breakdown of the capital expenditure on private and public prisons as best you can—what is anticipated for this financial year and what happened last financial year?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Of the inmates in New South Wales prisons, how many are currently—the most current figure you have—identified as being able to work?

Commissioner SEVERIN: To work?

Mr DAVID SHOEBRIDGE: To work, yes. How many are classified as having the capacity to work? From what I can tell, the numbers oscillate around 80 per cent.

Mr COUTTS-TROTTER: It is 80 per cent to 88 per cent, I think.

Commissioner SEVERIN: Something like that.

Mr COUTTS-TROTTER: I will see if I can find that figure for you. I may or may not have it. As at December 2019, the number of eligible inmates employed in public prisons was 6,293, or 88 per cent of the total eligible population. I cannot do the maths in my head but we can get the total eligible population from that.

Mr DAVID SHOEBRIDGE: So the eligible population is around 7,000 or so.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: And that is 7,000 of 14,000, so about half of the population is potentially eligible for work.

Mr COUTTS-TROTTER: Yes, that is right. The population eligible for work in the fourth quarter of the 2018-19 financial year was 7,117, of which 6,266 people were employed—88 per cent.

Mr DAVID SHOEBRIDGE: To be eligible for work, are physical fitness and age the two basic criteria, or is it also to do with the sentence structure an inmate is facing?

Commissioner SEVERIN: It does. First of all, there are a range of criteria relating to your ability to work in terms of physical ability to work and mental health capacity et cetera. Legal status does play a role, so with long-term remands we encourage a lot of work. We are changing that around at the moment in places like Parklea and John Morony, in particular. Likewise, that will also apply to the prison up in Clarence—the Clarence Correctional Centre. Traditionally, the eligibility for work is you are sentenced and you are fit and able to work.

Mr DAVID SHOEBRIDGE: Is there an age criteria?

Commissioner SEVERIN: There is no age criteria but, obviously, if you are aged and frail you most probably would not be able to.

Mr DAVID SHOEBRIDGE: It is based on capacity, not on some arbitrary age figure?

Commissioner SEVERIN: That is right. There is no age limit.

Mr DAVID SHOEBRIDGE: So 50 per cent of inmates are identified as being able to work and, of that cohort of 50 per cent, 88 per cent of them undertake work for Corrective Services Industries [CSI]. Is that right?

Commissioner SEVERIN: That is right.

Mr DAVID SHOEBRIDGE: What is the current rate of pay for those workers?

Commissioner SEVERIN: It is a sliding scale. The minimum is \$15.50 per week, which is an unemployment rate. That goes up—and, again, I will take the detail of the breakdown of that scale on notice—but the rate goes up to about \$45 or \$50.

Mr DAVID SHOEBRIDGE: So \$15.50 is when you are not working?

Commissioner SEVERIN: That is correct.

Mr DAVID SHOEBRIDGE: So that is the base payment for buy-ups and the like?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: What I am interested in is what is the additional pay rate? What do inmates get paid for working?

Commissioner SEVERIN: I will take that on notice.

Mr DAVID SHOEBRIDGE: The figures that I had earlier were that it is somewhere between \$24.60, or about \$25 a week additional, up to about a bit over \$70 a week additional.

Commissioner SEVERIN: And my \$40-odd would be the average. It sounds right but I will take the detail on notice.

Mr DAVID SHOEBRIDGE: Is that for a 30-hour work week?

Commissioner SEVERIN: We have different models working in different facilities. In some facilities the average day is about five to six hours a day, working around the routine of the eight-hour shift. In other places it differs. In the rapid-build prisons, by maximising employment we are having different structures so they may only work four hours but then they have got four and four hours of other types of activities—programs and leisure activities—so it fluctuates.

Mr DAVID SHOEBRIDGE: Are they being paid the same for a full work week? I assume they are five-day work weeks. Is that correct?

Commissioner SEVERIN: No, it could be seven days. If you work in a kitchen, for example, you work seven days a week.

Mr DAVID SHOEBRIDGE: Are they being paid the same if it is a week of four-hour work days or a week of five-hour work days?

Commissioner SEVERIN: No, you get paid per day, obviously. It depends very much on the types of activities. So rapid-build, for example, we are not just counting the fact that you work in a workshop as earning an income; we also allow other activities to contribute to that. So it is your engagement in those activities that gives you access to those payments. That is slightly different on a minimum-security farm where people work very odd hours because we have got animals to be attended to or we have got other types of farming activities that require a different spread of hours. Again, the general thrust is you get paid by the day and then you get paid in accordance with the level of responsibility you have in your role.

Mr DAVID SHOEBRIDGE: But it would be fair to say the hourly pay rate is in the order of \$1 to \$3 an hour? That is the kind of pay rate we are talking about. Is that right?

Commissioner SEVERIN: Yes, obviously divided by whatever the weekly earnings are.

Mr DAVID SHOEBRIDGE: So \$25 a week for a 30-hour work week is less than a dollar. If you are being paid \$70 a week for a 30-hour work week, it is \$2.50 or so. You are not going to disagree with that?

Commissioner SEVERIN: No, not at all.

Mr DAVID SHOEBRIDGE: And that rings true with your experience about how much is being paid?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: What was the longest week an individual inmate has worked in the year? Do you have that kind of data?

Commissioner SEVERIN: I would not be able to tell you that.

Mr DAVID SHOEBRIDGE: Can you find that kind of data?

Commissioner SEVERIN: If we have data like that available, which I doubt we do, I am more than happy to provide it.

Mr DAVID SHOEBRIDGE: I suppose I would be interested in the median and the average, if those were available.

Commissioner SEVERIN: Sure.

Mr DAVID SHOEBRIDGE: What was the profit from Corrective Services Industries in the past financial year?

Commissioner SEVERIN: CSI does not make profits. Under the International Labour Organization Convention which Australia is a signatory to, you cannot derive profit from prisoner labour. CSI is a business unit with 14 principal business divisions and they are largely involved in self-supply. We do have external contracts, which are obviously very good in the context of giving prisoners the tangible skills that they can use upon release. The accounts detail I would have to provide separately. I do not have that off the top of my head.

Mr COUTTS-TROTTER: I have a Long Bay keyring here, actually, that is one of the products of CSI. They do a whole lot of great printing.

Mr DAVID SHOEBRIDGE: Some figures were reported from 2017. Those figures were that Corrective Services Industries had revenues in the 2016 financial year of \$113 million—I am quoting from the article here—and made a \$45.6 million profit.

Commissioner SEVERIN: We do not use that word "profit". I do not know where you got the details from. There is no profit being made.

Mr DAVID SHOEBRIDGE: Perhaps—rather than use the term "profit"—what is the revenue generated by Corrective Services Industries anticipated to be this financial year, what was it in the past three financial years, what was the cost of running Corrective Services Industries and what is it anticipated to be?

Mr COUTTS-TROTTER: Sure.

Commissioner SEVERIN: Yes, we will take that on notice.

Mr DAVID SHOEBRIDGE: Would it be fair to say that you would expect there to be a net benefit from running Corrective Services Industries?

Commissioner SEVERIN: I would be most concerned if there would not be a net benefit, because it would otherwise mean that the New South Wales taxpayer would actually fork out for prisoner labour.

Mr DAVID SHOEBRIDGE: One other way of describing that net benefit would be to call it a profit, would it not, in contrary to our international obligations?

Commissioner SEVERIN: No, not at all. We can split the hairs as we like. It is offsetting operational costs and it is, in that context, entirely part of our budget. CSI is not accounted on a separate ledger. It is accounted on the general ledger of the Department of Communities and Justice.

Mr DAVID SHOEBRIDGE: I think we will come back to this.

The Hon. PENNY SHARPE: I want to ask you a bunch of questions to do with disability inclusion and what is going on with, particularly, people in prison. Some of this is basic numbers. Are you able to tell the Committee how many people in the corrective system have a diagnosed disability?

Commissioner SEVERIN: I have to take that question on notice.

The Hon. PENNY SHARPE: Could you split that into those who are actually in prison and those who are in the community?

Commissioner SEVERIN: Under our supervision?

The Hon. PENNY SHARPE: Yes.

Commissioner SEVERIN: Again, I doubt that we would have figures for community-based offenders.

The Hon. PENNY SHARPE: Really? If there is someone under supervision in the community who has a disability, the department is not aware of it?

Commissioner SEVERIN: We would be aware if it is known—if it is declared, disclosed. But if the individual chooses not to disclose that, it would not be a fact that we would—

The Hon. PENNY SHARPE: I accept that people need to do that. Is there any screening done of people under supervision? I will get to when they come into prison. What is the situation in relation to people under the supervised orders around screening of disability?

Commissioner SEVERIN: What we are doing with people under supervised orders, essentially, is establishing the same level of information that we would establish for a person in custody. But talking about disability, we also have the Justice Health and Forensic Mental Health Network, which actively contributes to identifying and, indeed, treating people with disability in custody.

The Hon. PENNY SHARPE: But that is only if someone picks that up.

Commissioner SEVERIN: In the community, if a person has a disability and is under some form of supervised bond, it would be most probably clearly their decision not to disclose that. If it has any impact on the level of supervision, the style of supervision or the arrangements we make to supervise then we would, of course, endeavour to ensure that we do that appropriately.

The Hon. PENNY SHARPE: You are aware, obviously, that people with disability are overrepresented in the correctional system—particularly those with cognitive disability?

Commissioner SEVERIN: We certainly have a large number of people with some form of disability, yes.

Mr COUTTS-TROTTER: I hate to the term upstream, but within the court system we have a pilot in, I think, two court locations where we have tried to build from the mental health screening assessment that happens in some courts—not all, but some—to undertake a disability and particularly a cognitive disability assessment service to better identify for the court people with cognitive disability to provide, we would hope, better information on which the court could make decisions about the best response for that person, particularly opening up more opportunities for community-supported diversion.

The Hon. PENNY SHARPE: There are two issues here. One is how do we identify and monitor someone with disability. I am particularly interested in Aboriginal and Torres Strait Islander people, who often do not have a diagnosis; they would not self-declare because they have never been diagnosed. I am very worried about those actually in prison, but similarly I am a bit nervous as a result of your answer about those supervised. I have not had a look at it; I might come back next time about that one. But I am very worried that there are still people who have disability who are just completely missed, which then impacts entirely on the way that they are managed within the prison system—that is, they are not identified as having a disability that requires adjustment and procedures to help manage them.

Commissioner SEVERIN: My answer was clearly focused on the fact that we do identify people with disability in prison as a matter of course.

The Hon. PENNY SHARPE: I will come back to that. I am concerned about in the community.

Commissioner SEVERIN: In the community, it depends very much on the type of order. I would assume that we would still establish exactly the same facts, but it is very much subject to self-disclosure because we see them maybe once every fortnight, once for a particular program or something like that.

The Hon. PENNY SHARPE: But you have enormous power over them in terms of breaching them in relation to what is going on or how they are being managed under an order. My concern is that there are people

who have disability who may be doing the wrong thing. I am not excusing that. I am asking if there is a recognition that there are contributing factors to that that perhaps are not being picked up.

Commissioner SEVERIN: I am pretty certain that they are being picked up in the community as well as in the prison.

The Hon. PENNY SHARPE: Do you know how many people in prison have an NDIS package?

Mr COUTTS-TROTTER: We can get that figure for you. I think, from memory, since the opening of the scheme around 700 to 750 people have become participants following a planning process inside the correctional system. We and other governments have lobbied the National Disability Insurance Agency to build its capability to work with us within justice systems. Of course, you do not need a diagnosis of disability to get access to the National Disability Insurance Scheme, but you do need to have an assessment of your functional needs. Within a highly regimented prisons environment, it can sometimes be difficult to demonstrate that someone has a set of functional needs that might be met within a very contained environment but will be real needs in the community.

The Hon. PENNY SHARPE: That was really getting to my next question which is that—700 is a very small proportion of people who you would identify as having a disability being within the system. I am interested in those that do have packages and how that is integrating during incarceration. For example, someone with a disability who has their own wheelchair would bring that in. There has obviously previously been EnableNSW. How is that operating post-NDIS and what is the seamless transition, particularly for people who are exiting custody, to ensure that they are not actually left in a hole if they are exiting and their NDIS supports are not lined up? Is there support for prisoners who are in that situation?

Mr COUTTS-TROTTER: We recognise that there is inconsistency in planning processes, not just for people inside custody but for people generally. The first task is to try and bring some consistency to the planning process. We had a period there in the early maturity of the scheme where, in some areas, NDIA planners would not make a plan while someone was in prison even though we had a release date.

The Hon. PENNY SHARPE: That is a significant problem. Has that been resolved?

Mr COUTTS-TROTTER: I think it has largely been resolved. I could not hand on heart say there are not still occasions where we have to escalate that issue, but I think the NDIA has significantly improved its capability and processes so that planning process is better done. I do not want to be glib about it so perhaps I could take the question on notice and give you a more complete status position of where we think we are on this.

The Hon. PENNY SHARPE: Yes. The other point for me is that given the number of people with disability we know are in prison—and if there is only about 700 to 750 people—it would seem to me that in terms of people's success post-release having the supports in place if they would be eligible for the NDIS is actually essential. Whether there is enough support either through the NDIA or indeed through the work that you are doing—I am trying to identify that gap there. I think we are on the same side here, which is that I am very happy to advocate for this. But getting a hold of how many people are missing out also goes to my second point, the point I made before, which is about Aboriginal and Torres Strait Islander people. There are a whole bunch of groups of people who are not getting access to the NDIS, but if they find themselves in prison that actually may be the only opportunity they get to get support to get a package.

Mr COUTTS-TROTTER: Yes, that is true.

Commissioner SEVERIN: What we have done in the context of improving our capabilities to refer and lobby is that we have a statewide service arrangement, which is there to ensure we can minimise anybody falling through the cracks, so to say. That is just an arrangement within Corrective Services in working with the NDIA.

The Hon. PENNY SHARPE: Thank you for that. I look forward to that. Within the Disability Inclusion Action Plan, which used to be the Department of Justice's, has it been updated since the machinery of government changes?

Mr COUTTS-TROTTER: No. It is in the process of being updated.

The Hon. PENNY SHARPE: That is okay. Corrective Services only had one thing within that plan, which is to conduct disability awareness training for staff working with offenders in the community. Are you able to provide the Committee with how many people were trained under that or have been trained under that commitment?

Commissioner SEVERIN: I have to take that on notice. Certainly the training has happened and is ongoing but the exact number—

The Hon. PENNY SHARPE: So a new staff member coming to work for Corrective Services in the community—would they automatically get training around disability awareness?

Commissioner SEVERIN: Yes. That is my understanding.

The Hon. PENNY SHARPE: Okay. If you could come back with us and let us know, that would be great. I have been looking at the Custodial Operations Policy and Procedures to do with inmates with disabilities. The one that I have got is 2017. Can I just check before I ask you, is that the most up to date?

Commissioner SEVERIN: I assume it is, but we are consistently reviewing policies and procedures.

The Hon. PENNY SHARPE: There is no trick to it. I am just making sure I am talking to you about the same thing. There is no "gotcha" here. I am just asking you. It is quite a detailed operational policy which really tells your staff about what to do through the screening process as people come into custody. The first thing I wanted to ask is that there is a lot of—Statewide Disability Services [SDS] is obviously the support staff that are in place. Are you able to tell me how many people are in that unit?

Commissioner SEVERIN: Again, I will take the exact number on notice, but it is a—that service I just referred to in my previous response.

The Hon. PENNY SHARPE: Yes. They are based at Long Bay. Are they located anywhere else?

Commissioner SEVERIN: It is based at Long Bay but they work right across the State.

The Hon. PENNY SHARPE: Would you be able to tell me how many people are actually in that unit?

Commissioner SEVERIN: Yes.

The Hon. PENNY SHARPE: And are you able to tell me for the last few years how many people—whether there has been a change?

Commissioner SEVERIN: Yes.

The Hon. PENNY SHARPE: It seems to me that a lot of the support that people get relies on what SDS can provide. With the change to the NDIS there are a lot of services that used to be provided in relation to Ageing, Disability and Home Care [ADHC] that no longer exist. How are those issues being picked up?

Commissioner SEVERIN: There have been some transitional arrangements made for people with high needs and people that come—it is basically an advocacy service.

The Hon. PENNY SHARPE: When you say "high needs"—they would also be more likely to have an NDIS package, would they not?

Commissioner SEVERIN: This is really to give people access, to make sure that they do apply and they do get assessed properly, et cetera. Previously that was obviously work that was done by ADHC and we identified this very early. This was before the machinery of government change.

The Hon. PENNY SHARPE: Sorry—ADHC used to do that. Now that has gone into SDS. Is my understanding correct?

Commissioner SEVERIN: We worked with the then Department of Families and Communities in the context of identifying particular needs of offenders coming out of custody and organised the relevant interventions. We now do the same. There was an advocacy service that was part of the original funding arrangement, which was able to engage with the offender and with the various service providers under the NDIS scheme to ensure that the loss of ADHC did not impact negatively.

The Hon. PENNY SHARPE: Are you able to tell me—you can take this on notice—the services that you used to have, the services that you now have as a result of this and what transitional arrangements, if any, are there?

Commissioner SEVERIN: From one to the other?

The Hon. PENNY SHARPE: Yes.

Commissioner SEVERIN: There has clearly, as the secretary alluded to, been some implementation issues and issues that we have to deal with with the NDIA. It was not as smooth, particularly for that cohort of disabled persons.

The Hon. PENNY SHARPE: The other point, of course, is that with the NDIS only 10 per cent of people with disability actually will get a package.

Mr COUTTS-TROTTER: That is right.

The Hon. PENNY SHARPE: I am assuming that—well, I do not need to assume. Many people within the prison system will never get a package but they still have a disability. My concern is whether previous services that were provided were wider and were able to pick those people up—as I believe they were—and whether we are now creating a gap. If you can come back to me on that, that would be great.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: That is good. Going back to the Custodial Operations Policies and Procedures, one of the things that I was very interested in was that someone comes into custody and all of the evidence suggests that it is quite possible that through arrest and the court process the disability has not necessarily been picked up. But they are obviously coming to be in your care for quite a long time. In all of this procedure it literally seems to come down to the person at reception or the screening officer who is really the person who picks up the disability first up, if it is not declared. Can you just take me through what training reception and screening officers have and whether all of them have been trained in disability awareness? Just take me through that process, if you can.

Commissioner SEVERIN: As I mentioned before, there are screening processes undertaken by us and by the Justice Health and Forensic Mental Health Network.

The Hon. PENNY SHARPE: Every person that comes in?

Commissioner SEVERIN: Every person that comes into custody. It is a combination of that that then forms the picture in relation to the needs of a particular offender. So the custodial screening process is very much based on the welfare of the offender, on obviously some data relating to the circumstances of why they are in custody, and so on. Are there any things that need to be managed outside the prison that have not been taken care of at this point in time, and the like? There will be questions asked but it is not actually a person who is trained to assess somebody for disability. That is the next step of assessment which then—

The Hon. PENNY SHARPE: When does that happen?

Commissioner SEVERIN: It happens all before a person goes into a cell, it happens at the beginning of the time when a person comes into custody. Justice Health has established—and they have obviously specific training—any health needs and also identified disabilities, particularly mental related impairments, et cetera, and then if there is a requirement for special attention, there is a risk assessment team assessment undertaken.

The Hon. PENNY SHARPE: That relies on an issue being identified at that point?

Commissioner SEVERIN: An issue being identified.

The Hon. PENNY SHARPE: If an issue is not identified then it is in limbo.

Commissioner SEVERIN: If it is an issue that is of acute nature, then the person is placed in a camera observation-type environment or cell. If the issue is more of a general nature in the context of a longer term impact that it might have, as far as disabilities are concerned, referrals are made to other specialists for other treatment or ongoing assessment and monitoring.

The Hon. PENNY SHARPE: When you say "ongoing assessment and monitoring", this is a difficult question to answer, but I am interested in the type of additional support, particularly for prisoners with cognitive disability. What additional support do they get if they are identified on the way through as having an issue?

Commissioner SEVERIN: Again we have a number of interventions. We have a specialised unit at Long Bay correctional complex for inmates with cognitive disabilities that require very special management. We have what we call a mental health step down and step up unit. But as I explained before you joined the hearing, our definition of "mental health" is somewhat more fluid than the strict health definition. So you do not have to be acutely psychotic for us to be concerned about your mental health. At the Metropolitan Remand and Reception Centre at this point in time we have quite a large number of units set aside for those that have some cognitive issues or indeed mental health issues, and that escalates right through to very intensive unwellness that would

clearly go into the mental health diagnosis. The service that you would then get is one that is, in the first instance, in the management of that particular area, commensurate with the fact that you need more attention and more supervision, and the individualised service depends really on your kind of mental health issue. It could be a matter that is—

The Hon. PENNY SHARPE: I am not really talking about those that have comorbidity with mental health. One of the examples I would give is foetal alcohol syndrome. It is basically the invisible disabilities that are significant in terms of people's cognitive abilities but are not necessarily evident on first presentation. I have two questions. The first is how many do we think are falling through the cracks. All the research suggests that a lot of people fall through the cracks. The second is if it is identified, what specific adjustments are made for someone in that position? I understand that it is very difficult to answer because disability is very complicated and it is different for different people but what changes for someone who has actually been diagnosed? We say they need an adjustment but do they actually get it?

Commissioner SEVERIN: The first and most obvious adjustment would be the area where you are located, the environment in which you have to live—so making sure that you are not placed with a group of people that might pose a threat to you because of the way you function. That is a sliding arrangement, so there are different units. As I mentioned, we have a very high dependency unit or high needs unit at Long Bay and we have other units where we, just in layman's terms, put vulnerable inmates.

The Hon. PENNY SHARPE: My concern is that there are a lot who are vulnerable that do not get picked up.

Commissioner SEVERIN: I am reasonably sure that they get picked up. What obviously needs to be identified is whether there is anything that has to improve in terms of the way they are managed, in terms of the type of interventions they can participate in, and again I am not suggesting for one second that there is not constant ability to improve. The infrastructure plays a big role in that context. Obviously our new environments have been designed with those types of issues in mind and old prisons that were commissioned in the Victorian age have not. The most important aspect for me is that staff actually pick up on these matters and make appropriate referrals to the specialists.

The Hon. PENNY SHARPE: Would you again take this on notice and provide the Committee with the number of staff within correctional facilities who have had some training around disability awareness?

Commissioner SEVERIN: Yes.

The Hon. PENNY SHARPE: If you are able to provide—I do not need the whole training manual—information particularly around cognitive disability and non-visible disability in terms of understanding that, that would be great. It is my understanding that when people come into custody, if they have physical support needs they are given equipment when they come in, and that is basically taken off them when they leave. I am looking at that gap, if people have had supports and they just disappear the minute they walk out the gate.

Commissioner SEVERIN: I am not aware that that is actually happening. The example used previously was a wheelchair. I would strongly suggest that anybody that requires those types of aids would not just simply be put at the front gate without some form of aid being there. But again the detail I will take on notice.

The Hon. PENNY SHARPE: My understanding is that in some jurisdictions there are prisoners who are paid or supported or given incentives to play a mentor relationship or to basically look out for vulnerable prisoners. Is that something that happens in the New South Wales system?

Commissioner SEVERIN: Yes, it does.

The Hon. PENNY SHARPE: How is that monitored? First of all, could you tell us how many—

Commissioner SEVERIN: Peer support?

The Hon. PENNY SHARPE: Peer support but particularly with a focus on people with disability.

Commissioner SEVERIN: Again, I will take the detail—

The Hon. PENNY SHARPE: Yes, that is fine.

Commissioner SEVERIN: They are obviously very carefully selected and they receive a level of training. We do this particularly with the aged and frail as well as others. They are obviously monitored in the context of their daily routines.

The Hon. PENNY SHARPE: There have been some reports of concerns about vulnerability and in some cases—this is quite old reporting from Human Rights Watch—vulnerable prisoners being exploited by those who were looking after them. Are you aware of whether we have had any instances of that in New South Wales?

Commissioner SEVERIN: I certainly have no information to that effect, no.

The Hon. PENNY SHARPE: Would you be able to have a look and come back to us if there have been?

Commissioner SEVERIN: Yes.

The Hon. PENNY SHARPE: On the issue of disability advocacy within prison, what access do people in prison have to that, or does it all go through SDS?

Commissioner SEVERIN: Again, the detail of what services they receive or which agencies or other disability interest groups support prisons I have to take on notice. But there is no impediment to an organisation that has a professional relationship with an offender coming in as a professional visitor to see that particular offender.

The Hon. PENNY SHARPE: If someone has been identified as having a disability, is there data collected on the use of solitary confinement or restraints that would be able to tell us what is happening with people with disability?

Commissioner SEVERIN: We obviously have to keep, and do keep, data on restraints and—

The Hon. PENNY SHARPE: Is disability included in that?

Commissioner SEVERIN: So your question is?

The Hon. PENNY SHARPE: Using the school system as an example, there have recently been quite a lot of reports of the use of restraints and other kinds of confinement for kids with disability in schools—quite shocking stories—and the over-representation of them in things like behaviour management and school suspensions.

Commissioner SEVERIN: Yes.

The Hon. PENNY SHARPE: What I am trying to get to is: Are we actually monitoring the way that people are managed within jails if they have a disability and whether they are over-represented in relation to solitary confinement use of restraints? The only way we can answer that is when the data is collected on the use of those methods that there is an indicator that says, "This person has a disability." That is what I am trying to ascertain.

Commissioner SEVERIN: There is a very active process underway to review people in solitary confinement on a regular basis. It gets escalated up, right up to the Minister, depending on the length of time. There is a regular review program through the official visitors who come into the prisons on anybody in solitary confinement and there is obviously casework that is done. While I need to take the detail on what direct link is made when somebody has to be on an order of separation and has a disability, I would be confident in saying that those factors are taken into consideration when decisions are made to extend any kind of segregation or order beyond a certain period of time.

The Hon. PENNY SHARPE: That is sort of person by person. I am interested too about whether you have oversight, a snapshot. Of those who are in solitary confinement, is there a massive over-representation of people with disability because, to me, that goes to all the other questions I have asked, which are: What support? Are they being identified? I do not know whether there is a problem or not, but there have been problems in schools and a whole range of other places so I do not know why it would not be the case here. I am just wondering whether we can work that out.

Commissioner SEVERIN: I will take that on notice, thank you.

The Hon. PENNY SHARPE: Thank you. My last question really is probably one for Mr Coutts-Trotter. Given that you are redoing your Disability Inclusion Action Plans, which will obviously be across the whole cluster. There was previously, I think, a Justice disability strategy.

Mr COUTTS-TROTTER: Yes.

The Hon. PENNY SHARPE: Can you just tell me how all of that is going to fit together? Maybe Ms Walker can tell me.

Mr COUTTS-TROTTER: Can I give you a response on notice?

The Hon. PENNY SHARPE: Yes, sure.

Mr COUTTS-TROTTER: Thank you.

The Hon. PENNY SHARPE: And with the time frame of when you think that will be completed.

Mr COUTTS-TROTTER: Yes, you bet.

The Hon. PENNY SHARPE: I am trying to work out where it is up to but also whether disability organisations will have the ability to have some input into that.

Mr COUTTS-TROTTER: Yes, of course.

Mr DAVID SHOEBRIDGE: Commissioner, we might return to this issue of profit in Corrective Services Industries. I think it is common ground that the CSI unit receives more income from the products sold from inmates than it costs to operate the CSI unit.

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Is that common ground?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: You are going to give us the details for that—what the projected outcome is for this year and what the differential was going back to the financial year 2017.

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: You will provide that on notice?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: What products are currently being made in Corrective Services Industries?

Commissioner SEVERIN: Before I talk about the products can I just clarify very clearly that it is not profit.

Mr DAVID SHOEBRIDGE: Commissioner, why do I not just give you the opportunity now. You say it is not profit. What is it?

Commissioner SEVERIN: It is basically a net revenue that offsets costs of running the prison system. Even though the public sector is exempt from the International Labour Organization that I referred to earlier—that only applies strictly to the private sector—it is not that we return any moneys to even Consolidated Revenue as a result of the activities of CSI. In answer to your question I just need to get the detailed information.

Mr COUTTS-TROTTER: Yes. I am just looking for it.

Commissioner SEVERIN: We have 14 principal business units across, obviously, the range of manufacturing, service activities and also a range of other domestic duties. It includes the buy-ups, which are the buy-ups for prisoners to make. We very proactively engage the inmates in the process of managing that process.

Mr DAVID SHOEBRIDGE: Can we divide them into two groups, the internal and the external products? I know we have bakeries and buy-ups, et cetera, that provide services to prisoners.

Commissioner SEVERIN: Yes. Some cross over.

Mr DAVID SHOEBRIDGE: All right. I am sorry, I will not interrupt. Go ahead, commissioner.

Commissioner SEVERIN: So buy-ups, food services with the big commercial kitchen that was recently commissioned on the Windsor complex, and laundry services. Almost 100 per cent of laundry services are internal use; to be different. We have engineering and powder coating, which is a mix of internal and external—internal meaning that we manufacture a lot of materials in prisons but external we have some contracts in place with companies to provide powder coating et cetera. Furniture and building of demountable buildings, there is a partnership with Aboriginal Housing for Aboriginal accommodation in western New South Wales and for furniture assembly we are a subcontractor to one of the furniture manufacturing companies. We have got printing, textiles—we produce all our own clothing—and linen. We have a range of services—original art, for example, and crafts which we produce at our Bathurst and Goulburn facilities. Agriculture, so that is sheep and cattle, that

is self-sufficiency. We do not sell any of those goods in the open market. We have a range of technology and assembly workshops where we do anything from assembling—

Mr COUTTS-TROTTER: Airline headphones.

Commissioner SEVERIN: Airline headphones for—

Mr DAVID SHOEBRIDGE: For Qantas these days.

Mr COUTTS-TROTTER: Yes.

Commissioner SEVERIN: Qantas, Emirates, Etihad, Virgin. So whenever you wear one of those, leaving Australia or within Australia, it comes from one of our facilities. We have a sawmill at one of our prisons and we do a lot of facility maintenance, which hopefully will be even further expanded. Any of our commercial activities, so to say, which involve contracts with third parties go through a board, which is appointed by the Minister and includes representatives from the unions, representatives from the employer organisations and community representatives to ensure that any of our activities do not displace a worker in New South Wales or a small business. Our focus is on import replacement. We exclusively look at import replacement when it comes to commercial activities.

Mr DAVID SHOEBRIDGE: Commissioner, could you provide on notice, if there is a policy, a copy of the policy that governs the contracting with third parties as well as a list of the contracts that are currently with third parties for those external suppliers.

Commissioner SEVERIN: Can do, yes. If I can also add, in the context of the revenue issue that was raised, I already indicated that we only have a general ledger for the department, not separately for CSI, so in the revenue estimate—and it can only ever be that—not even all costs are recovered because some of the costs, like utilities, electricity, et cetera, we do not have different power meters to measure just CSI vis-a-vis the rest of the facility. We also use capital money from the department to buy equipment that does not come out of any revenue retained because there is no such concepts like revenue retention. It needs to be clear that while we are trying to mimic the principles of a, for want of a better word, business strictly in an accounting sense and in a public sector responsibility sense, it is quite different.

Mr DAVID SHOEBRIDGE: There are some capital and recurrent costs that are not taken into account in the analysis.

Mr COUTTS-TROTTER: Yes.

Commissioner SEVERIN: Quite a range of costs. They are very much part of the general operation of the department.

Mr DAVID SHOEBRIDGE: I invite you to put that detailed qualification on the answer that is provided in due course when you send us those figures.

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Moving on to a different point, commissioner, the Correctional Services Academy is in Sydney, correct?

Commissioner SEVERIN: Yes.

Mr COUTTS-TROTTER: Brush Farm.

Mr DAVID SHOEBRIDGE: Bankstown?

Commissioner SEVERIN: No, in Eastwood.

Mr COUTTS-TROTTER: Brush Farm.

Mr DAVID SHOEBRIDGE: That is it—Brush Farm at Eastwood. How many trainees were taken through the academy in the last two full financial years, do you know?

Commissioner SEVERIN: The detail of that I have to take on notice. There were a lot but we have been full at every time. We also train in the regions obviously. We have a training sub-academy at Tomago. We have been training extensively at Bathurst, at Cessnock, Wellington—

Mr DAVID SHOEBRIDGE: I will do this in two parts. Can you tell me the facilities where the training happens for new correctional officers?

Commissioner SEVERIN: I can give you the overall numbers but the breakdown of where they were trained I have to take on notice.

Mr DAVID SHOEBRIDGE: Yes. To be honest, in these questions I am location agnostic. What are the overall numbers?

Commissioner SEVERIN: In 2018-19 we trained 1,030 custodial officer recruits through the academy. We are scheduled to train a further 900 this financial year. We trained 221 community corrections officers in the last financial year, that is 2018-19, and in the 2019-20 year to date 158 community corrections officers commenced the training. Another course is scheduled in May with up to 50 participants. We have also facilitated 21,686 participants in other types of courses in the academy, that is, courses that we run obviously for existing staff. I might add that the success rate and satisfaction rating is 89 per cent there, which is good. We are obviously a registered training organisation and we provide a whole range of training courses also through online facilities.

Mr DAVID SHOEBRIDGE: Commissioner, I might ask you a series of questions. Could I ask you to provide the answers both about the CSO training, the correctional services officer training, and the community corrections officer training? They are the two major cohorts that I am inquiring into. You have given the numbers, and I am thankful for that, for the 2018-19 financial year and the budgeted numbers for this current financial year. If you have them to hand, could you give us the two prior financial years? If you have not, can you take it on notice—

Commissioner SEVERIN: I do not have them. We can take it on notice.

Mr DAVID SHOEBRIDGE: Again, in respect of each of those categories could you provide us with the actual completion rate, the proportion who completed? I think you indicated—

Commissioner SEVERIN: No, that was the satisfaction rating. The completion rate we will provide separately.

Mr DAVID SHOEBRIDGE: Again, for the two categories of officers and for each of those financial years. The last is the retention rate of those officers, if you can—12 months and 24 months in.

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Commissioner, the reason I am asking this is I have had a series of anecdotal concerns raised with my office, especially about the community corrections officers. The anecdotal concerns that have been raised with me are to the effect that, and I will quote: "I have heard that some classes of 50 had as high as an 80 per cent attrition level within the first year with Community Corrections". Are you aware of any concerns about that?

Commissioner SEVERIN: Certainly not. That is not at all consistent with my information.

Mr DAVID SHOEBRIDGE: Other concerns that have been raised are about the significant workload in community corrections officers. Are you aware of workload concerns from community corrections officers?

Commissioner SEVERIN: The good thing about that is that we do have a workload formula which we are very proactively managing to ensure that workload is consistent with that workload management formula. We change boundaries at times—which offender has to report to which office—to ensure that there is a balance. We do obviously provide additional resources. We do have a range of staff who move between offices on a mobile-type arrangement. Of course, we have had a significant increase in staffing numbers but we also had an increase in orders that need to be managed.

Mr DAVID SHOEBRIDGE: Again, I will read from—I will bowdlerise some of the concerns that have been raised with me: new graduates being given very large case loads as community corrections officers and when they raised concerns about meeting the case loads there were directions coming from unit leaders to the effect that spending anything over 10 minutes with an offender was past their usual attention span and was actively discouraged.

Commissioner SEVERIN: That is not consistent with information I have. I might also outline in this context that once you qualify as a community corrections officer you have got a year of training behind you. You actually do a lot of work at the academy plus you work in the office and you do not have a case load. We are not talking about somebody who comes fresh off the school and is provided with a case load. We are very conservative—far more conservative than I have experienced elsewhere in Australia—in making sure that our staff are not only well trained but also really confident in managing the demands of the job and doing it professionally.

Mr DAVID SHOEBRIDGE: One of the concerns raised with my office was commencing the traineeship in the first half of 2018 and then, having finished the two to three months in the academy, immediately being given an immediate case load, supervised by a unit leader, when they left. Would that be right?

Commissioner SEVERIN: Certainly they—I mean, that is what they are for. But the case load is very different to that of a fully qualified community corrections officer.

Mr DAVID SHOEBRIDGE: And then the complaints are the lack of oversight from unit leaders and the impossible case load for these new trainees, leading to a high attrition rate. Again, I put to you, have you heard of these concerns?

Commissioner SEVERIN: No, I have not.

Mr DAVID SHOEBRIDGE: But you will get back to me on what the actual attrition rates are?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Commissioner, one of the prison retirements that is on the books is, I think, the Illawarra Reintegration Centre at Unanderra. Is that right?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: When was that opened?

Commissioner SEVERIN: It was opened—again, I will clarify that—in 2017.

Mr DAVID SHOEBRIDGE: I have June 2017. Would that be right?

Commissioner SEVERIN: Yes, that sounds about right.

Mr DAVID SHOEBRIDGE: What was the cost of it?

Commissioner SEVERIN: I would take that on notice.

Mr DAVID SHOEBRIDGE: It was many millions of dollars though. Would that be right? Many millions of dollars, the Illawarra Reintegration Centre.

Commissioner SEVERIN: Most probably.

Mr DAVID SHOEBRIDGE: How many inmates was it planned for?

Commissioner SEVERIN: It is about 45 on average. Again, the exact number we will provide on notice.

Mr DAVID SHOEBRIDGE: How is it that a facility, built and opened as recently as June 2017, is being closed within three years? What went wrong with the planning that saw the expenditure on Unanderra only to have it shut within three years? What went wrong?

Commissioner SEVERIN: Nothing went wrong. The facility was a pre-existing facility that was part of our—originally it was a periodic detention centre. It then became a Community Offender Support Program facility for released offenders. Following an evaluation of that program it was mothballed. It was then refurbished and brought up to the standard that it was required to be and recommissioned as a reintegration centre.

Mr DAVID SHOEBRIDGE: When I ask you the question about the expenditure I am talking about that refurbishment cost. Obviously I am not holding you to account for the earlier construction cost. It is the refurbishment cost I am talking about—

Commissioner SEVERIN: No, I understood that. This facility is clearly one that can be used at any time in the future again for whichever purpose. Certainly the resources have not been wasted there. But at the same time, with all the additional infrastructure that is available to us, we are in a fortunate position at this point in time to be able to retire some facilities that either have proven not to fulfil the desired role and function, are aged and therefore no longer appropriate to manage or, in the case of Illawarra, are not filling a significant gap. Those 45 inmates can do exactly what they are doing at Illawarra down at South Coast, so that program will simply relocate into that area—

Mr DAVID SHOEBRIDGE: To Nowra? Is that relocating to Nowra?

Commissioner SEVERIN: The program is. I am not aware where the individual inmates will go. It is a program that facilitates reintegration into the community. It is not a work release program but it is one that does a lot of community-based work.

Mr DAVID SHOEBRIDGE: Do you accept that it is not a good look to shut a facility only three years after significant public funds have been spent on renovating and renewing it? Do you accept it is not a good look, Commissioner, and needs a detailed explanation?

Commissioner SEVERIN: If there would not be any future use for this facility, then one needs to analyse what the reasons were to refurbish it in the first instance, which was being driven by demand. However, I am very confident that even if it is a facility that we temporarily mothball just for Corrective Services purposes and not repurpose for other purposes, as it currently indicates would be possible—it is a facility that with very minimal upkeep is there to be reoccupied, without the requirement for major refurbishments or for any additional capital expenditure of note, to be fully utilised by Corrections again.

Mr DAVID SHOEBRIDGE: Commissioner, one of the philosophical concerns about the restructuring of the prison beds in New South Wales has been the closure of smaller regional facilities and the concentration in much larger—almost all, but not entirely—coastal facilities, which is contrary to the recommendations of not just the Royal Commission into Aboriginal Deaths in Custody, but report after report, which state that prisoners have the best likelihood of reintegration and reduced recidivism if they serve their sentence close to their community. The pattern of closure of smaller regional centres reduces your capacity to do that, does it not?

The Hon. NATALIE WARD: I am going to take an objection to the question. The Commissioner is quite capable of standing up for himself, but it does call for a policy answer, which I am not sure is within his remit. The premise of the question is a loaded question.

Mr DAVID SHOEBRIDGE: It may be loaded, but I am asking—

The Hon. NATALIE WARD: I ask you to rephrase it.

Mr DAVID SHOEBRIDGE: No, I press my question. I have asked whether or not it impacts upon the capacity of the Commissioner to do his statutory job—it is not his opinion.

The Hon. NATALIE WARD: Ask that question.

Mr DAVID SHOEBRIDGE: It is what I asked.

Commissioner SEVERIN: No, it does not impact on my capacity. If we go through the State, we have the Grafton closure. We are getting 1,700 beds in the area, which, for the first time, will allow us to place inmates from the Tweed very close to their home—

Mr DAVID SHOEBRIDGE: Commissioner, even if I wanted to, I could not complain about Grafton because of the close—

Commissioner SEVERIN: —we talked about Berrima, Brewarrina and Ivanhoe. Again, I do not need to repeat what we said this morning about Brewarrina and Ivanhoe. The Berrima facility is useful for women offenders, most of whom do not come from the area but from metropolitan Sydney, where we will construct 200-odd beds at the Dillwynia Correctional Centre. We are coming to the Illawarra—45. Again, in that whole Illawarra area, we have Nowra and, if you look at going further up north to the metropolitan area, even facilities like the outer metropolitan centre in Windsor service that area. We are talking about a very small number and we are talking about those at the end of their sentence who will go to that facility—not because they are close to home, but because it can facilitate some reintegration arrangements—work, et cetera.

We have been very careful in ensuring that wherever we place a prison is consistent with two major planning principles. One is population growth, and western Sydney and the Tweed areas were identified as the fastest-growing areas of New South Wales. The other factors that play into—we did not close facilities down simply because it was opportunistic to do so, we closed facilities because we could in some cases improve and in others, rectify, the ability to place people.

Mr DAVID SHOEBRIDGE: If somebody is ordinarily a resident in Brewarrina and they are sentenced to a custodial sentence, where is the nearest prison that they will be able to serve their term?

Commissioner SEVERIN: It would be Wellington.

Mr DAVID SHOEBRIDGE: Which is some 500 kilometres away?

Commissioner SEVERIN: Yes, we are talking about a very small number who actually come from that area, as the Minister outlined this morning.

Mr DAVID SHOEBRIDGE: But you could say the same for Walgett; you could say the same for Bourke. The closure of the facility around Brewarrina means that for the entire north-west part of the State,

inmates either go to Broken Hill or Wellington. The thousands and thousands of square kilometres in between—for the communities there, which have a high proportion of Aboriginal and Torres Strait Islander communities who have a strong need to connect to land, their families are all facing a 500-kilometre drive more to visit. That is a poor outcome.

Commissioner SEVERIN: I can only look at the figures. We are getting almost no visits—on average three visits a year at Brewarrina. As Commissioner I do not look at these things simply because there is a demand for savings or any of this. This is entirely driven by a very strong strategic look at the configuration of the system across New South Wales. Of course, the eastern seaboard is the most populated part of New South Wales.

Mr DAVID SHOEBRIDGE: We will come back to the issue of facilitating family visits when we return.

The Hon. SHAOQUETT MOSELMANE: I want to follow-up on the earlier question I asked about the various Islamic organisations, particularly when it comes to counterterrorism. I mentioned the Australian National Imams Council, the Australian Federation of Islamic Councils and the Lebanese Muslim Association. Of course, there is Darulfatwa Islamic High Council of Australia—another big organisation—and there is the Ahmadiyya Muslim Association of Australia, a Pakistani-based organisation. How do you communicate with those big organisations? Do you have a list of organisations that you disseminate information to and seek advice from when it comes to, in particular, right-wing extremism in Australia?

Ms WALKER: The three organisations that you mentioned this morning are confirmed with the team and yes, they meet with those organisations regularly, but we do have a list of stakeholders we work with. Of course, there are many interested parties and communities that are keen to engage with this work. We also know that Multicultural NSW is a great conduit for bringing people to us to have conversations that address issues, address concerns and build social cohesion, which is really the work that we are trying to do in this space.

The Hon. SHAOQUETT MOSELMANE: Multicultural NSW would not be privy to sensitive information. You would be; it would not be.

Ms WALKER: No.

The Hon. SHAOQUETT MOSELMANE: In working with those big umbrella organisations, how do you disseminate that information without having to go through a conduit—Multicultural NSW?

Ms WALKER: The conduit is it bringing people to us and then the office meets directly with a number of those organisations, either one on one or in large group conversations.

The Hon. SHAOQUETT MOSELMANE: The reason I ask is because recently there has been talk about bollards and the requirement for various councils to put bollards at various community spaces. Following the Christchurch attack, securing various mosques or places of public worship was talked about. To what extent has counterterrorism—or the organisation that you run—been in communication with those big organisations to address those concerns? Because I know for a fact that Darulfatwa Australia or Islamic Charity Projects Association, for example, have a radio program and there was a lot of panic at the time and that continues. What measures have you taken to address those concerns, particularly with those big organisations? There are many smaller ones but these are big ones where large numbers frequent the institutions.

Ms WALKER: We are engaged with them in one-on-one conversations and also in large group conversations, so the office is very clear that the people you mentioned earlier this morning are absolutely the organisations that we communicate directly with. We also do a number of community engagements and use the opportunity through our COMPACT program to directly engage with a number of schools, a number of organisations and, also, 120,000 young people. So we are using a number of different strategies to work with communities. In some communities local government will take the lead around safety and security locally, but a lot of that is coordinated through our office.

The Hon. SHAOQUETT MOSELMANE: Can you tell me a program a two that you currently run, apart from COMPACT?

Ms WALKER: Apart from COMPACT?

The Hon. SHAOQUETT MOSELMANE: Yes. I will ask you a couple of questions about COMPACT.

Ms WALKER: Sure. There are a couple of other programs. One is one of the programs that you raised last time, which is the Step Together helpline and we spoke briefly about that. Since then—I know there was an earlier question in September about how many services have been provided. That service has provided

2,400 telephone and web chat counselling contacts and 145,000 hits on the website. We know the hits on the website come from international as well as across Australia and New South Wales. This is a leading program and is being looked at by all the other States and Territories and the Commonwealth as a forerunner in this space because what it does is provide support to families who are concerned about a family member who may be being radicalised or caseworkers and counsellors in the community who are also concerned and need support. What we know is that these people ring and then they ring back, often to get follow-up support and advice. That is having a considerable impact.

The Hon. SHAOQUETT MOSELMANE: What I am curious or concerned about is the security outside those big mosques—for example, Ahmadiyya Muslim Association Australia have a big mosque at Blacktown. What assistance do you provide in terms of creating a barrier or some security around their facilities to prevent a terrorist attack?

Mr COUTTS-TROTTER: There is specific funding available through the \$5 million package announced by the Government before the last election. Then I would imagine through the Crowded Places strategy the police would be working with religious groups to identify places of significant public gathering, obviously places that might have a profile that might attract extremist attention and plan accordingly. I am happy to see if I can get some further particulars in relation to that or other mosques if you want. It would be calling on some police advice and help there that they may not be willing to put on the public record. I simply do not know.

The Hon. SHAOQUETT MOSELMANE: Even if they do not I am happy for you to do that.

Mr COUTTS-TROTTER: Yes.

The Hon. SHAOQUETT MOSELMANE: I am curious as to the \$5 million you just mentioned. Have any of those big umbrella organisations sought money from the \$5 million?

Mr COUTTS-TROTTER: Perhaps we could respond by giving you an update of decisions that have been made rather than applications that are in the process of being assessed. We can give you an update of what has been committed from the fund.

The Hon. SHAOQUETT MOSELMANE: Do we know?

Mr COUTTS-TROTTER: Yes.

The Hon. SHAOQUETT MOSELMANE: Do we know if there are any applications?

Mr COUTTS-TROTTER: I do not know.

The Hon. SHAOQUETT MOSELMANE: Could you take that on notice?

Ms WALKER: Yes.

The Hon. SHAOQUETT MOSELMANE: You mentioned the COMPACT program. Urbis did a report on it in 2018?

Ms WALKER: Yes, that is right. It is publically available on the Multicultural NSW website.

The Hon. SHAOQUETT MOSELMANE: I note there is a figure of 60 per cent of those who participated were 13-year-olds or below. Does it concern you? How do you address this issue of counterterrorism with 13-year-olds?

Ms WALKER: The thing to remember about the COMPACT program is it is really working on social cohesion, social harmony in the community. I think it is a really positive thing that we are working with children that would be of high school age but may be confronted with a whole series of things in their community that may create disharmony. I am not concerned about 13-year-olds. Actually what I know from the Urbis report that you mentioned that 60 per cent of the young people reported a greater level of acceptance and respect for others. The participants also said that it led to a greater level of civic participation. I think that is what we want from the young people who are seeing a range of things go on in the community is to encourage and keep that engagement up.

The Hon. ROSE JACKSON: Did it concern you that almost a third, or over a third, in the SA2 category either disagreed with the statement or were unsure that there would be work opportunities available for them now and in the future considering the quite consistent correlation between unemployment, low socioeconomic status and risk of radicalisation?

Ms WALKER: I think looking at those sort of figures that we know there is more work to do. That is again why I go back to those younger age groups. As much as it may be concerning for the broader public to say

why do we need to work with such young people, that is where we start. Because, as commented upon in some of the other questions, radicalisation is a combination of factors: Yes, there may be socioeconomic; yes, we know it is education; yes, we know it is engagement; and also opportunities that we can provide young people.

The Hon. SHAOQUETT MOSELMANE: That 60 per cent, did they identify background?

Ms WALKER: I would have to go back to the report and have a look. We can get that for you on notice.

The Hon. SHAOQUETT MOSELMANE: One general question: Is there agreement as to extremism what the definition is? Is there a working agreement between New South Wales and Federal? Is there a working definition that you can provide us as to what it defines?

Mr COUTTS-TROTTER: It is a bit of a vexed area. There is a whole range of extremism that you cannot really locate on a continuum of left-right. It features illiberalism or it may contain particular ideological or religious features that do not conform to that continuum. Features of far right extremism are divisive. It tends to identify an "in group" and people who are not part of the in group. The in group in the kinds of countries we are talking about tends to be a white nationalist self notion. It is complex, it is difficult to pin down, but there seem to be two key things to it.

One is it uses a range of criticism that is really about trying to undermine democracy. It is suggesting that the decisions of democratic institutions—Parliament and court systems—are invalid, they do not represent the will of the people. They are the voice of the elite. You cannot have confidence in those institutions. You cannot have confidence in democratic process. It is a broad narrative that seeks to undermine these important cohesive institutions where the conflicts in society get sorted out in debate on the floor of the upper House rather than with fists and guns and knives. It does that but it also contains some particular features and that is largely a focus on white nationalism.

The Hon. ROSE JACKSON: I will ask a few more questions to dig down into the work that is being done to try to reduce recidivism and, therefore, the prison population in New South Wales. There are a number of elements to this, as we discussed. One of them, it is accepted, has been the overcrowding in the prisons. I know that we have \$3.8 billion in the prison bed utilisation program. At September estimates 2019 there were 1,000 cells over capacity. That information was provided in answer to a question on notice. Do we have an updated figure as of now for how many cells are over capacity and can you clarify if the goal of the prison bed utilisation program and the funding that has been provided is to get that figure to zero? What is it now?

Commissioner SEVERIN: Again, I need to explain how we arrived at the number that we are aiming for at the moment. In determining how many beds we can take out of the system while the new beds are being commissioned we undertook a range of exercises. One was looking at forecasts and stress testing the forecast a little bit because it is not a linear line. There are a whole range of factors that come into play. We looked at the distribution between minimum security and maximum security. We obviously also identified how can we best do that with minimum impact on the system like we experienced last time where we had to very quickly up the capacity of the facilities literally overnight in order to meet the requirements of the law.

The aim at this point in time is to have, based on the forecast, around about 16,000 beds in the system. Based on the current state of 13,900, that includes those in court cells and police custody where we have responsibility. Even if we look at that as a total number we are confident that we can reach that number of 16,000. We then have the capacity to very quickly bring on additional beds through the contract arrangements with the private sector facilities. That gives us another buffer that we can draw upon. Once that is reached and we, at this point in time, are not trying to estimate when that is the case. We will continue monitoring that on a month-by-month basis. We are talking about years ahead. So we are currently looking at what else do we need to do and put into the pipeline to go forward in relation to other infrastructure that we may have to ask government to consider approving for construction. So there are no detailed plans other than the work already well and truly on the record, looking at the outer Sydney metropolitan area, where a large percentage of our inmates come from, and that is work that is very much dependent on availability of land and other factors.

That would certainly be one of the areas we would focus on going forward. What we also can do, and this is an advantage we were able to achieve as a result of building these beds, in each of the newly built facilities we have what is referred to as surge capacities. You are welcome to visit one of them if you can spare the time at some stage. So you have a single cell but we have a double bunk in it. It is not commissioned in the context of being occupied but it gives the system flexibility if we experience a tightness in years to come. So the commissioning is based on the number of beds that are approved but there is a percentage of beds that could be activated if and when required.

The Hon. ROSE JACKSON: So the goal is to reach zero?

Commissioner SEVERIN: Our policy has always been that we have approximately a one-third single cell accommodation and two-thirds double cell.

The Hon. ROSE JACKSON: But as of September last year, there were 1,000 cells that were being over-utilised.

Commissioner SEVERIN: Our goal is to bring that down to zero within—

The Hon. ROSE JACKSON: And you are not able to give us a time frame?

Commissioner SEVERIN: The time frame is clearly the commissioning of the beds at the Metropolitan Remand and Reception Centre, which is in 2021.

The Hon. ROSE JACKSON: Do you have a figure for the number of cells that are being over-utilised or are at overcapacity at this point or do you need to take that on notice? I am wondering if that 1,000 has gone up? Has that gone down yet? That is what I am interested in.

Commissioner SEVERIN: We have actually taken more beds out of some facilities than we had there before the tightness that we are experiencing now occurred because it was a good opportunity to do so. They are older facilities et cetera. There are some facilities where we will not be able to make much change because they are in regional areas where we rely on the beds. Broken Hill is one of them. So it is a bit of a mix and match on a region-by-region basis. But fundamentally we are taking as many of the high-risk beds out as we possibly can through that 2,500-bed reduction, or 1,800 beds plus the 700—

The Hon. ROSE JACKSON: Could you take on notice providing an updated figure?

Commissioner SEVERIN: Yes.

The Hon. ROSE JACKSON: So that is the overcrowding part of a very complicated challenge. I want to talk about some figures that my colleague Mr Shoebridge discussed, which was, in an answer to a question on notice there were 21,495 offenders released from Corrective Services NSW management in 2018-19. Only 7,190 of those were identified as eligible for rehabilitation programs, which I suppose is a problem in the first instance. Of those 7,190 eligible offenders, only 2,085—or 29 percent—completed the program, meaning that less than 10 per cent of the offenders who were actually released in that period had completed rehabilitation programs. Earlier, Mr Coutts-Trotter, you indicated that there were some goals to increase that. Is there a target? Have you set a target?

Mr COUTTS-TROTTER: There is a medium-term target, which is 50 per cent of people who are eligible, will participate in and complete a program that is directed at trying to reduce their risk of reoffending. To the question of eligibility—and the Commissioner is free to contradict me—I think you have to be serving six months or more and you need, through an actuarial tool, to be assessed at either medium or high risk of reoffending. The reason we do not intervene with people judged to be at low risk of reoffending with these programs is that it has proven to be counter-productive. So on the advice I have got, intervening with the wrong people actually increases the risk of reoffending. You have to make sure you are intervening with the right people and then intervene in the right way. The challenge for us is to increase the number of hours of dose that people participating in those programs receive.

Commissioner SEVERIN: If I can make one additional comment?

Mr COUTTS-TROTTER: Please.

Commissioner SEVERIN: The total number of prisoners released includes anybody, remand and sentenced. So 10,000 of those were sentenced prisoners and that includes those serving sentences of less than six months, or less than six months time to serve before discharge. So the number is a lot smaller in the context of the participation in programs.

The Hon. ROSE JACKSON: I appreciate that and I appreciate that you need to target resources as to where you can make the most difference. However, surely you accept that any interaction with the criminal justice system, particularly the custodial system, can lead to increased risk of future reoffending. Even if it is limited interaction, a short-term interaction, this can increase the risk. So for all of those other people not in that high-priority category of targeted intervention, can you give us any sense of the support they are being given to get them back on the right track?

Commissioner SEVERIN: That is a useful question because it is not that these offenders just sit there and do nothing. They work and they undertake educational programs. The only programs they do not undertake because they are low risk are criminogenic need-based or risk-based programs. That is a really important factor because it is often the stabilisation of those offenders that can make a difference. What we are also looking at, and again we are not limiting this to just high-risk offenders, is creating more opportunities to engage earlier with other parts of social and human services. The advantage of being a single department now is that we can forge some stronger relationships with housing. We can sit down and work through some of the opportunities that presents and we are obviously very actively doing that. Little things like organising—without too much bureaucratic red tape—identification for offenders. Often offenders do not have identification so getting birth certificates from the NSW Registry of Births, Deaths and Marriages—

Mr COUTTS-TROTTER: More than 900 people have had birth certificates and identities established.

Commissioner SEVERIN: That is right. So we got 2,000 this year. That never happened before. The only offenders that previously got birth certificates for free were Aboriginal and Torres Strait Islander offenders. So there are some good cross-government organisational initiatives afoot. It is a start. I am not suggesting that we will see a dramatic change. The last comment I wish to make is that not all of those offenders who did not do their program in custody, did not do their program. Once they are on parole, if they are in that category of having to participate in a criminogenic-needs program, that is delivered in the community as well.

Mr DAVID SHOEBRIDGE: Commissioner, at the September estimates in answers on notice, the Minister advised that Corrective Services NSW reported that 157 offenders were subject to some form of electronic surveillance in September last year when new sentencing reforms made it easier for courts to add conditions like electronic monitoring on correction orders. Can you tell the Committee how many people with a non-custodial sentence are the subject of electronic monitoring?

Commissioner SEVERIN: These figures are as of February 2020, so they are relatively new: There are 52 offenders on parole on electronic monitoring, 218 serious sex offenders on parole, 69 offenders on domestic violence electronic monitoring program—

Mr DAVID SHOEBRIDGE: Sorry, Commissioner, how many was that?

Commissioner SEVERIN: There were 69 offenders on the domestic violence electronic monitoring program; 59 offenders who are on an extended supervision order, which includes the terrorist high-risk offenders; 27 participants in the compulsory drug treatment centre; 380 offenders on home detention or intensive correction orders, which includes the reintegration home detention, back end home detention; and 201 inmates who are on work release, day education or weekend leave from a correctional centre.

Mr DAVID SHOEBRIDGE: That is a very large expansion from the 157 that we had just as recently as September.

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: What structures have you put in place to ensure that is adequately monitored and that it is achieving the outcomes?

Commissioner SEVERIN: We have just had a new contract, which is a great improvement on the previous contract we have. It includes the actual monitoring component—the person sitting in front of the television screen—which was previously done through a separate contractor, supervised by a Corrective Services NSW supervisor. It is not outsourced in the context of the day-to-day supervision. We have moved into new premises, which would be officially opened soon. That has happened last week actually. We obviously employed a lot more equipment, deployed a lot more equipment and also increased our own staffing arrangements.

Mr DAVID SHOEBRIDGE: Is this a Corrective Services facility that is being opened?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: Who is the contract with?

Commissioner SEVERIN: The contract is with a company called Buddi, a United Kingdom-based organisation. We have previously had the equipment contract with Buddi. It now also has the contract for the physical monitoring of the monitors but it is always under supervision of Corrective Services NSW employee.

Mr DAVID SHOEBRIDGE: What is the value of that contract with Buddi?

Commissioner SEVERIN: I need to take that on notice.

Mr DAVID SHOEBRIDGE: The last bit of that answer from September was that the most recent New South Wales budget has set aside \$2 million towards its new GPS monitoring system that would track high-risk offenders.

Commissioner SEVERIN: That sounds about right but the exact figure—obviously, they were subject to a contract tendering process and contract negotiations.

Mr DAVID SHOEBRIDGE: But does Buddi run the GPS monitoring system?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: When you say it is tracking, it is tracking the location; it is not camera based.

Mr COUTTS-TROTTER: No.

Commissioner SEVERIN: No, it is tracking the location.

Mr DAVID SHOEBRIDGE: It is GPS, satellite based.

Mr COUTTS-TROTTER: Yes.

Commissioner SEVERIN: We know where they are; we do not know what they are doing.

Mr DAVID SHOEBRIDGE: Yes. I assume that there is then a linkage between the GPS monitoring and the parole or the sentence conditions. Is that right?

Commissioner SEVERIN: Yes, absolutely.

Mr DAVID SHOEBRIDGE: So, for example, if somebody is on parole and there was a night-time curfew, that would be logged into the system. Is that how it works?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: If somebody may have a night-time curfew, they may be allowed out at any location within the State during the day but they are monitored to see when they come back in, at 8.00 p.m. or whatever.

Commissioner SEVERIN: There are different arrangements for different offenders. The most restricted regime is that you have to have a pre-approved schedule. You have to issue your schedule to the monitoring staff on a fortnightly or weekly basis. It is approved. It is programmed into the monitoring equipment. Any diversion from the schedule immediately results in a notification. A notification means that the monitor would initially make phone contact to establish if there is anything that they need to be aware of. Often it could be that they just jumped on the wrong bus or something like that. It is then up to the supervisor obviously to determine if action needs to be taken or not. That is the most restricted regime. A more unrestricted regime would be that you have a requirement to be within your approved premises between 7.00 p.m. and 7.00 a.m.

Mr DAVID SHOEBRIDGE: Does it operate off the phone network or does it operate off a separate GPS signal?

Commissioner SEVERIN: It operates on mobile phone networks, all three of them. So it is a system that operates with the providers Telstra, Optus and Vodafone and whichever the strongest signal is the device logs into it. Even if the signal is interrupted the unit still stores all the information. Once signal is re-established—we know that in the CBD, for example, sometimes signals do get interrupted—the information is immediately updated when the signal is established again. Then if there is anything that happened in the intervening period action can be taken.

Mr DAVID SHOEBRIDGE: That information about the whereabouts of—I assume they are anklets. Are they ankle devices?

Commissioner SEVERIN: Yes.

Mr DAVID SHOEBRIDGE: The information about the whereabouts of the ankle device is gained from a relay with the satellite, not to the mobile phone network. Is that right?

Commissioner SEVERIN: No, it is a mobile phone network.

Mr DAVID SHOEBRIDGE: What happens in situations where there is a breakdown in the mobile phone network? We saw that repeatedly during the fire crisis. What is the fallback?

Commissioner SEVERIN: The system that we have—there was some reporting from another State where the mobile phone network simply broke down and was no longer available—

Mr DAVID SHOEBRIDGE: We saw that in parts of the South Coast.

Commissioner SEVERIN: No, I am talking about another State here. Our system is one where we have double redundancy built in—it is all three providers. If we have a situation where we lose signals altogether, we obviously have contingency plans in place that are activated very quickly. I will not go into the detail of that because offenders need to be aware that we monitor them 24 hours, which we do. So if we lose signal for any period of time that is not a normal outage that happens—

Mr DAVID SHOEBRIDGE: There are contingency plans in place.

Commissioner SEVERIN: —because you are in a high-rise building or something like that, we have immediate responses which involve ourselves and can involve the NSW Police Force.

Mr DAVID SHOEBRIDGE: Is there an ongoing program to assess the efficacy of the monitoring regime in terms of where it has—

Commissioner SEVERIN: There is a worldwide program for the efficacy of electronic monitoring. We are really just at the bottom of the technical capabilities at this point in time. The equipment that is already in the market and available—we chose not to go down that path at the moment. There are things like monitoring your intake of any substance like alcohol or other substances. It can monitor your wellbeing, from heart rate right through to any medical type of emergency.

Mr DAVID SHOEBRIDGE: It is a prisonbit, not a Fitbit. It is that kind of monitoring.

Commissioner SEVERIN: Anyway, at this point in time we are simply monitoring the whereabouts of a person.

Mr DAVID SHOEBRIDGE: Are there any plans or feasibility studies to expand the range of monitoring that will be done of inmates—

Commissioner SEVERIN: Not at this point, no.

Mr DAVID SHOEBRIDGE: —or people on intensive corrections orders? Not at this stage?

Commissioner SEVERIN: Not at this point in time, no.

Mr DAVID SHOEBRIDGE: Can you provide any advice on the number of breaches or notifications of breaches?

Commissioner SEVERIN: Of electronic monitoring?

Mr DAVID SHOEBRIDGE: Yes. Commissioner, I am more than happy if that is provided on notice if it is a long list.

Commissioner SEVERIN: Are you talking about people who remove their anklets or are you talking about people who were on electronic monitoring and breached any other condition of their order?

Mr DAVID SHOEBRIDGE: My question was directed at whether or not they had breached their order and a notification went through. But if you have any information about people who have removed their anklet that would be useful as well.

Commissioner SEVERIN: I think that was a question you asked this morning but it was 18—

Mr COUTTS-TROTTER: It was 18 of 1,011.

The Hon. ROSE JACKSON: I would be interested in the information.

Commissioner SEVERIN: Every single one of them, to answer the question that we took on notice, has been re-incarcerated.

Mr DAVID SHOEBRIDGE: And the breaches—

Mr COUTTS-TROTTER: Of their orders?

Mr DAVID SHOEBRIDGE: —or notifications for breach of their orders?

Commissioner SEVERIN: I will have to take that on notice.

Mr DAVID SHOEBRIDGE: On that, can you indicate whether or not that was in accordance with what the expectations were at the time the program was initiated? Lastly, do you have any figures, for example, on what the average cost for monitoring is.

Mr COUTTS-TROTTER: We do. It is \$41 per offender per day. From memory, people contribute to the cost of their own anklets.

Commissioner SEVERIN: I do not think they do.

Mr COUTTS-TROTTER: Are you sure?

Mr DAVID SHOEBRIDGE: Why don't you take that on notice?

Mr COUTTS-TROTTER: I am sorry, I should defer to the person who has been doing this for 40 years.

Mr DAVID SHOEBRIDGE: We will consider that taken on notice.

Mr COUTTS-TROTTER: That was an inside voice that became an outside voice, sorry.

Mr DAVID SHOEBRIDGE: He is a harder man than you, Commissioner.

Mr COUTTS-TROTTER: That is not true.

Mr DAVID SHOEBRIDGE: Commissioner, I know I asked some questions about women in prison with dependent children, and I am sorry to go back in two bits on this, but could you provide on notice the number of women in prison with dependent children under five years of age?

Commissioner SEVERIN: If we have that data.

Mr COUTTS-TROTTER: Women on remand or sentenced who have dependent children under the age of five or women who have children with them in custody under the age of five?

Mr DAVID SHOEBRIDGE: I am coming to the next one. My first one was that first category.

Commissioner SEVERIN: If we have that data we will certainly make it available.

Mr DAVID SHOEBRIDGE: If you do not have that data could I seek an explanation of why and if you are seeking that data, because clearly knowing that a woman has young, dependent kids not at school age is clearly relevant?

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: Going to that second point about residential places for women with their children in the prison system, can you provide details about that? I think there are 16 spots at Jacaranda Cottage.

Mr COUTTS-TROTTER: Yes.

Mr DAVID SHOEBRIDGE: Apart from that.

Mr COUTTS-TROTTER: As you know it is being slightly remodelled. So we will respond with a detailed question about the capacity of Jacaranda Cottage.

Mr DAVID SHOEBRIDGE: And it is still just Jacaranda Cottage that is the residential facility?

Commissioner SEVERIN: At the moment that is correct.

Mr COUTTS-TROTTER: Yes, at the moment it is.

Mr DAVID SHOEBRIDGE: And that is still just for very much younger kids, is it not, under the age of five?

Mr COUTTS-TROTTER: Under the age of six. Eligible women can have their children live with them full-time up to six years of age, and on an occasional basis—basically weekends and school holidays—up to 12 years of age.

Mr DAVID SHOEBRIDGE: Commissioner, last year you told us that it is estimated that around 90 per cent of correctional officers have completed training in positional asphyxia awareness. Do you have any update on those figures?

Commissioner SEVERIN: The staff who have done the training?

Mr DAVID SHOEBRIDGE: Yes.

Commissioner SEVERIN: Yes, I do. It is 5,689 as of 11 February 2020—that is custodial officers who have done the training, which is only relevant to them because they are the only ones that would use force.

Mr DAVID SHOEBRIDGE: Of the current serving correctional officers?

Commissioner SEVERIN: That is the number I have given you.

Mr DAVID SHOEBRIDGE: How many current serving correctional officers are there, because I was after the percentage?

Commissioner SEVERIN: Sorry.

Mr DAVID SHOEBRIDGE: That is okay, you have given me a very precise figure; I am not complaining about that.

Mr COUTTS-TROTTER: As at January 2020, correctional officers all ranks, headcount 5,564.

Commissioner SEVERIN: There is a difference. More have done the training—

Mr DAVID SHOEBRIDGE: Is it attrition?

Commissioner SEVERIN: Yes, it would be attrition based.

Mr DAVID SHOEBRIDGE: Can we comfortably take away from that that now all Corrective Services officers have got positional asphyxia awareness training either because they have been retro trained with it or it is now part of the training they get in the academy? If it is not that case can you tell me?

Commissioner SEVERIN: It is very close to all.

Mr DAVID SHOEBRIDGE: Is the training now part of academy training?

Commissioner SEVERIN: It has been part of academy training for a longer period than it has been part of the refresher training for existing staff.

Mr DAVID SHOEBRIDGE: The last question I have of you, Commissioner, is about the trial of computers or tablets in cells at the John Morony Correctional Complex. Have you got an update on that?

Commissioner SEVERIN: Yes. We have decided and are in a position to implement the use of in-cell technology through tablets at both Dillwynia and John Morony through the existing prisoner telephone contract. The technology will allow programs to be streamed into the cell. There will be the ability to have access to free-to-air television. There will be the ability to send messages to approved numbers—it is basically like an SMS service to approved numbers. There will be the ability to do your buy-ups online, and we are looking at additional functionalities down the track. So it will significantly improve the access of inmates to programs and will give them a much better opportunity to proactively engage in a more social context than previously.

Mr DAVID SHOEBRIDGE: When will that start, in terms of when will the first tablets be in the hands of inmates at John Morony or Dillwynia?

Commissioner SEVERIN: At this point in time we are saying the trial will be rolled out by September. So September 2020 it will have commenced. There might be some earlier sort of pre-trial trials, but the deadline is September.

Mr DAVID SHOEBRIDGE: Commissioner, I know I said that was my last question but I forgot about PRISM. Can you advise what the current waitlist for the Proactive Integrated Support Model program is?

Commissioner SEVERIN: Let us have a look.

Mr COUTTS-TROTTER: Seven.

Commissioner SEVERIN: Seven inmates are currently on the waitlist.

Mr COUTTS-TROTTER: I think last time you asked us there were 10 people on the waitlist.

Mr DAVID SHOEBRIDGE: Yes, that is my next question. What is the length of wait? How long are inmates waiting?

Commissioner SEVERIN: The length of wait—again, it could be up to two years; it is generally shorter than that, but it depends also a little bit on the length of sentence when the intervention is most effective.

Mr DAVID SHOEBRIDGE: Meaning that you seek to do it in the last two years of the sentence?

Commissioner SEVERIN: It really depends. It is not a program where you sit down and listen to a teacher or engage in sort of classroom-based activity. It is really a much broader approach of changing the way people are managed, engaged. It comes down to the professional assessment of the experts that run the program as to who is escalated up the priority list and who is not. At the moment, when we are looking at the waitlist we are still engaging and we are still assessing while it is happening and then, obviously, we have the intervention phase, which is the active part of the program.

Mr DAVID SHOEBRIDGE: Have you undertaken a review of the efficacy of PRISM?

Commissioner SEVERIN: Yes. That was done by Professor Adrian Cherney from Queensland university. He was engaged to evaluate the evaluation, examine the implementation including the process of client referral, consent, assessment, engagement, treatment and progression. He found that case management interventions can help generate disengagement, and participants certainly have reported a range of positive benefits and are demonstrating change against indicators of disengagement from violent extremism. We are also very strongly focused on the underpinning of PRISM with a good case management approach. It is not, as I said, like a sex offender treatment program. The case management part is really what ensures sustainability of the effort that was made during the engagement phase.

Mr DAVID SHOEBRIDGE: Can you provide a copy of that assessment report to the Committee?

Mr COUTTS-TROTTER: It is published, I think.

Commissioner SEVERIN: The Cherney report is part of the public record, yes.

Mr DAVID SHOEBRIDGE: I failed to find it, so would you mind sending me the link?

Mr COUTTS-TROTTER: You do not have the password. You need a national security clearance to go on.

Mr DAVID SHOEBRIDGE: There is a variety of other lack of competencies that I have, but I have not found it.

Mr COUTTS-TROTTER: I have got an answer to an earlier question you asked about vocational education and training.

The Hon. ROSE JACKSON: That is fine. You can answer Mr Shoebridge's question.

Mr COUTTS-TROTTER: You were querying why there were 8,440 enrolments but only 4,139 people participating and we could not give you a good answer then. The simple answer is participants are unique individuals, enrolments are the number of courses they enrol in, and from that you can conclude that most people enrol in at least two courses. So participants are the number of individual people; enrolments, they are decisions about the courses they take on.

Mr DAVID SHOEBRIDGE: We will get the completion numbers on notice?

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: I just wanted to go back to the questions that I was asking about the programs to try and reduce reoffending and the prison population overall. One of the things that you mentioned, Mr Coutts-Trotter, was that a barrier to completion of programs was transfer between facilities. What is the current rate of interprison transfer?

Mr COUTTS-TROTTER: I do not know.

Commissioner SEVERIN: We will have to take that on notice.

Mr COUTTS-TROTTER: We will have to take it on notice.

The Hon. ROSE JACKSON: That would be good. I appreciate that people are moving around and that might be quite difficult to track. Obviously I am interested in any issue that you identify as contributing to a barrier to good rehabilitation. That is something we should be looking at. It would be good to know what that is now. Mr Coutts-Trotter, you indicated that you are hoping to reduce that as a result of the prison bed utilisation program.

Mr COUTTS-TROTTER: Yes.

The Hon. ROSE JACKSON: Is there a target for that? How might we go about quantifying or tracking or measuring improvement in that outcome?

Mr COUTTS-TROTTER: We would look to the number of hours of participation in those programs—so whether someone who is assessed at needing 120 hours' participation gets 120 hours either in prison and under Community Corrections or in prison and then they are discharged.

The Hon. ROSE JACKSON: You have set that target for hours—

Mr COUTTS-TROTTER: That is the fundamental measure. There is a whole range of things that contribute to that.

The Hon. ROSE JACKSON: Yes. If possible, it would be good to receive, on notice, any information or data that you have on how regularly prisoners are moving between facilities. That would be useful.

Mr COUTTS-TROTTER: Sure.

The Hon. ROSE JACKSON: I want to ask about programs for the integration phase because if we are looking at reoffending, obviously a lot of the research suggests that the 30 days post-release is a critical period for recidivism risk. What are the programs that are specifically looking at that period?

Commissioner SEVERIN: The first program is more an engagement of the non-government sector to provide support services in the community, which is an ongoing part of our pre-release and post-release suite of supports. We have commissioned 10 high-intensity program units across the State for those offenders who create the greatest concern. They are the short-term offenders who seem to oscillate in and out of the system because they are never there long enough—not that we want them to be—to engage in a more sustainable way of addressing their offending behaviour. So capturing them in specific locations early—my request is always to say the first day in custody is the first day of release preparation for those short-termers, in particular.

Having these 10 high-intensity program units is one mechanism of providing a lot of support to people who are doing shorter terms and, again, it is obviously aimed to better equip them for when they get out. So that is engaging in some modified form of the EQUIPS program. It is modified because it is not the same level of intensity but, most importantly, connecting with Community Services—anything from Centrelink right through to housing and other types of services that are essentially there to protect a person from reoffending.

Mr COUTTS-TROTTER: You might want to talk about the NEXUS program.

Commissioner SEVERIN: Yes. The NEXUS program, which has a very high participation rate across the system, is a program that is aimed directly to identify the factors that you confront when you get out of custody. It is run right across the State.

The Hon. ROSE JACKSON: Is that run by Corrective Services?

Mr COUTTS-TROTTER: Yes.

Commissioner SEVERIN: Yes. Again, it is a suite of different interventions. The most important one is obviously good preparation but then the guided facilitation of discharge into the community—not just for those who continue to be under supervision by virtue of the fact that they are parolees but also right through. I think I mentioned before that we have incentivised the remand discharge rate and recidivism for places like John Morony, which was a competitively tendered operation, which Corrective Services is still managing and will continue to manage. Likewise the Parklea facility, which is a remand facility.

Mr COUTTS-TROTTER: The objectives are to increase the number of times where custodial staff prompt inmates to think about their release and what they might need, give people an awareness of the kind of things they should do to plan for their successful return to the community and motivate people to develop the skills and to access the services and programs that will increase their likelihood of remaining in the community. Then closer to release, really focus on some of the things that people might present as highest needs or greatest risks: homelessness, accommodation, housing real estate agency contact, residential rehabilitation service, facilitating contacts for people who might want to undertake drug and alcohol residential rehabilitation, clothing, transport, essential property access, employment support, proof of identity, consular contacts, and on it goes. It is quite structured.

What we know is that there is a missed opportunity to better connect people with housing support. What we have done, as a result of becoming a single department, is put in place much more structured planning and assessment for people prior to release so they can undertake their housing assessment—a 60-minute discussion with our Link2Home contact centre—and plan for the kind of housing support they think they are going to need on release, which could be anything from guaranteeing a bond loan through to prioritising someone for access to social housing.

The Hon. ROSE JACKSON: Are you tracking how many people who exit your custody have a secure place to go? Are you tracking how many are leaving prison and becoming homeless?

Commissioner SEVERIN: We would certainly track for those who continue to be under our supervision. If somebody simply gets bailed and goes somewhere, we do not have any means of tracking that.

Mr COUTTS-TROTTER: But what we are doing is using the ability to link various administrative datasets to get a better, clearer, more accurate picture of both the numbers of people who leave custody for homelessness or insecure housing and also something about the pathways by which they move in and out of the justice system so we can better intervene.

The Hon. ROSE JACKSON: The work you are doing with the through-care programs sounds impressive and good but, as you would know, one of the challenges is that there is not a lot of data assessing what works and what does not work. One of the things that we know works, particularly for Indigenous offenders—and we talked before about their overrepresentation—is involving family in those conversations right from the beginning. Is that something that you are mindful of in your programs? That is prior to release. Involving family in those conversations about how reintegration is going to occur prior to release is clearly best practice for Indigenous through care. Is that something that you are working with?

Commissioner SEVERIN: Certainly it is very much something that we are aware of. We did run a trial at some stage—not focused on Aboriginal inmates; it was open for anybody—at the outer metropolitan centre. I have to say it was not as successful as we were hoping it to be. We discontinued it after a while because the level of engagement by the families was less than we were anticipating it to be. Often what we are experiencing—that is not to say that this is not something that will work and should work—is that if we make contact and engage with families through the normal arrangements that we have in place—visits, telephone, et cetera—and then link the family to the service that can provide some supports after release, not inside the prison, it is, I think, a very important part of that through care model. The short answer is, yes, we acknowledge the importance of family, particularly for Aboriginal and Torres Strait Islanders. We have not yet got a model inside Corrective Services to consistently do that successfully, as we hope to.

The Hon. ROSE JACKSON: Is that something that you are working on?

Commissioner SEVERIN: It is certainly on the radar. We have done a trial, as I mentioned before.

The Hon. ROSE JACKSON: I am sure that there are many programs that are run in other States. One that I am familiar with is the Torch program that is run in Victoria, which is an art-based program. That makes it sound less significant than it is but it is a component of what they do. That is one example—perhaps you are familiar with, perhaps you are not. But are there efforts to draw in those kinds of lessons—that appears to be quite successful—to New South Wales?

Commissioner SEVERIN: I invite you to the gallery that we have at Long Bay where the public is welcome.

Mr COUTTS-TROTTER: Where you can see some excellent portraits of Commissioner Severin and I.

Commissioner SEVERIN: Amongst really good art. Yes, we do have art programs in various facilities. I mentioned it in the context of CSI earlier. We even have a program that is sort of semi-commercial, where we produce art that can be sold. But, most importantly, are the linkages between art as a sort of protective and enabling factor and other interventions that are quite important. It does not work for everybody but certainly there is a group of offenders who respond really well. We have an extensive arts program at the Macquarie Correctional Centre, which is one of the rapid-build prisons, as I mentioned. I mentioned the Boom Gate Gallery, which is open to the public, so I invite anybody—

The Hon. ROSE JACKSON: This is a particular program for Indigenous offenders. As I said, it is art-based but actually the primary purpose is connection to culture. That can include language. Obviously for a lot of Indigenous people that includes art and art expression. These are programs that are running in other jurisdictions that are very targeted at best practice through-care models and I am wondering about efforts that have been made to bring them or trial them in New South Wales.

Commissioner SEVERIN: We have two of those, one at Goulburn and one at Bathurst.

The Hon. ROSE JACKSON: I wanted to ask about—

The CHAIR: You have one minute. There is time for a quick question.

The Hon. ROSE JACKSON: No, it is okay. I do not have a question that I feel I could usefully put. I want to start an entirely new line of questioning.

The CHAIR: Yes, I know.

The Hon. ROSE JACKSON: Okay. Can I just ask one very quick question? You mentioned in relation to contraband in the September hearing the use of X-ray. Can we have some clarification about the health risks of radiation exposure? You mentioned 200 times, which I think is what the authorities had advised you. There was subsequent reporting that I saw that it was 150 times. I am rushing here but I am concerned about the exposure of prisoners but also staff who are administering these machines and their radiation exposure. I want to make sure that that is being properly managed.

Commissioner SEVERIN: Absolutely. It is being properly managed in both facilities where these X-ray machines exist—Parklea and John Morony. The Radiation Advisory Council as obviously the regulator is very much involved in making sure we meet all of the relevant requirements that we have to meet.

The CHAIR: Thank you very much for attending today.

Mr COUTTS-TROTTER: Thank you.

The CHAIR: I note that you have taken a number of questions on notice. The Committee secretariat will be in touch soon in relation to those questions and any supplementary questions that we will be sending your way.

Mr COUTTS-TROTTER: Okay. Thank you very much.

(The witnesses withdrew.)

The Committee proceeded to deliberate.