

Budget Estimates 2003-2004

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How to contact the committee

Members of the General Purpose Standing Committee No 3 can be contacted through the Committee Secretariat. Written correspondence and enquiries should be directed to:

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Terms of Reference

1. That the Budget Estimates and related papers for the financial year 2003 - 2004 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
2. That the Committees consider the Budget Estimates in accordance with the allocation of portfolios to the Committees.
3. For the purposes of this inquiry any Member of the House may attend a meeting of a Committee in relation to the Budget Estimates and question witnesses, participate in the deliberations of the Committee at such meeting and make a dissenting statement relating to the Budget Estimates, but may not vote or be counted for the purpose of any quorum.
4. The Committees must hear evidence on the Budget Estimates in public.
5. Not more than 3 Committees are to hear evidence on the Budget Estimates simultaneously.
6. When a Committee hears evidence on the Budget Estimates, the Chair is to call on items of expenditure in the order decided on and declare the proposed expenditure open for examination.
7. The Committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
8. The report of a Committee on the Budget Estimates may propose the further consideration of any items.
9. That a daily Hansard record of the hearings of a Committee on the Budget Estimates be published as soon as practicable after each day's proceedings.
10. The Committees have leave to sit during the sittings or any adjournment of the House.
11. That initial hearings of the Committees be according to a schedule prepared and circulated by the Leader of the Government.
12. The Committees may hold supplementary hearings as required.
13. The Committees present a final report to the House by Thursday 4 December 2003.

These terms of reference were referred to the Committee by the resolution of the House, 3 July 2003 (Minutes of Proceedings No 17 page 235), amended 29 October 2003 (Minutes of Proceedings No. 28, Item No. 5).

Committee Membership

Hon Amanda Fazio MLC	Australian Labor Party	<i>Chair</i>
Hon Greg Pearce MLC	Liberal Party	<i>Deputy Chair</i>
Hon Peter Breen MLC	Reform the Legal System	
Hon Eddie Obeid MLC	Australian Labor Party	
Hon Melinda Pavey MLC	The Nationals	
Hon John Tingle MLC	Shooters Party	
Hon Ian West MLC	Australian Labor Party	

Other Members who attended the hearings

Ms Jan Burnswoods MLC	Australian Labor Party
Hon Tony Catanzariti MLC	Australian Labor Party
Hon David Clarke MLC	Liberal Party
Hon Catherine Cusack MLC	Liberal Party
Hon Michael Gallacher MLC	Liberal Party
Hon Kayee Griffin MLC	Australian Labor Party
Hon Peter Primrose MLC	Australian Labor Party
Hon Christine Robertson MLC	Australian Labor Party
Hon John Ryan MLC	Liberal Party

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Chair's Foreword

General Purpose Standing Committee No 3 has examined the Budget Estimates for 2003-2004 for the portfolio areas of:

Police

Juvenile Justice and Western Sydney

Justice

Attorney General

Fair Trading

The Committee expresses its appreciation to the relevant Ministers and officers of the departments and organisations who appeared before it.

Hon Amanda Fazio MLC
Chair

Introduction

Referral of the 2003-2004 Budget Estimates

On 3 July 2003 the Legislative Council resolved that the Budget Estimates and related documents presenting the amounts to be appropriated from the Consolidated Funds be referred to the General Purpose Standing Committees for inquiry and report.¹ Each Committee was required to examine the Budget Estimates for their relevant portfolios and report to the House by Thursday 20 November 2003.²

Examination of the Budget Estimates

General Purpose Standing Committee No 3 examined the Budget Estimates and related documents for its portfolios at a series of public hearings held on the following dates:

1 September 2003	Police
2 September 2003	Juvenile Justice, Western Sydney
2 September 2003	Justice
3 September 2003	Attorney General
4 September 2003	Fair Trading
1 December 2003	Juvenile Justice – supplementary hearing
1 December 2003	Fair Trading – supplementary hearing
1 December 2003	Justice – supplementary hearing

This report summarises the main issues discussed at each hearing. The full transcript of evidence taken at these hearings can be found at the Committee's Web page accessible via the Parliament's home page at: www.parliament.nsw.gov.au. Hard copies of the transcript can be obtained by contacting the General Purpose Standing Committee Secretariat on **02 9230 3544**.

During these hearings, Ministers took a number of questions on notice. In addition the Committee lodged written questions on notice for all the portfolio areas by following the usual procedure of placing questions on the notice paper with the Clerks at the Table on days that the House sits.

The Committee is pleased to note that answers have been provided to all questions placed on notice.³ Copies of the questions and answers can be found at the Committee's Web page at the above address or by contacting the secretariat on the above number. Appendix 2 contains details of response times

¹ Minutes of Proceedings 3 July 2003 No 17 p235 ("Budget Estimates Resolution"), amended 29 October 2003, Minutes No. 28, Item No. 5.

² Budget Estimates Resolution, para 13.

³ With the exception noted at p 40.

for questions placed on notice by the Committee as part of the 2003-2004 Budget Estimates and related documents inquiry.

Relevant minutes of the Committee's proceedings appear at Appendix 3.

Chapter 1 Police

- 1.1** The Hon John Watkins, Minister for Police appeared before the Committee, together with Mr K Moroney, Commissioner, and Mr P Bhatt, General Manager, Financial Services, NSW Police; Mr L Tree, Director General, Ministry for Police; Mr P Bradley, Commissioner, NSW Crime Commission; and Mr T Sage, Assistant Commissioner, Police Integrity Commission at a public hearing held on 1 September 2003.
- 1.2** A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

NSW Police

- Crime statistics
- Criminal investigation outputs
- NSW Police Firearms Registry
- Innocence Panel
- Byron Bay Police Station
- Police properties audit
- Charge bargaining
- Rural crime investigators
- Former Assistant Commissioner Lola Scott
- Use of serving police officers in political advertisements
- Illegal drug trafficking and illegal firearm trafficking nexus
- Investigation into appropriateness of Operation Florida listening device warrant
- Relocation of NSW Police headquarters to Parramatta.

Chapter 2 Juvenile Justice and Western Sydney

- 2.1** The Hon Diane Beamer, Minister for Juvenile Justice and Western Sydney appeared before the Committee together with Mr D Sherlock, Director General, Mr P Muir, Assistant Director General (Operations), and Ms S Cross, Assistant Director General (Management Services), Department of Juvenile Justice; Mr L Harris, Director General, State and Regional Development; and Ms J Moxham, Acting Director, Office of Western Sydney at a public hearing held on 2 September 2003.
- 2.2** A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

Juvenile Justice

- Media monitoring
- Public sector pay increase budget allocation
- Program enhancement budget allocation
- Self-harm incidents
- Custody health survey
- Percentage of detainee population of Aboriginal and Torres Strait Islander background
- Daily average detainee population
- Escapes from detention centres statistics
- New female detention centre
- Tingha bail facility
- Redevelopment of Yasmarr detention centre
- Redevelopment of Cobham detention centre
- Refurbishment of Acmena detention centre
- Access to juvenile offender records
- Detainees on remand statistics
- Accommodation services for displaced adolescent people

Western Sydney

- Review of Office of Western Sydney
- Office of Western Sydney activity and resources
- Bringelly development options.

Supplementary hearing

- 2.3** Mr D Sherlock, Director General, Mr Peter Muir, Assistant Director General (Operations), Ms Stephanie Cross, Assistant Director General, Management Services, all of the Department of Juvenile Justice, appeared before the committee at a public hearing held on 1 December 2003.
- 2.4** A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

Juvenile Justice

- Incident in Kariong Juvenile Detention Centre (Carinya Accommodation Unit) 20 November 2003
- Departmental guidelines for visits to detention centres
- Ministerial staff visiting detention centres
- Aboriginal over-representation in the system
- Departmental improvement in workers' compensation claims and costs
- Employment of indigenous people and people from Non-English speaking backgrounds within the Department
- Return to Work Program strategies
- January and July 2003 pay rises
- Departmental budget increase 2002-03
- Visit by Shadow Minister to Reiby
- Health needs of young people in custody
- Survey figures on sexual activity and sexually transmitted diseases
- Admissions to detention centres
- Details of progress of Department's Capital Works Program
- Video conferencing
- Rural and regional services funding including video conferencing and other electronic communications
- Recent developments in educational and vocational facilities within juvenile detention units
- Salary levels of Managers of Detention Centres
- Value of Woromi Site in Hunter Valley and valuation and/or disposal of Haberfield site

- Contract between Corrections Health and Department of Health and Department of Corrections
- Ministerial office funding
- Expenditure on young women in juvenile detention

Chapter 3 Justice

- 3.1** The Hon John Hatzistergos, Minister for Justice appeared before the Committee together with Mr R Woodham, Commissioner, Mr L Grant, Assistant Commissioner, Offender Management, and Mr G Schipp, Executive Director, Finance and Asset Management, Department of Corrective Services at a public hearing held on 2 September 2003.
- 3.2** A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

Justice

- Compensation claims by inmates and departmental staff
- Sick leave – departmental statistics
- Overtime – departmental strategy
- Formal grievances – number lodged under departmental policy
- Media monitoring
- Interdiction of drugs and contraband into correctional centres
- Random urine tests
- Controlled operations – involvement in
- Internal investigations into correctional officers
- High Risk Management Unit – security arrangements
- Screening/searching of prison officers on entry
- Information gathering by the ICAC
- Provision of independent advice to prisoners
- Corruption prevention
- Random and targeted drug test of prisoners – comparison of results
- Case management files
- Commonwealth prisoners
- Bomb scare – Silverwater Gaol
- Modification to change rooms at Silverwater Court Escort Unit
- Prison Officers' social clubs
- Departmental defence of Commissioner at Administrative Decisions Tribunal
- Anti-discrimination complaints
- Inspector-General – transition provisions

- Serious Offenders Review Council
- Forensic patients
- Non-association classified prisoners
- Lockdowns
- Prisoners charged with or convicted of terrorism
- Videoconferencing.

Supplementary hearing

3.3 Mr Ron Woodham, Commissioner, Mr Ian McLean, Senior Assistant Commissioner, Mr Luke Grant, Assistant Commissioner and Mr Gerry Schipp, Executive Director, all from the Department of Corrective Services, appeared before the committee at a public hearing held on 1 December 2003.

3.4 A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

- Mobile phones discovered in prisons
- Helicopter based escapes from prisons
- Compensation payments to prisoners
- Proceeds from vending machines in prisons
- Allegations of harassment in the workplace
- Educational programs for inmates
- Full-time students in prisons
- Drug use and drug detections
- Planning for rises in inmate numbers
- Departmental expenditure and budget allocation
- Grants & Subsidies
- Construction of Mental Health Units
- Assessment & diversion of mentally ill officers
- Developmentally disabled unit
- Staffing arrangements in Kempsey
- Costs of media monitoring
- Officer misconduct
- Overseas travel by corrective services officers

- Consulting services by Mr Dalton
- Reports on MRRC & Probation & Parole services
- Officers on stress leave
- Officers on long term sick leave
- Legal advice to prisoners involved in inquiries by ICAC
- Complaints by prisoners since Inspector General's office was disbanded
- Policy on media access to prisons
- Access of Members of Parliament to prisons
- Access of lawyers to prisons
- Serious offenders sentences and parole applications
- Serious Offenders Review Council

3.5 At the time of finalising the report, the Committee had received answers to some questions taken on notice during the supplementary hearing. However, the following questions had yet to be answered:

1. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
How many mobile phones were found within the prison system in the past year in each correctional facility? (Hansard, p1)
2. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
In relation to compensation payouts to prisoners in the past year:
 - (a) How much was paid out to each prisoner?
 - (b) Who received payments?
 - (c) How many claims are unresolved? (Hansard, p3)
3. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
How much money was raised through vending machines in visitor areas of prisons in the past year? (Hansard, p4)
4. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
 - (a) How many drug tests were performed in each month of 2003 in each of the following correctional centres:
 - the Metropolitan Reception and Remand Centre

- Long Bay
 - Parklea
- (b) How many of the tests were positive? (Hansard, p14)
5. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
- In relation to the 23 officers of the Department of Corrective Services who were found to have engaged in misconduct during the calendar years 2002 and 2003:
- (a) How many of the officers were retained in the prison service
 - (b) How many were dismissed
 - (c) How many resigned, and
 - (d) How many remained in their roles? (Hansard, p14)
6. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
- Can you supply to the Committee details of tasks that consultant Mr Vern Dalton has been asked to undertake for the last two financial years and the amounts of money paid to him? (Hansard, p14)
7. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
- (a) Could you provide copies the report or draft report completed by the former Inspector-General of Corrective Services relating to the MRRC and the Probation and Parole Service?
 - (b) Could you please also provide the Department's responses to those reports? (Hansard, p14)
8. Mr Ryan asked the Commissioner, Department of Corrective Services, Mr Woodham—
- Can you supply to the Committee details of tasks that consultant Mr Vern Dalton has been asked to undertake for the last two financial years and the amounts of money paid to him? (Hansard, p14)
9. Mr Ryan asked the Commissioner, Department of Corrective Services, Mr Woodham—
- (a) Could you provide copies the report or draft report completed by the former Inspector-General of Corrective Services relating to the MRRC and the Probation and Parole Service?
 - (b) Could you please also provide the Department's responses to those reports? (Hansard, p14)

Chapter 4 Attorney General

- 4.1** The Committee heard from the Hon Bob Debus MP, Attorney General, together with Mr Laurie Glanfield, Director General, Attorney General's Department, Mr Bill Grant, Chief Executive Officer, Legal Aid Commission and Mr Don Weatherburn, Director, BOCSAR, at a public hearing held on 3 September 2003.
- 4.2** A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.
- Office of the DPP, criminal prosecution staff, budget, parliamentary committee to oversight, need for public relations consultancy during 2002-2003 and related expenditure
 - Policy regarding FOI requests
 - Sentencing, perceived inconsistencies
 - Work of the Bail Working Party on the operation of the Bail Amendment Act since its operation
 - Merit Program, early referral into treatment by Magistrates
 - Expanding capabilities to address risks in courts, ie attacks on court officers and other violence
 - Attorney General's Department, future direction (review the law relating to disputes between neighbours), asset acquisition.
 - Increase in the number of unrepresented litigants, impact on the administration to justice generally, costs, need for legal aid funding
 - Law Access
 - BOSCAR, statistical periods
 - Public Bodies Review Committee, implementation of recommendations
 - Human Rights Services, Office of Protective Commissioner
 - Anti-Discrimination Board and Victims Compensation, expenditure, reduction in finding, increase in complaints
 - Court security, expenditure, incidents
 - Office of the Sheriff, staffing
 - NSW Local Courts, clearance rates in civil cases.
 - Defamation cases in NSW, role of judge and jury, assessment of damages, costs of administrating defamation, reform
 - Victim's Compensation Tribunal, reform
 - Supreme Court Costs Assessment Scheme, lack of opportunity for law consumers to have input into assessment of costs

- Accessibility of courts to people with disabilities
- Video conferencing
- Upgrading of Local Court custody cells, Raymond Terrace refurbishment.
- Infrastructure costs associated with the separation of Office of Public Guardian with Office of the Protective Commissioner.
- Resources required as a result of the new system of external appeals from the Office of the Public Guardian and the Office of the Protective Commissioner to the AAT.

Chapter 5 Fair Trading

5.1 The Committee heard from the Hon Reba Meagher MP, Minister for Fair Trading together with Ms K McKenzie, Director General, Department of Commerce and the following officers from the Office of Fair Trading, Mr D O'Connor, Commissioner, Mr B Given, Assistant Commissioner, Operations, Mr M Silk, Director, Management Services, Mr R Stowe, Assistant Commissioner, Policy and Strategy, and Mr L Le Compte, General Manager, Home Building Service, at a public hearing held on 4 September 2003.

5.2 A brief summary of the topics discussed at the hearing is provided below. For further details on these matters see the Hansard record of the hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

- National Competition Policy Review
- Staffing of Home Building Service Office
- Levy on building licenses, implementation, costs etc
- Home warranty insurance
- Home Building Advisory Council, relationship with the Home Building Service Office
- Composition of the Retirement Villages Advisory Council, allocation of budget and provision of unsolicited advice to Minister
- Property Services Advisory Council, allocation of budget
- Consumer, Traders and Tenancy Tribunal (CTTT), budget allocation, matters heard since inception, qualifications of Chair
- Subsidies
- Shonky traders, progress in this area, successful prosecutions
- Complaints about import and sale of clothing made from cat and dog fur
- Media monitoring
- Part time and full time members of CTTT, recent appointments, increase in hearings
- Budget of the Financial Counselling Trust Fund of 2002/2003 and allocation for 2003/2004, composition of the Fund, criticism of it by Auditor General
- Review of the Retirement Villages Act and Regulations
- Composition of the Motor Industry Repair Council
- Ministerial Office, staff, budget, rent, salaries
- Office of Fair Trading, staff, media liaison officer
- Advertising expenditure of the Department, campaign costs, firms involved
- Selection process for people on boards/bodies within the Fair Trading portfolio
- Customer service.

- Assisting and protecting consumers in country NSW
- Reduction of petrol prices in country NSW
- Expenditure on legal fees
- NSW Product Safety Committee, budget allocation
- Cooperatives Council
- Fuel Cooperatives
- Home warranty insurance
- Product Safety Committee, appointment, formal qualifications of appointees
- Overseas trips
- Engagement of contractors or consultants by Minister's Office
- Rental Bond Board. Names of members, budget allocation
- Availability of Minister's Press Releases to the public/on the Minister's web site

Supplementary hearing

5.3 The Committee heard from Ms K McKenzie, Director General, Department of Commerce and the following officers from the Office of Fair Trading, Mr D O'Connor, Commissioner, Mr B Given, Assistant Commissioner, Operations, Mr M Silk, Director, Management Services, Mr R Stowe, Assistant Commissioner, Policy and Strategy, and Mr L Le Compte, General Manager, Home Building Service, at a public hearing held on 1 December 2003.

5.4 A list of the issues discussed at the hearing is provided below. For further details on these matters, see the Hansard record for this hearing, available on the Committee's web page accessible via the parliament's website at www.parliament.nsw.gov.au.

- Engagement of contractors and consultants
- Spending on Media Monitoring
- Number of Complaints between October 2002 and 30 September 2003
- Office of Fair Trading's activity against "shonky traders"
- Number of complaints dealt with by the Consumer Trader and Tenancy Tribunal
- Complaints regarding Consumer Trader and Tenancy Tribunal Members
- Consumer Week – provisions to community of New South Wales
- Development of Cooperatives
- Rental Bond Board and Tenancy Advice and Advocacy Program
- Product Report Complaints to Office of Fair Trading - recalls
- Definition of Starr Bowket scheme

- Netmap and SCAM
- Number of staff and budget for Management Services
- Budget for Minister's Office
- Derivation of \$2.9 million income for 2002-03
- Report on defective house costs
- Home Building Services
- Departmental activity to promote awareness of consumers' rights
- Application of information of rights and responsibilities to regional and rural New South Wales
- Consideration of mandatory pest inspections
- Employment of ex-Ministerial or Premier's staff since 2000 in the Office of Fair Trading and sub-sections
- Staff numbers in each part of the Office of Fair Trading
- Policy regarding staff attending conferences or seminars
- Advertising in 2002-03 including recruitment-related and non-recruitment related, organisations used for advertisement buying and their agency fees

Appendix 1

Establishment, powers and portfolios of the General Purpose Standing Committees

Establishment, powers and portfolios of the General Purpose Standing Committees

1. Establishment of the General Purpose Standing Committees

Five General Purpose Standing Committees were first constituted in 1997.⁴ The Committees were reappointed on 3 July 2003, shortly after the commencement of the present Parliament.⁵ Since the inception of the General Purpose Standing Committees, the Budget Estimates and related papers have been referred to them for inquiry and report.

The functions of the General Purpose Standing Committees are to inquire into and report on:

- any matters referred to them by the House,
- the expenditure, performance or effectiveness of any department of government, statutory body or corporation,
- any matter in any annual report of a department of government, statutory body or corporation.⁶

2. Powers of the General Purpose Standing Committees

The General Purpose Standing Committees have the power to:

- send for and examine persons, papers, records and things
- adjourn from place to place
- make visits of inspection within the State
- request the attendance of and examine members of the House⁷

The committees also have the power to:

- publish, before presentation to the House, submissions received and evidence taken in public⁸ and
- report from time to time their proceedings, evidence taken in public and recommendations.⁹

⁴ Minutes of Proceedings, No 65, 7 May 1997, p. 677.

⁵ Minutes of Proceedings, No 17, 3 July 2003, pp. 222-235 (hereafter referred to as GPSC Resolution).

⁶ GPSC Resolution, para 3(1).

⁷ GPSC Resolution, para 4(a)-(d).

⁸ GPSC Resolution, para 16(1).

⁹ GPSC Resolution, para 18.

3. Portfolios

The five General Purpose Standing Committees have responsibility for Government Ministers' portfolio responsibilities,¹⁰ which are as follows:

General Purpose Standing Committee No. 1

Premier
Arts
Citizenship
Education and Training
Aboriginal Affairs
Treasury
State Development
Special Minister of State
Commerce
Industrial Relations
Central Coast
The Legislature

General Purpose Standing Committee No. 2

Health
Community Services
Ageing
Disability Services
Youth
Tourism
Sport and Recreation
Women
Gaming and Racing

General Purpose Standing Committee No. 3

Police
Attorney General
Juvenile Justice
Western Sydney
Fair Trading
Justice

¹⁰ GPSC Resolution, para 1.

General Purpose Standing Committee No. 4

Infrastructure and Planning
Natural Resources
Roads
Housing
Transport Services
Hunter
Energy and Utilities
Science and Medical Research

General Purpose Standing Committee No. 5

Environment
Rural Affairs
Local Government
Emergency Services
Regional Development
Illawarra
Small Business
Agriculture and Fisheries
Mineral Resources

Appendix 2

Response time for questions on notice

Response times for questions on notice

The Committee resolved on Monday 25 August 2003 that Ministers be requested to lodge answers to questions on notice taken during the hearings within 35 calendar days of the day on which the questions are forwarded to the Minister by the Committee secretariat. The return date for answers are set out in the table below.

Minister	Hearing date	Agreed time period	Date questions sent	Return date for answers	Date answers received
Hon John Watkins MP	1 Sept 2003	35 days	No questions taken on notice		
Hon Dianne Beamer MP	2 Sept 2003	35 days	10 Sept 2003	15 Oct 2003	15 Oct 2003
Hon John Hatzistergos MLC	2 Sept 2003	35 days	9 Sept 2003	14 Oct 2003	9 Oct 2003
Hon Bob Debus MP	3 Sept 2003	35 days	10 Sept 2003	15 Oct 2003	14 Oct 2003
Hon Reba Meagher MP	4 Sept 2003	35 days	10 Sept 2003	15 Oct 2003	14 Oct 2003

The Committee held three supplementary hearings on Monday 1 December 2003 during which some questions were taken on notice. Due to the shortened time frame the Committee was not able to give the normal 35 days for return of answers. The return date for answers are set out in the table below.

Department/Agency	Hearing date	Agreed time period	Return date for answers	Date answers received
Juvenile Justice	1 Dec 2003	1 day	2 Dec 2003	2 Dec 2003
Fair Trading	1 Dec 2003	1 day	3 Dec 2003	3 Dec 2003
Justice	1 Dec 2003	1 day	3 Dec 2003	3 Dec 2003

Appendix 3

Minutes of proceedings

Minutes of proceedings

Minutes No 2

Monday, 1 September 2003

At Parliament House at 5.30pm, Jubilee Room

1. Members Present

Ms Amanda Fazio (*Chair*)

Mr Greg Pearce (*Deputy Chair*)

Mr Peter Breen

Mr David Clarke (Pavey)

Mr Christine Robertson (Obeid)

Mr John Tingle

Mr Ian West

2. Substitute arrangements

The Chair advised that Mr Clarke would be representing Ms Pavey and Ms Robertson would be representing Mr Obeid.

3. Correspondence

The Chair tabled the following items of correspondence:

Received

- Letter from the Government Whip advising the Committee of Government substitutions for Estimates Hearings.
- Letter from the Opposition Whip advising the Committee of Opposition substitutions for Estimates Hearings.
- Letter from the Mr Pearce requesting the attendance of the Director, Legal Services, NSW Police, and the Director, Public Affairs, NSW Police for the Budget Estimates hearing examining the portfolio area of Police for Monday 1 September 2003.
- Letter from the Office of the Minister for Police advising that the Director, Legal Services, NSW Police, and the Director, Public Affairs, NSW Police are not available to attend the Budget Estimates hearing examining the portfolio area of Police for Monday 1 September 2003.
- Letter from Mr Pearce requesting the attendance of the Head of Finance, NSW Police for the Budget Estimates hearing examining the portfolio area of Police scheduled for Monday 1 September 2003.
- Letter from Mr Pearce requesting the attendance of an appropriate witness (or witnesses) to answer questions on the Tingha Bail facility, for the Budget Estimates hearing examining the portfolio areas of Juvenile Justice and Western Sydney scheduled for Tuesday 2 September 2003.
- Letter from the Hon John Ryan MLC requesting the attendance of the Head of Finance, Department of Corrective Services for the Budget Estimates hearing examining the portfolio area of Justice scheduled for Tuesday 2 September 2003.
- Letter from Mr Pearce requesting the attendance of the Head of Finance, Attorney General's Department, for the Budget Estimates hearing examining the portfolio area of Attorney General's Department scheduled for Wednesday 3 September 2003.

4. Budget Estimates 2003-2004

The Chair made a statement to Members regarding the broadcasting of proceedings.

The Hon John Watkins MP, Minister for Police was admitted and accompanied by the following advisers:

NSW Police

Mr Ken Moroney, Commissioner of Police

Mr Piyush Bhatt, General Manager, Financial Services, NSW Police

Ministry of Police

Mr Les Tree, Director General, Ministry for Police

NSW Crime Commission

Mr Phillip Bradley, Commissioner NSW Crime Commission

Police Integrity Commission

Mr Tim Sage, Assistant Commissioner, Police Integrity Commission.

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on budget estimates.

The Chair declared the proposed expenditure for the portfolio area of Police open for examination.

The Minister and his advisers answered questions by Members of the Committee.

Mr Watkins tabled a document excerpt titled *BOCSAR Crime Statistics Released March 2003*.

Examination of the proposed expenditure for the portfolio area of Police concluded and the witnesses withdrew.

Committee resolved, on the motion of Mr West, to accept the document as tabled.

The Committee resolved, on the motion of Mr Breen, to publish the tabled document.

5. Adjournment

The Committee adjourned at 7.30pm until 5.30pm on Tuesday, 2 September 2003.

Rachel Callinan

Clerk to the Committee

Minutes No 3

Tuesday, 2 September 2003

At Parliament House at 5.30pm, Jubilee Room

1. Members Present

Ms Amanda Fazio (*Chair*)
 Ms Catherine Cusack (Pearce)
 Mr Peter Breen
 Ms Kayee Griffin (Obeid)
 Mr John Ryan (Pavey)
 Mr Ian West

2. Apologies

Mr John Tingle

3. Substitute arrangements

The Chair advised that Ms Cusack would be representing Mr Pearce, Ms Griffin would be representing Mr Obeid, and Mr Ryan would be representing Ms Pavey.

4. Budget Estimates 2003-2004

The Chair made statements regarding procedural matters.

The Chair made a statement to Members regarding the broadcasting of proceedings.

The Hon Diane Beamer MP, Minister for Juvenile Justice and Minister for Western Sydney was admitted and was accompanied by the following advisers:

Department of Juvenile Justice

Mr David Sherlock, Director General
 Mr Peter Muir, Assistant Director, General Operations
 Ms Stephanie Cross, Assistant Director, General Management Services

The Office of Western Sydney

Ms Jane Moxham, Acting Director, Office of Western Sydney

Department of State and Regional Development

Mr Loftus Harris, Director General, Department of State and Regional Development

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on Budget Estimates.

The Chair declared the proposed expenditure for the portfolio area of Juvenile Justice, and Western Sydney open for examination.

The Minister and her advisers answered questions by Members of the Committee.

Examination of the proposed expenditure for the portfolio area of Juvenile Justice, and Western Sydney concluded and the witnesses withdrew.

5. Adjournment

The Committee adjourned at 7.30pm until 8.00pm on Tuesday, 2 September 2003.

Rachel Callinan

Clerk to the Committee

Minutes No 4

Tuesday, 2 September 2003

At Parliament House at 8.00pm, Jubilee Room

1. Members Present

Ms Amanda Fazio (*Chair*)

Mr David Clarke (Pearce)

Mr Peter Breen

Mr Peter Primrose (West)

Ms Christine Robertson (Obeid)

Mr John Ryan (Pavey)

2. Apologies

Mr John Tingle

3. Substitute arrangements

The Chair advised that Mr Clarke would be representing Mr Pearce, Mr Primrose would be representing Mr West, Ms Robertson would be representing Mr Obeid, and Mr Ryan would be representing Ms Pavey.

4. Budget Estimates 2003-2004

The Chair made a statement to Members regarding the broadcasting of proceedings.

The Hon John Hatzistergos MLC, Minister for Justice was admitted and accompanied by the following advisers:

Department of Corrective Services

Mr Gerry Schipp, Executive Director, Finance & Asset Management

Mr Ron Woodham, Commissioner

Mr Luke Grant, Assistant Commissioner

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on Budget Estimates.

The Chair declared the proposed expenditure for the portfolio area of Justice open for examination.

The Minister and his advisers answered questions by Members of the Committee.

Examination of the proposed expenditure for the portfolio area of Justice concluded and the witnesses withdrew.

5. Adjournment

The Committee adjourned at 10.00pm until 5.30pm on Wednesday, 3 September 2003.

Rachel Callinan

Clerk to the Committee

Minutes No 5

Wednesday, 3 September 2003

At Parliament House at 5.30pm, Waratah Room

1. Members Present

Ms Amanda Fazio (*Chair*)
 Mr Greg Pearce (*Deputy Chair*)
 Mr Peter Breen
 Ms Burnswoods (Obeid)
 Mr David Clarke (Pavey)
 Mr Peter Primrose (West)
 Mr John Tingle

2. Substitute arrangements

The Chair advised that Ms Burnswoods would be representing Mr Obeid, Mr Clarke would be representing Ms Pavey and Mr Primrose would be representing Mr West.

3. Correspondence

The Chair tabled the following items of correspondence:

Received

- Letter from the Government Whip dated 3 September 2003 advising of Government Member substitutions for the remainder of the Budget Estimates hearings.
- Letter from the Opposition Whip dated 2 September 2003 advising of Opposition Member substitution arrangements for the GPSC 3 Budget Estimates hearing on Thursday 4 September 2003.

4. Budget Estimates 2003-2004

The Chair made a statement to Members regarding the broadcasting of proceedings.

The Hon Bob Debus MP, Attorney General was admitted and accompanied by the following advisers:

Attorney General's Department

Mr Laurie Glanfield, Director General

Legal Aid Commission

Mr Bill Grant, Chief Executive Officer.

BOCSAR

Mr Don Weatherburn, Director

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on budget estimates.

The Chair declared the proposed expenditure for the portfolio area of Attorney General open for examination.

The Attorney and his advisers answered questions by Members of the Committee. Examination of the proposed expenditure for the portfolio area of Attorney General concluded and the witnesses withdrew.

The Chair advised that the Treasurer, the Hon Michael Egan MLC, tabled Budget Estimates Paper 3.3 on Tuesday 2 September 2003 and referred this to the General Purpose Standing Committees for their inquiry and report as part of the 2003-2004 Budget Estimates inquiry.

5. Adjournment

The Committee adjourned at 7.30pm until 5.30pm on Thursday, 4 September 2003.

Rachel Callinan

Clerk to the Committee

Minutes No 6

Thursday, 4 September 2003

At Parliament House at 5.30pm, Legislative Council Chamber

1. Members Present

Ms Amanda Fazio (*Chair*)
 Mr Michael Gallacher (*Pearce, D/Chair*)
 Ms Christine Robertson (*Obeid*)
 Ms Melinda Pavey
 Mr Ian West
 Mr John Tingle

2. Apologies

Mr Breen

3. Substitute arrangements

The Chair advised that Mr Gallacher would be representing Mr Pearce, and Ms Robertson would be representing Mr Obeid.

4. Budget Estimates 2003-2004

The Chair made a statement regarding the Minister's portfolio responsibilities.

The Chair made a statement to Members regarding the broadcasting of proceedings.

The Hon Reba Meagher MP, Minister for Fair Trading was admitted and accompanied by the following advisers:

Department of Commerce

Ms Kate McKenzie, Director General

Office of Fair Trading

Mr Brian Given, Assistant Commissioner, operations
 Mr Michael Silk, Director, Management Services
 Mr Rod Stowe, Assistant Commissioner, Policy and Strategy
 Mr Lindsay Le Compte, General Manager, Home Building Service

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on budget estimates.

The Chair declared the proposed expenditure for the portfolio area of Fair Trading open for examination.

The Minister and her advisers answered questions by Members of the Committee.

The Minister tabled a letter from the Hon JJ Della Bosca MLC to the Hon Rev Fred Nile MLC dated 3 September 2003 concerning costs incurred by the Department of Commerce for media monitoring services.

Examination of the proposed expenditure for the portfolio area of Fair Trading concluded and the witnesses withdrew.

Resolved, on the motion of Ms Robertson that the tabled document be published.

5. Adjournment

The Committee adjourned at 7.30pm *sine die*.

Rachel Callinan

Clerk to the Committee

Minutes No 7

Wednesday 29 October 2003

At Parliament House at 6.40pm, Room 1108

1. Members present

Ms Fazio (*Chair*)

Mr Pearce (*Deputy Chair*)

Mr Breen

Mr Catanzariti (*Obeid*)

Ms Pavey

Mr Tingle

Mr West

2. Participating member

Ms Cusack

3. Substitute member

The Chair noted advice from the Government Whip that Mr Catanzariti would be substituting for Mr Obeid for the purposes of this deliberative meeting.

4. Minutes

Resolved, on the motion of Mr Pearce, that minutes nos 1, 2, 3, 4, 5 and 6 be confirmed.

5. Correspondence

The Chair tabled the following items of correspondence:

Sent

- Letter to the Minister for Justice re questions taken on notice during budget estimates hearing dated 9 September 2003
- Letter to the Minister for Juvenile Justice & Western Sydney re questions taken on notice during budget estimates hearing dated 10 September 2003
- Letter to the Minister for Fair Trading re questions taken on notice during budget estimates hearing dated 10 September 2003
- Letter to the Attorney General re questions taken on notice during budget estimates hearing dated 10 September 2003

Received

- Answers to questions on notice from the Minister for Justice, received 9 October 2003
- Answers to questions on notice from the Minister for Juvenile Justice & Western Sydney, received 15 October 2003
- Answers to questions on notice from the Attorney General, received 14 October 2003
- Answers to questions on notice from the Minister for Fair Trading, received 14 October 2003

6. Budget Estimates 2003-2004

Mr West moved that the answers to questions on notice provided by the Minister for Justice be adopted and no supplementary hearing be held.

The Committee deliberated.

Question put.

Ayes: Ms Fazio, Mr Catanzariti, Mr West

Noes: Mr Pearce, Mr Breen, Ms Pavey, Mr Tingle

Question resolved in the negative.

Mr West moved that the answers to questions on notice provided by the Minister for Fair Trading be adopted and no supplementary hearing be held.

The Committee deliberated.

Question put.

Ayes: Ms Fazio, Mr Catanzariti, Mr West

Noes: Mr Pearce, Mr Breen, Ms Pavey, Mr Tingle

Question resolved in the negative.

Mr West moved that the answers to questions on notice provided by the Minister for Juvenile Justice be adopted and that no supplementary hearing be held.

The Committee deliberated.

Question put.

Ayes: Ms Fazio, Mr Catanzariti, Mr West

Noes: Mr Pearce, Mr Breen, Ms Pavey, Mr Tingle

Question resolved in the negative.

Mr West moved that the answers to questions on notice provided by the Attorney General be adopted and no supplementary hearing be held.

The Committee deliberated.

Question put.

Ayes: Ms Fazio, Mr Catanzariti, Mr Tingle, Mr West

Noes: Mr Pearce, Mr Breen, Ms Pavey

Question resolved in the positive.

Resolved on the motion of Mr Tingle that Mr Gary Richmond, Manager of the Police Firearms Registry be called to a supplementary budget estimates hearing of GPSC No 3.

Mr West moved that supplementary budget estimates hearings be of 45 minutes duration per portfolio.

Mr Pearce moved an amendment to Mr West's motion, that supplementary budget estimates hearings for the Justice, Juvenile Justice and Fair Trading portfolios be of 1.5 hours duration per portfolio.

Amendment put:

Ayes: Mr Pearce, Mr Breen, Ms Pavey, Mr Tingle

Noes: Ms Fazio, Mr Catanzariti, Mr West.

Motion, as amended, put and passed.

Resolved on the motion of Mr Tingle that consideration of the Chair's draft report be deferred until after the completion of supplementary budget estimates hearings.

7. Adjournment

The Committee adjourned at 7.06pm *sine die*.

Rachel Simpson
Clerk to the Committee

Minutes No 8

Thursday 20 November 2003

Members Lounge, Parliament House at 1.10pm

1. Members present

Ms Fazio (*Chair*)

Mr Pearce (*Deputy Chair*)

Mr Burke (Obeid)

Mr Breen

Ms Pavey

Mr Tingle

Mr West

2. Substitute member

The Chair noted advice from the Government Whip that Mr Burke would be substituting for Mr Obeid for the purposes of this deliberative meeting.

3. Minutes

Resolved, on the motion of Mr Breen, that minutes no 7 be confirmed.

4. Budget Estimates 2003-2004

Rescission of motion to recall Manager, Police Firearms Register

Resolved, on the motion of Mr Tingle that the Committee's resolution passed on 29 October 2003 to recall the Manager of the Police Firearms Register to a supplementary budget estimates hearing, be rescinded.

Justice portfolio supplementary hearings

Mr Pearce moved: in view of his unavailability the Committee excuse the Minister for Justice from attending a supplementary budget estimates hearing and that in his place the Committee formally request the attendance of the Commissioner and the person responsible for corporate services. Should the Commissioner be unavailable, the Committee requests the attendance of the Deputy Commissioner and the person responsible for corporate services.

The Committee deliberated.

Question put.

Ayes: Mr Pearce, Mr Breen, Ms Pavey, Mr Tingle

Noes: Ms Fazio, Mr Burke, Mr West

Question resolved in the affirmative.

5. Adjournment

The Committee adjourned at 1.25pm until Monday 1 December 2003 at 9.30am (budget estimates supplementary hearing)

Rachel Simpson

Clerk to the Committee

Minutes No 9

Monday, 1 December 2003

At Parliament House at 9.30am

1. Members Present

Ms Fazio (Chair)

Ms Pavey (Fair Trading and Juvenile Justice portfolio)

Mr Pearce (Fair Trading and Justice portfolios)

Mr Ryan (Ms Pavey for Justice portfolio)

Mr West

Ms Cusack (Mr Pearce for Juvenile Justice portfolio)

Mr Breen (Justice portfolio)

2. Apologies

Mr John Tingle

3. Substitute arrangements

The Chair advised that Ms Cusack would be representing Mr Pearce in the Juvenile Justice hearing and Mr Ryan would be representing Ms Pavey in the Justice hearing.

4. Budget Estimates 2003-2004 – Supplementary Hearings

The Chair made a statement to Members regarding the broadcasting of proceedings.

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on budget estimates.

The Chair declared the proposed expenditure for the portfolio area of Fair Trading open for examination.

The following departmental officers were admitted:

Office of Fair-trading

Mr D O'Connor, Commissioner

Mr M Silk, Director of Management Services

Mr R Stowe, Assistant Commissioner, Policy and Strategy

Mr B Given, Assistant Commissioner, Operations

Mr L Le Compte, General Manager, Home Building Service

Department of Commerce

Ms K McKenzie, Director General

The departmental officers answered questions by Members of the Committee.

Examination of the proposed expenditure for the portfolio area of Fair Trading concluded and the witnesses withdrew.

The Chair made a statement to Members regarding the broadcasting of proceedings.

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on budget estimates.

The Chair declared the proposed expenditure for the portfolio area of Juvenile Justice open for examination.

The following departmental officers were admitted:

Department of Juvenile Justice

Mr D Sherlock, Director General

Ms S Cross, Assistant Director General, Management Services

Mr P Muir, Assistant Director General, Operations

The departmental officers answered questions by Members of the Committee.

Examination of the proposed expenditure for the portfolio area of Juvenile Justice concluded and the witnesses withdrew.

The Chair made a statement to Members regarding the broadcasting of proceedings.

The public and media were admitted.

The Chair made a statement regarding certain procedural matters during hearings on budget estimates.

The Chair declared the proposed expenditure for the portfolio area of Justice open for examination.

The following departmental officers were admitted:

Department of Corrective Services

Mr Ron Woodham, Commissioner

Mr Ian McLean, Senior Assistant Commissioner

Mr Luke Grant, Assistant Commissioner

Mr Gerry Schipp, Executive Director, Finance

The departmental officers answered questions by Members of the Committee.

Resolved, on the motion of Mr Ryan that the hearing be extended by 10 minutes.

Examination of the proposed expenditure for the portfolio area of Justice concluded and the witnesses withdrew.

5. Deliberative after the hearing

Resolved, on the motion of Ms Cusack that the minutes of meeting nos. 7 and 8 be confirmed.

Correspondence

The Chair tabled the following items of correspondence:

Received

- Letter from the Hon Greg Pearce MLC dated 28 November 2003 to the Director of GPSC 3 enclosing indicative questions for the Justice portfolio hearing on Monday, 1 December 2003.

Sent

- Letter to the Commissioner, Department of Corrective Services dated 21 November 2003, regarding supplementary budget estimates hearings (attached)
- Letter to the Minister for Justice dated 28 November 2003 forwarding indicative questions from the Hon Greg Pearce MLC.

Time for return of questions taken on notice during the hearing

The Committee deliberated.

Resolved on the motion of Mr Ryan that answers to questions on notice from today's hearing be requested to be returned by 6.00pm Tuesday, 02 December 2003.

Consideration of Chair's draft report

Resolved, on the motion of Mr Ryan, that the Committee meet 15 minutes prior to the resumption of sitting after lunch on Wednesday 3 December 2003, in the Members Lounge, to adopt the Committee's report following the receipt of answers from departments.

6. Adjournment

The Committee adjourned at 3.55pm to resume on Wednesday 03 December 2003, 15 minutes before the house resumes following the lunch break.

Rachel Callinan
Clerk to the Committee

Tanya Bosch
Clerk to the Committee

Minutes No 10

Wednesday 3 December 2003
At Parliament House at 2.15pmpm

1. Members Present

Ms Fazio (Chair)
Mr Breen
Ms Pavey
Mr Pearce
Mr Primrose (Obeid)
Mr West

Apologies

Mr John Tingle

2. Participating member

Mr Ryan

3. Substitute arrangements

Mr Primrose substituted for Mr Obeid for the purposes of this deliberative meeting.

4. Confirmation of Minutes No 9

Resolved, on the motion of Mr Primrose, that minutes No 9 be confirmed.

5. Budget Estimates 2003-2004***Consideration of Chair's draft report***

Resolved, on the motion of Mr Primrose that the following words be inserted at the end of chapter 3 – Justice, following the section on supplementary hearings:

“At the time of finalising the report, the Committee had received answers to some questions taken on notice during the supplementary hearing. However, the following questions had yet to be answered:

1. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
How many mobile phones were found within the prison system in the past year in each correctional facility? (Hansard, p1)
2. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
In relation to compensation payouts to prisoners in the past year:
 - (a) How much was paid out to each prisoner?
 - (b) Who received payments?
 - (c) How many claims are unresolved? (Hansard, p3)
3. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
How much money was raised through vending machines in visitor areas of prisons in the past year? (Hansard, p4)

4. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
 - (a) How many drug tests were performed in each month of 2003 in each of the following correctional centres:
 - the Metropolitan Reception and Remand Centre
 - Long Bay
 - Parklea
 - (b) How many of the tests were positive? (Hansard, p14)
5. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—

In relation to the 23 officers of the Department of Corrective Services who were found to have engaged in misconduct during the calendar years 2002 and 2003:

 - (a) How many of the officers were retained in the prison service
 - (b) How many were dismissed
 - (c) How many resigned, and
 - (d) How many remained in their roles? (Hansard, p14)
6. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—

Can you supply to the Committee details of tasks that consultant Mr Vern Dalton has been asked to undertake for the last two financial years and the amounts of money paid to him? (Hansard, p14)
7. The Committee asked the Commissioner, Department of Corrective Services, Mr Woodham—
 - (a) Could you provide copies the report or draft report completed by the former Inspector-General of Corrective Services relating to the MRRC and the Probation and Parole Service?
 - (b) Could you please also provide the Department's responses to those reports? (Hansard, p14)"
8. Mr Ryan asked the Commissioner, Department of Corrective Services, Mr Woodham—

Can you supply to the Committee details of tasks that consultant Mr Vern Dalton has been asked to undertake for the last two financial years and the amounts of money paid to him? (Hansard, p14)
9. Mr Ryan asked the Commissioner, Department of Corrective Services, Mr Woodham—
 - (a) Could you provide copies the report or draft report completed by the former Inspector-General of Corrective Services relating to the MRRC and the Probation and Parole Service?
 - (b) Could you please also provide the Department's responses to those reports? (Hansard, p14)

Resolved, on the motion of Mr West, that: the report, as amended, be adopted.

The report be signed by the Chair and presented to the House before accordance with the resolution establishing the committee of 3 July 2003.

That Pursuant to the provisions of section 4 of the Parliamentary Papers (Supplementary Provisions) Act 1975 and under the authority of Standing Order 224, the Committee authorises the Clerk of the Committee to publish the report, correspondence and tabled documents.

6. Adjournment

The Committee adjourned at 2.30pm.

Rachel Simpson

Clerk to the Committee