

PORTFOLIO COMMITTEE NO. 5 - LEGAL AFFAIRS

Friday, 5 November 2021

Examination of proposed expenditure for the portfolio area

COUNTER TERRORISM AND CORRECTIONS

CORRECTED

The Committee met at 9:30 a.m.

MEMBERS

The Hon. Robert Borsak (Chair)

The Hon. Trevor Khan

The Hon. Taylor Martin

The Hon. Tara Moriarty

The Hon. Walt Secord

Mr David Shoebridge (Deputy Chair)

MEMBERS PRESENT VIA VIDEOCONFERENCE

The Hon. Lou Amato

PRESENT

Mr Anthony Roberts, *Minister for Counter Terrorism and Corrections*

* Please note:

[inaudible] is used when audio words cannot be deciphered

[audio malfunction] is used when words are lost due to a technical malfunction

[disorder] is used when members or witnesses speak over one another

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**

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The CHAIR: Welcome to the public hearing for the inquiry into budget estimates 2021-2022, Counter Terrorism and Corrections. Before I commence I acknowledge the Gadigal people, who are the traditional custodians of this land. I pay respect to Elders past, present and emerging of the Eora nation and extend that respect to other Aboriginal people present. I welcome Minister Anthony Roberts and accompanying officials to this hearing. Today the Committee will examine the proposed expenditure for the portfolios of Counter Terrorism and Corrections.

Before we commence I would like to make some brief comments about the procedures for today's hearing. Today's proceedings are being broadcast live on the Parliament's website and a transcript will be placed on the Committee's website once it becomes available. In accordance with broadcasting guidelines, media representatives are reminded that they must take responsibility for what they publish about the Committee's proceedings. 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 witnesses 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. If witnesses wish to hand up documents they should do so through the Committee staff. 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.

With reference to the audibility of the hearing today, we have witnesses in person and via videoconference. I ask Committee members to clearly identify who questions are directed to and I ask everyone appearing remotely to please state their name when they begin speaking. Could everyone please mute their microphones when they are not speaking. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses 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. I also would like to remind Ms Catherine D'Elia, Acting Secretary, Department of Communities and Justice, that she does not need to be sworn as she has been sworn at an earlier budget estimates hearing before this Committee.

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CATHERINE D'ELIA, Acting Secretary, Department of Communities and Justice, on former oath

KEVIN CORCORAN, Acting Commissioner, Corrective Services NSW, Department of Communities and Justice, sworn and examined

PIA VAN DE ZANDT, Acting Executive Director, Strategy and Programs, Department of Communities and Justice, before the Committee via videoconference, affirmed and examined

SANDRA CRAWFORD, Assistant Commissioner, Community Corrections, Corrective Services NSW, Department of Communities and Justice, before the Committee via videoconference, affirmed and examined

LUKE GRANT, Deputy Commissioner, Corrective Services NSW, Department of Communities and Justice, before the Committee via videoconference, affirmed and examined

DAVID FREARSON, Chairman, State Parole Authority, Department of Communities and Justice, before the Committee via videoconference, sworn and examined

The CHAIR: Today's hearing will be conducted from 9.30 a.m. to 12.45 p.m. with the Minister and departmental witnesses, with questions from the Opposition and crossbench members only. If required, an additional 15 minutes is allocated at the end of this session for Government questions. 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. TARA MORIARTY: Good morning everybody. Thank you for joining us today. I have said this a number of times on the record over the last couple of months but I will say it again as we start today: I thank you for the work that you do; it is really important and it is valued by all of us. We appreciate fully the staff who work in facilities. I would appreciate it, Acting Commissioner, if you could pass on our thanks for the work that they do keeping us safe. I know that it is very dangerous and very considered work, and I say that in particular to the people who work in Justice Health supporting those who are in those facilities. So we genuinely thank you. It will not surprise you that I will start off by asking about the COVID situation that has occurred over the last couple of months. Minister, I am happy to go through you to whoever you think is the appropriate person to answer these questions. Where are we at the moment? How many cases have there been to date?

Mr ANTHONY ROBERTS: I will pass to the Acting Commissioner. The entire COVID cases, as at 1 November we had 553 inmates; 327 of those inmates tested positive while under strict mandatory quarantine on entry to custody; 228 inmates have tested positive outside of quarantine and some 75 Corrective Services staff. I am pleased to inform this Committee that we do have good news; it has been a very good story for Corrections. I might ask the Acting Commissioner to outline where we are at today and how we have got there.

Acting Commissioner CORCORAN: Thank you very much, Minister. We have currently got 15 active cases in the system, and all of those are people who have come in from the community with the infection. At the moment there are zero cases left of any outbreaks that may have occurred; so we have completely eliminated transmission inside the system. The command post has been doing a magnificent job of containing this and bringing that back to zero. That command post is comprised of all sorts of people from Corrections, from the union, from Justice Health, and we have been working not only with that command post, but working right across the State with union representatives, involving them in decision-making about how we progress the response to COVID as a result of this Delta variant that has made it a lot more difficult for us to cope with.

The Hon. TARA MORIARTY: I am pleased to hear that at this point it seems to be under control, but 550—

Acting Commissioner CORCORAN: Five hundred and fifty-three.

The Hon. TARA MORIARTY: —is still a very high and unacceptable number in what are the most controlled facilities in New South Wales. I am pleased that it is under control and hopefully it can stay that way, but how did we get to 553 in the first place, given the nature of the system?

Mr ANTHONY ROBERTS: I want to make it quite clear that for 18 months Corrective Services effectively managed COVID-19 risks and put strategies in place to mitigate transmission of the virus between inmates and staff within our prisons. Throughout 2020—if I can just put it into some context here—while there were over 4,700 cases of COVID recorded in our State, there were no transmissions within the correctional centre; in fact, it took over 18 months and over 18,200 cases to be recorded in New South Wales before we had the first case of transmission in the correctional system itself. I would like to echo your opening statement, and that is it is due to the fantastic work that correctional officers and staff right across the board did in managing this.

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This was very new; no-one had ever planned about having these COVID-19 outbreaks, let alone the Delta variant. So in setting up early the command post, which had management, staff, unions, as well as Justice Health staff there, we were able to put in protocols, under health advice, to ensure that we managed and were able to secure those prisons for such a long time. Because the issue we have is that, unlike schools or indeed Parliament, we cannot close our correctional system down for a deep cleanse and open it up again two days later. There was extensive planning put into place from the very start and that level of cooperation. A lot of learnings have come from this. There are things that, if this occurs again, we will do better. But I have to say there have been some fantastic learnings. I will certainly ask the Assistant Commissioner who was there from the very start to outline some of those key learnings and where we had the first sorts of transmissions—

The Hon. TARA MORIARTY: Before you do that, I have some questions about that. We have all been living with COVID for 18 or 19 months, whatever it has been now, and you did well last year. There was not an outbreak last year but this year, from July or August, there were 553 cases. And you are right; there were issues in schools and all the rest of it. But your facilities are totally controlled by you so it is not the same. I am pleased to hear there are learnings now. Why were processes not set up to stop this from getting in, in the first place? How was it not controlled when the first case did get in?

Mr ANTHONY ROBERTS: Before I hand to the Acting Commissioner, I point out that processes were put in place from the very beginning that worked successfully with COVID-19. The Delta strain was something entirely different. As I said, with over 18,000 cases in the community, we were the last standing post, probably in the Commonwealth, to actually fall to COVID-19. And that was because of the protocols and practices and procedures that we had in place. Certainly we were able to be quite nimble when it came to addressing the new Delta variant in how we managed inmates coming in on remand. That cohort of people that we deal with in our prison facilities are not people that usually listen to health advice or health directions. They are people that quite often, obviously, live outside the law. The Acting Commissioner might just run through from where we started and then how we changed the procedures and practices to when we had our first outbreak.

The Hon. TARA MORIARTY: Again, I will interrupt because we did cover some of this in the public accountability hearing. I do not intend to revisit old ground except for some follow-up from that. I accept that this is an unusual system to manage but once people are in the system they are completely controlled—every movement, every interaction or not, everything that they do is completely controlled by you. How can it be that there were 553 cases? They were not people who were in and out of system, although the staff were, which was also a concern. Quite a number of staff were sick—hopefully all of them are better now because I know some were very sick. You have not answered the question about how that happened. The second part to that is that in the Public Accountability Committee hearing we touched on the fact that you were going to look into how the original case got into Parklea. Where are we at with that?

Mr ANTHONY ROBERTS: I can answer that. I hate to nitpick on these things but when we talk about 553 inmates, 327 of those were basically new inmates coming into our custody.

Mr DAVID SHOEBRIDGE: It is the 228, is it not? That is the one to focus on.

Mr ANTHONY ROBERTS: Yes, that is right.

Mr DAVID SHOEBRIDGE: The 228 that transitioned inside the system.

Mr ANTHONY ROBERTS: But I think it is important—

The Hon. TARA MORIARTY: No, I am going to focus on the 553 because I understand some of them were new and some of the spread was in the system. I get the point of the two numbers but all of them were completely and totally in your care.

Mr ANTHONY ROBERTS: In our custody, that is right. I take it where you are coming from is the COVID-19 at Parklea, the original outbreak? I directed the acting secretary to arrange for an independent inquiry into the management of COVID-19 at Parklea Correctional Centre. It concerns me it got in. It concerns us all. We want to know why it happened. Mr Peter Dein, APM, has been appointed as that investigator for this inquiry. He is a highly decorated retired Assistant Commissioner of Police and Crime Commission and a consultant for law enforcement, government and related industries.

The terms of reference for the inquiry are: to investigate the application of COVID-related policies and procedures at Parklea Correctional Centre prior to and at the time of the first positive COVID case outside of quarantine; to investigate the circumstances outlined in two recent legal cases related to the management of COVID risk; to consider whether appropriate COVID risk management processes and health advice, as applicable at the time, were followed in the two legal cases; to consider the respective roles and responsibility of Corrective Services NSW, the Justice and Forensic Mental Health Network, the Parklea Correctional Centre operator,

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MTC-Broadspectrum and health provider, St Vincent's Health Network in relation to those two legal cases; and to make any appropriate recommendations for improvements. That final report is expected in mid-December and I will be releasing that.

The Hon. TARA MORIARTY: Great. I look forward to that.

Mr DAVID SHOEBRIDGE: On 24 December?

Mr ANTHONY ROBERTS: And also, on top of that, the University of New South Wales, Kirby Institute has been engaged to conduct an independent review of how the outbreak spread. The findings from this review will be used to identify risks and improve COVID-19 protocols and procedures.

The Hon. TARA MORIARTY: What was the original date that COVID got into Parklea?

Acting Commissioner CORCORAN: The date that it got out of quarantine, the Command Centre WAS advised on 23 August.

The Hon. TARA MORIARTY: You were notified on 23 August?

Acting Commissioner CORCORAN: Yes.

The Hon. TARA MORIARTY: There was no other information about it before then that you were aware of?

Acting Commissioner CORCORAN: None that we were aware of.

The Hon. TARA MORIARTY: What about you, Minister?

Mr ANTHONY ROBERTS: Not that I was aware of.

The Hon. TARA MORIARTY: I started hearing about it a few days before that but I could not confirm it until, in fact, 28 August, which was almost a week after you were told. On 28 August was when I got confirmation about it and up until then it was not made public. Why was it covered up or hidden during the course of that week?

Mr ANTHONY ROBERTS: I do not think it was covered up or hidden. If it was, this investigation will find out. As I said before, I want to know how it got in. We were successful up to that stage within the broader prison network and that is what the investigation will look at. Again, I will make that investigation public as soon as I get that.

Acting Commissioner CORCORAN: No, I mean, as soon as we found out there was an outbreak we acted immediately. We closed Parklea down. We identified where everybody over the previous couple of weeks had been sent around the system. I think I talked about this in the Public Accountability Committee but there was an immediate shutdown of the entire system. There was no covering anything up. As soon as we understood that there was a problem we acted immediately.

The Hon. TARA MORIARTY: Was that after 28 August when I got confirmation of it or on 23 August when you got confirmation of it—almost a week?

Acting Commissioner CORCORAN: I cannot recall the exact date. It was a Sunday night.

Mr ANTHONY ROBERTS: We will have to take it on notice.

Acting Commissioner CORCORAN: Yes, we will take it on notice.

The Hon. TARA MORIARTY: As part of this inquiry, and if you could answer this as well, I accept that you were told on 23 August but NSW Health had put out some information as part of its COVID daily information saying that the first case that it was officially aware of in Parklea was on 18 August. If NSW Health said the first case was on 18 August why were you not told until 23 August? How come I could not get confirmation until 28 August, which is when it became public?

Mr ANTHONY ROBERTS: I think that would be a matter certainly for Justice Health and NSW Health to answer but that will be covered in this investigation. We want the full timeline. We want to know when things occurred and essentially also how they occurred and what learnings we can take from that.

Deputy Commissioner GRANT: Minister, might I assist this process? I think there is a bit confusion around the dates.

The Hon. TARA MORIARTY: I am not confused but I am happy to hear from you.

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Deputy Commissioner GRANT: I think the member is a little confused about the cases. Parklea had some cases of fresh receptions earlier from the date of the twenty-third. The first case that you would have been aware of that NSW Health may have reported was a case of a person who had COVID when they came into prison, whose COVID status was detected during the quarantine phase. The twenty-third was the date of the first person who had finished their quarantine phase—in fact, they were still in the quarantine unit and had not moved out of that unit. So we received advice on the twenty-third that there was a person who was positive. It was a person who was a resident in the quarantine area who had not moved out of that area. The twenty-seventh was the date when we first became aware that it may have actually spread outside of the quarantine area into the mainstream population when we got advice that up to two prisoners were outside of that area. So in relation to the first one, because it was unusual, it was the first case we had of someone who had not been in quarantine, the person was re-tested again. That process always occurs to assure ourselves that that is the case.

But the significant incident really was the twenty-seventh that confirmed that we had a problem because the cases now were outside of the quarantine space in the correctional centre. So all of those dates are the correct dates but they relate to three different things: the first being a patient, a prisoner, who became positive whilst they were in the quarantine phase; the second one was a prisoner who was a resident in the quarantine area but was positive outside of the 14-day quarantine period; and the third one was two prisoners who were outside of the quarantine zone. So quarantine is not just a process; it is actually a place in the correctional centre. The first two cases that we had outside of that were the two cases on the twenty-seventh.

The Hon. TARA MORIARTY: Thanks. I will come back to some questions a little later about those processes, but in the short time I have left I will very delicately ask a question as sensitively as I can about what I have been advised has been the death of a person who was in Parklea. I am told that he contracted COVID in Parklea and recently died as a result. Can you give us some information about that?

Mr DAVID SHOEBRIDGE: And, in fact, was unvaccinated.

Mr ANTHONY ROBERTS: Again, I would like to extend our sincere condolences to the family. I appreciate it will be a difficult time for them. I will answer this, as you say, as sensitively as possible. I have asked the acting secretary to include the circumstances of the person's COVID-19 infection in the terms of reference for the independent inquiry into the management of COVID at Parklea. But at this stage no advice has been received regarding whether there will be an investigation of the person's death by the New South Wales Coroner, and I think until such advice is received it is probably appropriate that we do not comment any further.

The Hon. TARA MORIARTY: Again, I want to be sensitive about this. My condolences to the family also, and I mean that sincerely, but it is not good enough to send this off to an inquiry. As a result of what has happened over the last couple of months, a person has very recently died. You have to give us some more information about the circumstances around that. I understand he was moved to hospital as a result. Can you give us some information around the circumstances?

Acting Commissioner CORCORAN: This person had a number of underlying comorbidities and became quite ill with COVID. With all infections that result in illness at a higher level we transfer them to hospital so they are looked after in the public health system. He was placed on bail because, as I understand, he was intubated as well. There was really no need for two officers to be sitting there 24 hours a day guarding him, so we asked the court to consider whether he would be placed on bail and that bail was granted.

The Hon. TARA MORIARTY: How long had he been in the facility? I do not need personal details.

Acting Commissioner CORCORAN: How long had he been where? Sorry, I did not catch the question.

The Hon. TARA MORIARTY: How long had he been in Parklea or in prison?

Deputy Commissioner GRANT: I can answer that question if you wish, Commissioner.

Mr ANTHONY ROBERTS: We will ask the deputy commissioner.

Deputy Commissioner GRANT: He was received in custody on 26 June 2021. In response to the point that has been raised about vaccination, he actually was offered a vaccination, which he declined, on 6 September. He was in a cell with another person, that person was offered a vaccination on that date and had the vaccination and was double-vaccinated. This person, sadly, did not take up the opportunity for vaccination on the date that he was offered it.

The Hon. TARA MORIARTY: Why was he not offered vaccination before 6 September?

Mr ANTHONY ROBERTS: Assistant Commissioner?

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Deputy Commissioner GRANT: I would have to find out whether he was indeed offered. I just know about that particular date because that was the date that his cellmate did. I will have to take that on notice.

The Hon. TARA MORIARTY: The vaccination program through the course of this hearing has been woefully slow, but I will come to that later.

Mr ANTHONY ROBERTS: I just need to pick you up on that. The vaccination program within the prisons has been quite effective. I just want to place that on the record. If you want to come back to it or deal with it now?

The Hon. TARA MORIARTY: I think I am about to be out of time, but I do not think it was particularly effective with this person.

Mr ANTHONY ROBERTS: They refused the vaccination.

The Hon. TARA MORIARTY: On 6 September?

Mr ANTHONY ROBERTS: Assistant Commissioner?

Deputy Commissioner GRANT: That is right. I said I will take on notice whether he was offered it before. I only have information about that date. Should he have been vaccinated on that date? He did have the option on that date.

Mr DAVID SHOEBRIDGE: Minister, nice to see you, and Acting Commissioner. Acting Commissioner, do you know how long the Acting Commissionership role will last? Has anyone given you advice about the recruitment process?

Mr ANTHONY ROBERTS: You can just direct the questions through me, if you do not mind. Acting Commissioner?

Acting Commissioner CORCORAN: Thank you, Minister. Yes, interviews have been conducted and a process is continuing at the moment. I would imagine a decision will be announced in the next few weeks.

Mr ANTHONY ROBERTS: If I can ask the acting secretary to outline that process.

Mr DAVID SHOEBRIDGE: And then you might ask the acting deputy commissioner, who may ask the acting assistant commissioner and then we will commence. Sorry, Acting Secretary.

Ms D'ELIA: As the Acting Commissioner mentioned, interviews have been completed. Reference checks are underway and once the reference checks are done then we will be able to make the recommendation with respect to the permanent commissioner.

Mr DAVID SHOEBRIDGE: All right. Minister, do you have a time frame?

Mr ANTHONY ROBERTS: No, it is independent. I am leaving it to the department.

Mr DAVID SHOEBRIDGE: The department will make a recommendation and then you make the decision, Minister, is that right?

Mr ANTHONY ROBERTS: Yes—or Cabinet will.

Mr DAVID SHOEBRIDGE: You will take a recommendation to Cabinet?

Mr ANTHONY ROBERTS: Correct.

Mr DAVID SHOEBRIDGE: And you do not have a time frame for that?

Mr ANTHONY ROBERTS: No.

Mr DAVID SHOEBRIDGE: If we could return to the tragic death of the man from Parklea, who was incarcerated in Parklea, I do not know if this is best through you, Minister, to the acting commissioner or to the assistant commissioner—whoever has the most current information. When did the man actually pass away? What was the date of death?

Mr ANTHONY ROBERTS: Let me just confer with my acting commissioner and deputy commissioner. Deputy Commissioner, do you want to unpack this?

Deputy Commissioner GRANT: We were advised of his death on 31 October, noting that he was not in our custody at the time, he had been granted bail, so we had no direct information, but I think we heard about it pretty soon after the event had occurred.

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Mr DAVID SHOEBRIDGE: He entered custody on remand, in my understanding, on 26 June. Is that right, Deputy Commissioner?

Deputy Commissioner GRANT: That is correct, yes.

Mr DAVID SHOEBRIDGE: Was the man a First Nations man?

Deputy Commissioner GRANT: No, he was not.

Mr DAVID SHOEBRIDGE: Do you have records that this man refused the vaccination on 6 September, or are you speculating on the basis that his cellmate received it? Deputy Commissioner?

Mr ANTHONY ROBERTS: Deputy Commissioner, at any stage if you think this is going to potentially hinder a coronial investigation, feel free to outline that. But are you able to answer that in view that this may be an investigation that will be taken up by the Coroner?

Deputy Commissioner GRANT: I can answer that, I think, Minister. I do not have documentary evidence in relation to the timing of the event; however, I have confirmed with Vincent's Correctional Health, who are the providers of health, that he was offered a vaccine on that date. I understand that there may have been some evidence by way of video footage that showed the team who went offering vaccinations to the cell attending his cell. His cellmate accepted the vaccination; he did not accept the vaccination. But I have got no record, I do not know what transpired on the day.

Mr DAVID SHOEBRIDGE: Through you, Minister, to the acting commissioner: if a person in custody refuses vaccination, I assume that there is then after that some kind of public health response—you send in some kinds of experts or teams to go and speak with an inmate and get over the barrier that is preventing vaccination. I am assuming that is in place, Acting Commissioner?

Acting Commissioner CORCORAN: Yes, thanks, Minister. All the vaccinations are administered by health officials in any case. So if somebody refuses a vaccine they take them through that process of giving them information. People were a little hesitant around that time, I think, with AstraZeneca and this was something I highlighted, I think, in the Public Accountability Committee. But since we have had Pfizer in the system the uptake has been quite considerable in terms of the level of first-dose and second-dose vaccinations.

Mr DAVID SHOEBRIDGE: But my question is: Is there a process in place to overcome that barrier to send people in to talk with any inmate who has refused a vaccination, to talk them through the issues and persuade them about the science and the medical benefits of vaccination? I am not getting any comfort from your answers so far.

Mr ANTHONY ROBERTS: Most probably because it is a Justice Health responsibility so that question should be directed to the Minister for Health and Medical Research.

Mr DAVID SHOEBRIDGE: The Acting Commissioner must know what is going on in his prisons in dealing with COVID. It is a fundamental issue about the management of prisons so I am going to press the question to you, Acting Commissioner. Is there any process in place that you are aware of to do that?

Acting Commissioner CORCORAN: I cannot speak for St Vincent's Health because I have had much more, I guess, engagement with Justice Health. Certainly with Justice Health they have been engaging in processes with inmates around the State. I think evidence of their success is the levels. Obviously they are Justice Health statistics and you would need to go to Health to get them but I do know what they are, and they are considerable in terms of the levels that we have achieved over the last few months.

Mr DAVID SHOEBRIDGE: I will ask you two further questions about this tragic death. First of all, when, if at all, apart from 6 September was this man offered vaccination? At any point after the initial refusal were efforts were made—and if so, what were they—to overcome the vaccine hesitancy to try to protect this man's health and welfare?

Mr ANTHONY ROBERTS: We will take those on notice.

Mr DAVID SHOEBRIDGE: Deputy Commissioner—

Mr ANTHONY ROBERTS: Through me.

Mr DAVID SHOEBRIDGE: What vaccine was offered on 6 September?

Mr ANTHONY ROBERTS: I will go to the Deputy Commissioner.

Deputy Commissioner GRANT: I will have to take that on notice. I do not have the information at hand so I would just be guessing if I told you.

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Mr DAVID SHOEBRIDGE: The health Minister has said that New South Wales is currently awash with vaccines and has asked for the Federal Government not to send any more in for a bit. Is that the same situation in Corrections?

Mr ANTHONY ROBERTS: I will ask the Deputy Commissioner. I do not think at any stage were we wanting vaccines, were we?

Deputy Commissioner GRANT: Initially we did not have Pfizer. However, my understanding is there are ample vaccines. If anyone wants to be vaccinated at the moment, there is no shortage of vaccines.

Mr DAVID SHOEBRIDGE: What proportion of the prison population has had at least one dose of vaccine and what proportion is doubly vaccinated? Can you break it down between male and female and also if you have Indigenous and non-Indigenous rates?

Mr ANTHONY ROBERTS: We probably could break it down for you.

Mr DAVID SHOEBRIDGE: Do you have the overall number at the moment, Minister?

Mr ANTHONY ROBERTS: When you say "proportion" do you want a percentage or numbers?

Mr DAVID SHOEBRIDGE: I am happy to work out the percentages myself if you give me the numbers.

Mr ANTHONY ROBERTS: Percentages are sort of a number.

Mr DAVID SHOEBRIDGE: The numbers of people in custody and the numbers who are vaccinated. I will do the maths and do the percentage, or you can give me both.

Mr ANTHONY ROBERTS: Okay, we will try to give you both if we can. Deputy Commissioner?

Deputy Commissioner GRANT: Hold on for one moment. I am just trying to get the latest figures unless the Commissioner has them in front of him.

Mr DAVID SHOEBRIDGE: It should be on the first page I imagine. That would be my guess.

Mr ANTHONY ROBERTS: In fact, I think you are right. Here we go, it is something I prepared earlier. So 82.5 per cent of the inmate population have received their first dose of a COVID-19 vaccine; 81.7 per cent of the Indigenous population; and 67 per cent of the prison population is fully vaccinated, with 63.3 per cent of the Indigenous population fully vaccinated.

Mr DAVID SHOEBRIDGE: That double vaccination rate is still substantially lower—in First Nations inmates almost 15 per cent lower than the general population.

The Hon. TREVOR KHAN: In New South Wales. It is about equivalent to Western Australia.

Mr DAVID SHOEBRIDGE: In New South Wales, given we are in New South Wales, and I will take the clarification. It is still about 12 per cent lower for the general population. My colleague Ms Moriarty put to you that this is a population that is entirely in your control. How is it that the vaccination rates in prisons are lower than the rate in the general population?

Mr ANTHONY ROBERTS: I will pass to the Deputy Commissioner. Really this is a question for Justice Health that monitors this and would be responsible for the rollout of this. Trying to be as helpful, as we always are, could we add anything there, Deputy Commissioner?

Deputy Commissioner GRANT: I can speculate on some of the reasons. One of them is that there is a high level of mobility of people moving into and out of prison. A significant percentage of people who are in custody on remand are often there for a very short period of time. So they might have one dose, they will not have the second dose or they might not even be there long enough to actually have a second dose because a significant number of people would be in custody for less than two weeks.

The second thing is there is some reluctance, as the commissioner mentioned, from people refusing to be vaccinated. It may have something to do with the characteristics of people in custody, their scepticism about vaccines. I know that it is not a unique experience in New South Wales. Some of the other jurisdictions have had slightly larger numbers of people. But I was conferring with colleagues only last week from Correctional Services in Canada where two-thirds of its prisoners were refusing the offer of being vaccinated. So compared to some populations I think we are doing okay but I think the high level of mobility is possibly one account for it and the second one is that people are just not taking up the option even though the option is available.

Mr DAVID SHOEBRIDGE: I go back to the question I asked earlier: What are the systems in place to go back to an inmate who has refused vaccine to bring in, if they are First Nations, a culturally appropriate

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medical service, and hopefully an Aboriginal controlled medical service, to talk them through the issues and if they are not Indigenous, the relevant experts to come in and talk them through the vaccine hesitancy? What is in place?

Mr ANTHONY ROBERTS: If I can respond to that question by saying that I think you have hit it in one when you spoke about medical procedures. Medical procedures are run by Justice Health. It runs the programs and any program around vaccinations or follow-up processes or programs to get people vaccinated is a question best answered by Justice Health because they control it and run it.

Mr DAVID SHOEBRIDGE: So you are washing your hands of this issue, Minister? You are just saying it all Justice Health. You do not think it is a joint responsibility between Corrections and Justice Health to make sure that the inmates in your care and custody—I would suggest both, not just custody—are protected from COVID? You do not think it is a joint responsibility?

Mr ANTHONY ROBERTS: It is run by Justice Health and any questions around the processes and programs should be directed to Justice Health.

Mr DAVID SHOEBRIDGE: Do you think it is a joint responsibility?

The Hon. LOU AMATO: The Minister has answered the question.

Mr DAVID SHOEBRIDGE: Do you think it is a joint responsibility?

Mr ANTHONY ROBERTS: What I am saying is that this is best answered by Justice Health. It runs the medical programs and procedures. We facilitate, of course, access of those individuals to our centres but it is run by—

Mr DAVID SHOEBRIDGE: I have asked you whether these services are provided. I will now ask you what of those services do you facilitate Justice Health providing?

Mr ANTHONY ROBERTS: We facilitate access to the centres.

Mr DAVID SHOEBRIDGE: Yes, but in overcoming vaccine hesitancy what services from Justice Health do you facilitate providing to inmates who have refused a vaccine?

Acting Commissioner CORCORAN: The issue here is that we are facilitating access for whatever Justice Health requires, or whatever the other private providers require, to the inmates. If you are talking about a joint responsibility, that is our responsibility. The other responsibility of getting people across the line for vaccines really falls to the health providers.

Mr DAVID SHOEBRIDGE: Acting Commissioner, through you Minister: Do you have the vaccination rates on a facility-by-facility basis?

Acting Commissioner CORCORAN: I do not think we have got them here in front of us. What we have just got is the broad figures but we would have to take that on notice.

Mr DAVID SHOEBRIDGE: Would you be able to identify them this morning if possible? Could you ask the staff behind you to do it? One of the reasons I ask this is particularly to look at how Parklea has responded, given the concerns about Parklea.

Acting Commissioner CORCORAN: Sure.

Mr DAVID SHOEBRIDGE: Could you endeavour to find those numbers?

Acting Commissioner CORCORAN: I think the deputy commissioner is probably—

Mr ANTHONY ROBERTS: I will seek advice from the deputy commissioner. Deputy Commissioner, can we have the vaccination levels by jail, by centre?

Deputy Commissioner GRANT: I am happy to provide that but I do not have that in front of me. If I might add, Minister, just to clarify one point that was raised by Mr Shoebridge, we have engaged with the inmate development committees in the correctional centres about the things that need to be done to keep them safe, including encouraging them to engage in the vaccination process and to use PPE and to maintain hygiene. We have also issued fact sheets to business through the buy-up process so that prisoners in custody have got information. Also, when people arrive in custody we have a health tips program, which is all about safe practices in custody for promoting the help that every person who comes into custody receives.

Only yesterday I was speaking to a manager responsible for this at a major reception centre, who told me that his staff are going cell by cell to people on arrival—these are out of the Corrective Services team and services and programs officers—to talk to people about what they need to do to stay safe, including taking vaccines and

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maintaining appropriate hygiene, using PPE in the appropriate places. It is not a lack of effort on our behalf. I think what the Minister was pointing to though was that the vaccination process itself is Justice Health's responsibility. They have got a fantastic population health team that we have a lot to do with and they strategise around the tactics for getting people to take up the vaccine. We just cannot speak on their behalf and I just encourage you to ask that question of the Minister for Health because they are the people who are managing that activity.

Mr DAVID SHOEBRIDGE: Minister, did you get a report about the very recent—and I think it was around about 19 or 20 October—decision by New South Wales District Court Deputy Chief Judge Colefax, who had evidence, uncontested by the Crown, about an inmate who had said that they had been confined alongside a COVID-19 cellmate in Parklea for four weeks and told they would only be sent back to the general prison population after they had caught COVID-19 and recovered from it. Have you had a report about that?

Mr ANTHONY ROBERTS: I will refer to the deputy commissioner.

Deputy Commissioner GRANT: I presume that was one of the cases the Minister was referring to before, is that correct? There were two cases that the Minister has referred to an independent external investigation.

Mr DAVID SHOEBRIDGE: I am not inside the Minister's mind, so I cannot tell you that. I was asking you about the decision by Deputy Chief Judge Colefax, and I think it was around about 19 or 20 October, and the evidence that the court accepted—because it was not challenged—about an inmate being held alongside a COVID-19 positive cellmate for four weeks and told that they would not be released into the general population until they had caught and recovered from COVID-19.

Mr ANTHONY ROBERTS: The deputy commissioner is correct. This is one of those issues that I raised earlier that will be investigated and once that investigation is concluded you will be able to read about that because I will be releasing that.

Mr DAVID SHOEBRIDGE: But you see, this was not months ago; this is like two weeks ago. Is that the current practice in Parklea? Surely, you are not going to wait until a report is handed down in December before you act, when you have evidence like that.

Mr ANTHONY ROBERTS: That is why we have an independent investigator—a highly decorated former police officer that will get—

Mr DAVID SHOEBRIDGE: He is going to report in December and it is happening now in Parklea. You are not telling me that is your answer—just roll out the next two months of this practice and we will get a report in December and do something. That is really not your answer, is it, Minister?

Mr ANTHONY ROBERTS: Acting Commissioner?

Acting Commissioner CORCORAN: Thanks, Minister. There are no positive cases in Parklea. The MRRC, Metropolitan Remand and Reception Centre, is the only place we hold fresh custodies in the metropolitan area. So any fresh custody that comes in that is positive when they come in is held in MRRC, is cleared, and we have got another strategy in place where we have got staging areas. So there is, in essence, about a three-week quarantine period before anybody would go to Parklea. We are ensuring that Parklea is COVID-free.

Mr DAVID SHOEBRIDGE: Have you, Assistant Commissioner, sought a response from Parklea, given the other contested evidence—

Mr ANTHONY ROBERTS: Through me.

Mr DAVID SHOEBRIDGE: Through you, Minister. Have you sought a report from Parklea, given the uncontested evidence about that extraordinarily—I would say dangerous—practice that they appear to have in place?

Mr ANTHONY ROBERTS: We have got the review occurring by the Kirby Institute, we have an independent investigation. And, again, once the Kirby Institute as a body and the independent investigator as the independent investigator finalise their reviews, they will be made public and we will be able to answer that. In fact, I am happy to drop the reports straight up to your office, or email them.

Mr DAVID SHOEBRIDGE: Surely someone just picked up the phone or sent an email or sent someone around to Parklea and said, "What the bloody hell is going on? Tell me what's happening?" Has that not happened?

Mr ANTHONY ROBERTS: As I said, this is a matter for investigation and review, unless the assistant commissioner wants to add any more.

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Acting Commissioner CORCORAN: Yes, thanks, Minister. We have had other claims that these sorts of things have been going on. I might just hand over to the deputy commissioner to talk about one particular claim we have had in court recently and the statistics that refuted the claims that were being made in court.

Mr DAVID SHOEBRIDGE: But I am not asking about that. I am asking about this one, which was uncontested.

The Hon. TREVOR KHAN: Let him finish, David.

Acting Commissioner CORCORAN: If the deputy commissioner can just talk about that particular case, which might shed some light onto the fact that not everybody is being honest about what happened in prison.

Mr DAVID SHOEBRIDGE: So because somebody else lied you are saying this inmate lied—

Acting Commissioner CORCORAN: We are not saying that. We are actually—

Mr DAVID SHOEBRIDGE: —on evidence that was contested?

Acting Commissioner CORCORAN: We are investigating that through—

Mr DAVID SHOEBRIDGE: If that is the level of a rigorous investigation—

The Hon. TREVOR KHAN: Point of order: Mr Shoebridge is constantly interrupting the witnesses as they are giving their answers. The witnesses are entitled to give evidence without the heckling Mr Shoebridge is undertaking.

Mr DAVID SHOEBRIDGE: To the point of order: I asked a question about case X and the answer is, "I am going to give you a totally unrelated set of material about case Y"—the kind of evidence that would not be accepted in a medieval witchcraft court, and it is not of assistance and it is not responding to my question.

The Hon. TAYLOR MARTIN: He has not finished the answer either.

Acting Commissioner CORCORAN: The answer to your question is it is subject to an independent investigation.

The CHAIR: I uphold the point of order. I remind everybody that this is a medieval witchcraft examination of the Minister, or Star Chamber.

Mr ANTHONY ROBERTS: Yes, that is what I signed up for.

The Hon. TAYLOR MARTIN: You asked for it.

Mr ANTHONY ROBERTS: That is right.

Mr DAVID SHOEBRIDGE: We are talking NSW Corrective Services, so we are kind of close to that.

Mr ANTHONY ROBERTS: Things were going along so nicely.

The CHAIR: I do not think NSW Corrections is quite that bad.

The Hon. TARA MORIARTY: We will see about that after this hearing.

The CHAIR: Okay, sorry, we will see—not under this Minister anyway. Maybe under Minister Elliott it would be.

The Hon. TARA MORIARTY: I want to follow up on what my colleague Mr Shoebridge was just asking about. In one of the quotes from the judge in that particular case, he said that it is even more concerning because it does not seem to be an isolated case involving Parklea Correctional Centre. This is in relation to the specific claim that has been made by this inmate. I understand you are sending this off to an investigation, but I would still like some answers now, not just about this particular person but this judge is also saying that it does not seem to be an isolated incident. Is it an isolated incident?

Mr ANTHONY ROBERTS: Acting Commissioner, keeping in mind that there is an independent investigation occurring at the moment, is there anything you can add at this stage that will not in any way have a detrimental impact on the independence of that investigation?

Acting Commissioner CORCORAN: I can just add to the information for the Committee that prior to the Delta variant we were quarantining people in cohorts. They would come in in groups of, say, six or seven that came in that day and we would exercise them together, they would get access to various things such as recreation, phones, et cetera. Once we understood how infectious the Delta variant was we had to change our practices, and certainly in MRRC we made sure that people, unless there was some particular reason that they should be doubled up, were in single-cell accommodation. Once I think we became aware of a certain practice, as you talk about

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Parklea, the command post took immediate action to deal with some of the things that were going on there. But I just do not want to comment. I mean, we have got that independent investigation going on and you will have access to that once it is finalised.

The Hon. TARA MORIARTY: I again acknowledge you have announced your investigation today, but this is a case that I think was heard—and I am happy to be corrected on the date—on 20 October or thereabouts. This judge has made these comments on or about that date, so this is within the last couple of weeks; this is not since you have had these new practices in place. I understand you are going to investigate this particular incident, but how can we be sure that it is not happening with other people? I can assure you that the practices we have got in place at Silverwater Women's Correctional Centre and the Metropolitan Remand Reception Centre are best practice in terms of making sure that people do not transmit to other people if they are affected.

Deputy Commissioner GRANT: Excuse me, Minister, if I might add to that response as well, just to reassure people. Following that incident that you were talking about, when there was concern about the outbreak of COVID within Parklea, a forum was established that met every day for, I would say, at least a month. So this is not something we have waited for an investigation to try to understand best practice in infection management. The forum was initiated by Kerry Chant's public health team. It included the Agency for Clinical Excellence. It included not just the local St Vincent's team but the best infectious diseases specialists in Sydney who work at St Vincent's Hospital. They met on a daily basis to actually try to understand what was happening in there and put in place practices to prevent further transmission.

So we have not waited for the investigation to look at practices that might need to be improved in the centre and to try to bring that under control. It was a pretty dramatic improvement in the outcome. We went from having 100-and-something cases down to zero without moving the patients out of that facility. They managed them within the facility with additional resources from St Vincent's but with very strong oversight from the public health team who had been looking at the practices, including bringing in, as I mentioned, experts from the Agency of Clinical Excellence to look at infection control practices, and everything they could look at, to try to mitigate the risks further in that centre. So we have not sat by doing nothing about it. I attended a lot of those meetings that, as I said, operated seven days a week at 11 o'clock every day, in fact, for an extensive period of time.

The Hon. TARA MORIARTY: I understand Corrections has monitors whose sole job it is to be inside Parklea to monitor what is happening there. What have they been doing while all of this has been happening? Have they been reporting? Have they not been providing information on this stuff even though they are supposed to be your eyes and ears in there?

Mr ANTHONY ROBERTS: Before I pass to the Acting Commissioner, as I have said and stated before, from the very start we had a coordinator approach right across our prison system and the management involving unions, Justice Health, management and staff. I want to take the opportunity to congratulate that command post, the contact tracing as well, in working incredibly hard to make sure that communication between our centres was at the forefront of our fight against COVID and sharing some of those learnings.

Acting Commissioner CORCORAN: Could you ask your question again?

The Hon. TARA MORIARTY: Yes, sure. Corrections is supposed to have monitors—

Acting Commissioner CORCORAN: Yes, so the monitors are responsible for making sure that they comply with various procedures in that centre. We have a whole range of commissioner's instructions associated with COVID that have been released that are also applicable to the private sector. It would be their responsibility just to look at whether they were implementing those commissioner's instructions. They are not health experts. In fact, as Deputy Commissioner Grant alluded to, extensive interventions were going on once that outbreak occurred in Parklea with NSW Health and with a whole range of other expert bodies. It would be recommendations from those people that we would have been looking at to make any changes to the operation of Parklea.

The Hon. TARA MORIARTY: I will ask follow-up questions in regard to the person who died recently. You said that when he was moved to hospital he was on bail.

Acting Commissioner CORCORAN: I think the bail would have been applied for post his placement in hospital because, as I said, we would have to have had six people a day on somebody who was unconscious.

The Hon. TARA MORIARTY: Yes, I understand that. Given those circumstances, does the death of this person still count as a death in custody?

Acting Commissioner CORCORAN: No, it does not. But my understanding is that the Coroner can investigate any death. We are currently engaged with the Coroner's office to advise them of this death to see what action it would like to take.

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The Hon. TARA MORIARTY: He was on bail so he did not have to be monitored, not to mess with those statistics?

Acting Commissioner CORCORAN: Yes, he did not have to be monitored.

Mr ANTHONY ROBERTS: Look—

The Hon. TARA MORIARTY: I am asking the question. You can answer it how you see fit.

Mr ANTHONY ROBERTS: We have got a death and that potentially, as you know, could be a part of a coronial investigation. The person was not in our custody and the person under the judicial system had been bailed. I think it is very tragic.

The Hon. TARA MORIARTY: I am not going to retract it, but I appreciate the answer.

Deputy Commissioner GRANT: If I may assist as well—I am sorry, it is very hard to have this conversation when I am out of the room. I am sorry to be rude and to keep interjecting. However, just to make it very clear, in case there is any insinuation that we have manipulated a process for the purpose of statistics, which is an offensive concept, just to explain the process to you, when anyone becomes ill in jail and their life is at risk, Justice Health, under our Act, are required to provide advice to us about those circumstances, which they did on this occasion. Our sentence administration branch advised the parties about the health circumstance of that person but we did not make a bail application. It is up to the person's defence to actually make such an application. So this happened on this occasion. Under a clause in our legislation we advised the various parties. We had nothing to do with the process around bail itself. The court made a decision around bail based on a discussion with the person's legal counsel.

The Hon. TARA MORIARTY: I want to ask a question relating to a consequence of what happened with the COVID outbreak. Mr Mostafa Baluch escaped, cut off his ankle bracelet, as we know, and he is who knows where? He is a millionaire drug dealer, allegedly. The court documents show that the most compelling reason for him being granted bail was that whilst he was in custody he was not able to access legal representation in an appropriate way. This man is who knows where. That is the responsibility probably of you, Minister, the police or whoever is responsible for that.

Mr ANTHONY ROBERTS: Police.

The Hon. TARA MORIARTY: But the judge who granted bail said it was because he could not get access to legal representation. Can you respond to that?

Mr ANTHONY ROBERTS: Who made the allegations that he did not have access to legal representation?

The Hon. TARA MORIARTY: That is what the magistrate who granted bail said was one of the reasons why he was granted bail.

Mr ANTHONY ROBERTS: Do we know who informed the magistrate of those allegations?

The Hon. TARA MORIARTY: I do not know but I am asking you—

Mr ANTHONY ROBERTS: I would say it was probably his legal team. Throughout COVID, Corrective Services NSW has worked consistently to ensure inmates can maintain contact with lawyers throughout the related lockdowns. This individual, a 33-year-old bail-refused person, was admitted to Mid North Coast Correctional Centre on Tuesday 22 June 2021. Between the dates of 28 June and 5 October the inmate had 13 confirmed appointments with a legal practitioner conducted by ABL. The inmate also received, or was forwarded, physical legal mail on three separate occasions between the dates of 9 July and 24 September.

The Mid North Coast Correctional Centre also provides inmates with access to in-cell tablet technology that can be used for a range of purposes, including phone calls to approved numbers. These highly secure devices have been purpose-built for prison use. I think in response to the question, having 13 confirmed appointments with his legal practitioner between 28 June and 5 October, as well as receiving three separate legal mails between 9 July and 24 September, I would suspect the individual we are dealing with probably, let us just say, might have been a bit loose with the truth.

The Hon. TARA MORIARTY: That may well be the case but the magistrate let him out.

The Hon. TREVOR KHAN: I think the assertion was that it was with regard to access to the brief. I suspect the problem with the brief was there were going to be mountains of telephone intercepts and the like.

Mr DAVID SHOEBRIDGE: That would be my guess, given the nature of the alleged offence.

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The Hon. TREVOR KHAN: Yes.

The Hon. TARA MORIARTY: I am sure all those things are true but now he has gone. He was in custody and now he has gone so somebody has to be responsible for that.

Mr DAVID SHOEBRIDGE: Even I will say that this Minister is not responsible for that.

The Hon. TAYLOR MARTIN: The day has come.

Mr DAVID SHOEBRIDGE: I want to whack him over the head on all sorts of stuff but even I will say that he is not responsible for that.

The CHAIR: Strange bedfellows.

Mr DAVID SHOEBRIDGE: There is no evidence he is responsible.

The Hon. WALT SECORD: Minister, I acknowledge and understand that today some of the questions involving counterterrorism might be taken on notice or be the subject of a one-to-one briefing. If you decide to do so, I understand that.

Mr ANTHONY ROBERTS: Thank you.

The Hon. WALT SECORD: Minister, you would be aware of community concern, especially in the Jewish, Armenian and Assyrian community about the activity of the Islamic extremist group called Hizb ut-Tahrir. This group has been recorded on video making statements such as, "Destroy the Jews", and, "Oh Allah, give us the necks of the Jews!" So it is quite an extreme group. Last week the NSW Police Force Counter Terrorism and Special Tactics Commander Mark Walton confirmed that there was a May event and in October a recording of this event was put up on social media. Last night I received a letter from the multiculturalism Minister, Natalie Ward, at 6.55 saying that she wanted to see this group banned. This was in response to my representations. For the benefit of the Committee, I will table the letter. What is your response to this extremist group shouting hate on Sydney streets?

Mr ANTHONY ROBERTS: It is clearly unacceptable and it is abhorrent. I thank you for the question. I too am aware of the footage posted on YouTube by Hizb ut-Tahrir at its rally. There is now a second video, of course, of a rally held in May by this group. I place on record, as you would say, that New South Wales is a strong and connected community. Unfortunately a number of individuals with extreme and violent views want to divide us and threaten our safety. I place on record again that there is no tolerance for this incitement of violence. Symbols of hatred and anti-Semitism are unacceptable anywhere in our community. This Government is committed to addressing racially motivated hate crime, racial discrimination and racial vilification in New South Wales and this includes public threats and incitement to violence on the basis of race or religion.

I am advised that this matter is being investigated by the Terrorism Intelligence Unit within the NSW Police Force. If I can just be very careful in public, other agencies have also shown an interest. All of those agencies take any form of bias-motivated crime seriously. We have in the NSW Police Force a dedicated engagement in hate crime unit in the Counter Terrorism and Special Tactics Command. They will continue to investigate hate-motivated incidents. This Government has committed \$1.5 million over four years for the police to improve its capacity to tackle bias crime. On a broader extent is the fact that we have a strong investment in countering violent extremism programs addressing extremism. I will pass to the acting executive director to outline some of those strategies.

Ms VAN DE ZANDT: Yes, of course, Minister. The Government provides funding for a range of measures to respond to extremism and counterterrorism. We host a Crowded Places Forum every year in cooperation with the NSW Police Force. The first Crowded Places Forum for this year was hosted with religious leaders. At that forum we were also able to talk about our grants programs for closed circuit television and other measures to support religious leaders and religious communities. In addition, as the Minister mentioned, we have provided additional funding to the NSW Police Force to improve its hate crime training and capability.

We have commissioned research from Macquarie University looking at the nature and prevalence of online hate and far-right extremism. That research was published last year and the Minister has recently commissioned an update to that research looking particularly at the impacts of COVID on far-right extremism. In addition to that the New South Wales Government funds a compact community grants program which focuses on improving community harmony across New South Wales and that funding has been increased. It is now a four-year funding program totalling \$13.4 million. I could say more but that is probably the high-level detail.

The Hon. WALT SECORD: I take you to one of the measures in something called Step Together—a special public hotline 1800 875 204 that was established in June 2017. It is a hotline to help people concerned

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about family members, friends or loved ones who may be going down the path of violent extremism. Yesterday I called the hotline to see whether it is operating. It is operating and it is working.

Mr ANTHONY ROBERTS: Good.

The Hon. WALT SECORD: I just wanted to check before I asked the question. I always do that. How many calls were received in the last financial year? It was reviewed in 2019. How do you determine its success and what happens if you make a call to it?

Mr ANTHONY ROBERTS: I ask the acting executive director to respond.

Ms VAN DE ZANDT: Thank you, Minister. The hotline has received 5,113 calls since it was launched in 2017 and that includes web chats as well. In addition to that, it has received 275,000 hits to the website so there are people who are wanting information obviously about far-right extremism who are concerned about family, friends, clients, neighbours who might be heading down the pathway to violent extremism. If a caller calls the hotline, as you would have experienced, Mr Secord, they have an opportunity to talk to one of our caseworkers to better understand some of the drivers of violent extremism. They are provided with information and support and also referral to relevant support and other agencies.¹

The Hon. WALT SECORD: How do you determine the effectiveness or success of it? What are your key performance indicators or your evaluation techniques?

Ms VAN DE ZANDT: The Step Together service was evaluated over a period of 18 months when it was first launched. That evaluation was funded by the Commonwealth Government. It was evaluated every six months. The last evaluation, I think, was completed in 2019. We could provide you with some details about the outcomes of those evaluations. I do not have them to hand.

The Hon. WALT SECORD: Could you take it on notice? Of the 5,113 calls, what happened with your triaging of those calls?

Ms VAN DE ZANDT: We can take that on notice. At a high level I could certainly assure you that where we are concerned about risk in some of those calls, obviously we either encourage the caller to contact the National Security Hotline or otherwise we would do that. Occasionally, if we are also concerned, we might speak to New South Wales police about the nature of some of those calls. Otherwise, we would work with the caller to provide support and information and then encourage them, for example, to contact a local mental health service or we might provide them with information, things to read, some tips about how they might talk to their friend or family member to dissuade them from continuing down that pathway. We also have a case management service. We would on occasions refer the caller. For example, if the caller was a parent we would refer the caller to our case management service which is called the Engagement and Support Program and then that person would be referred to that and there would be an intake and an assessment process according to those operational guidelines.

Mr ANTHONY ROBERTS: I place on record that that was a really good question because I asked the same question when I took over. If you do not measure, you cannot manage.

The CHAIR: Minister, what has happened with the retired correctional facilities at Brewarrina, South Coast, Ivanhoe, Grafton and Berrima? What are you doing with those facilities?

Mr ANTHONY ROBERTS: Great things.

The CHAIR: That has got them jumping.

Mr DAVID SHOEBRIDGE: It has all got to go.

The CHAIR: All got to go.

Mr ANTHONY ROBERTS: In 2016 the New South Wales Government announced Better Prisons which was a program of reform and rebuilding that included a once-in-a-generation \$3.8 billion investment in modern, secure fit-for-purpose prisons. As part of that massive new build, we looked at the future use of a number of centres, whether they were fit-for-purpose. We had quite an ageing fleet of prisons in New South Wales. As part of an overall strategy in the delivery of service and whether or not they were fit for purpose, we decided to retire some of those prisons. Do you want me to run through each one of them?

¹ In [correspondence](#) to the committee dated 26 November 2021 Ms Pia van de Zandt, A/Executive Director, Strategy and Programs, Department of Communities and Justice clarified her evidence.

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The CHAIR: Yes, just quickly, Minister. I would like to know what is going on with them. You are talking about an ageing fleet, but now those parts of the fleet have been retired. What is happening to them?

Mr ANTHONY ROBERTS: As these become de-commissioned there were five correctional centres—Brewarrina, Ivanhoe, Berrima, Grafton and the Illawarra Reintegration Centre—that were retired in 2020 as they no longer met the requirements of a modern fit-for-purpose network. The future use of the Brewarrina centre will ensure jobs and investment for the community. The site has been subdivided and ownership of the site will be jointly transferred to the Local Aboriginal Land Council and the Brewarrina Shire Council in early November. We know that is happening as we speak with the council leasing its portion to Orana Haven for use as a drug and alcohol rehabilitation facility.

This outcome is the result, again, of listening to the issues raised by the local community, as well as productive consultation between Properties NSW, which is managing this, the shire council, the NSW Aboriginal Land Council, the Local Aboriginal Land Council and Orana Haven Aboriginal Corporation. So the facility will be used for much-needed drug and alcohol rehabilitation services for Aboriginal women and provides for this substantial property, which includes some magnificent wetlands, to be managed by the Local Aboriginal Land Council.

With respect to Ivanhoe, Corrective Services, as well as the Department of Planning, Industry and Environment have worked incredibly hard to find a potential future user of the facility that could provide a positive economic outcome for the community. A call for a future use process was completed in 2020 and through this process a potential future user of the property was identified. An Aboriginal land claim exists over the site and Property NSW is seeking to resolve the claim with the NSW Aboriginal Land Council to enable the sale of the site to Tronox mining.

Tronox mining proposes using the former correctional centre as a housing base for workers employed in its newly established Atlas-Campaspe Mineral Sands mining operation which also creates employment opportunities in catering, cleaning, laundry, maintenance and administration within that local community. A contract has been issued to Tronox mining and it is anticipated the sale of the site will be finalised by the end of this year, subject to the resolution of the land claim. The Department of Communities and Justice currently has an interim licensing agreement with Taylor Rail for workers to use a number of the houses, laundry and catering facilities on the site while the transport hub is being built.

In respect to Grafton Correctional Centre, Corrective Services engaged the New South Wales Department of Planning, Industry and Environment to assist with the future use process at Grafton. A resolution of an Aboriginal land claim on the site has been achieved with a portion of the site being divested to the Grafton Ngerie Local Aboriginal Land Council in the first quarter of 2022. A portion of the site will be further transferred to NSW Health by January 2022. A marketing campaign for the sale of the heritage precinct on the site is proposed to commence in the first quarter of 2022 with Clarence Valley Council. I can inform you that it has indicated that it is not in a position to take on ownership of the site under the community use policy.

With respect to the Illawarra Reintegration Centre, the Department of Communities and Justice has entered into a three-year licensing agreement with Wollongong Emergency Family Housing Inc. The organisation's administrative office is now located on site. The flagship group has sub-licensed a portion of the premises to run disability programs on the site. However, to date it has not utilised the site.

With respect to Berrima Correctional Centre, we have engaged the New South Wales Department of Planning, Industry and Environment to assist with the future use process at Berrima, with a marketing campaign for expressions of interest for the sale of the site that commenced on 18 October 2021. Once that expression of interest is closed, an evaluation committee chaired by the New South Wales Department of Planning, Industry and Environment will meet to assess those applications. I make it clear that the assessment of applicants for the site's purchase will take into consideration future economic and social benefit for the community. It is a tourist town and anything we can do there to increase jobs, open up that facility and care for the facility on a recurrent basis in the future is critical. I can also inform this Committee that an Aboriginal land claim was registered on the site on 21 October. There are discussions with the NSW Aboriginal Land Council in progress over the status of that claim.

Again, at every stage, we have tried to retire these facilities. In the case of Ivanhoe, it was ensuring that there was employment in the town which we have successfully achieved. For Brewarrina, it was ensuring that we were able to provide better services, the needed services for those communities that were not there before. In the case of Grafton, it was working with the community and looking at the needs, in the case of health, the local land council and other tourist operators, to ensure that those sites are used for the benefit of the community. With Illawarra it was the same. So that has effectively been mothballed but it could potentially at some stage down the track be used as another correctional facility—highly unlikely but it has been mothballed so we are now utilising

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that facility to support people in the community who are vulnerable. Of course, with Berrima we are seeing what we can do there in conjunction with the community to turn that into something that is quite magic and that provides employment. Again, is a great attraction in the town and the local district.

The CHAIR: Have you introduced the in-cell technology or tablets you mentioned earlier this year?

Mr ANTHONY ROBERTS: One of the great things about technology—I am not saying I am the most literate individual when it comes to these things—is that on coming into Corrections one of the things that concerned me greatly was the fact that while people are in Corrections we have the opportunity to change their lives. Quite often we get people in who cannot read and write. They have no skills and no ability to pivot, particularly around COVID. One of the great benefits and learnings out of COVID is that we have been able to utilise some money from the New South Wales Government to put in tablets that can be used for legal representation, telephone calls, course work or any therapy sessions. Both the acting commissioner and the deputy commissioner have done a remarkable job with our team in rolling these out.

You have stories of prisoners for the first time ever being able to see their child's bedroom or read them a story at night. Just from a mental health perspective it has been amazing. It is changing prisoners' lives. There is another exciting bit of kit that we are also rolling out. Many of the people who have come into our custody have pre-existing health conditions that require a large amount of support. There is a new piece of kit we are trialling and if there is anything that I have forgotten around tablets I will get the acting commissioner to outline that, but it is a really good story to tell.

The CHAIR: That is fine.

Mr ANTHONY ROBERTS: But there is one piece of kit you should know about.

Acting Commissioner CORCORAN: Yes, thanks, Minister. As part of our response to deaths in custody we are looking at trialling some new technologies in the Metropolitan Remand and Reception Centre. These technologies essentially give us some evidence of proof of life, and in conjunction with the refurbishment of cells we potentially could have a bit of a game-changer here in terms of making sure that we can deal with people who are at risk or who have got medical conditions, because hanging points are not the only way you can commit suicide. So this particular technology—in fact, I have got an example of it here.

Mr ANTHONY ROBERTS: Something we prepared earlier.

Acting Commissioner CORCORAN: It is a radar device that fits into a light fitting in the ceiling so no further protection is required, the protection comes from the light fitting. It is able to measure heart rate and respiration and will send an alarm to a control room if that individual in the cell was in trouble. So these are the sorts of technologies we are looking at to really ensure that we are moving forward with our response to deaths in custody.

The Hon. TAYLOR MARTIN: I was wondering what was in the box.

Mr ANTHONY ROBERTS: It is a cute box.

The CHAIR: Mr Shoebridge.

Mr DAVID SHOEBRIDGE: Thanks, Acting Commissioner. Minister, do I understand it that the Ivanhoe facility, the proposal is for it to be sold to Tronox mining? Is that right?

Mr ANTHONY ROBERTS: My understanding is yes, it will be sold. Let me just double-check that.

Mr DAVID SHOEBRIDGE: I thought you said it was for sale. I assume Tronox mining is the US-based mining multinational. Is the one that it is being sold to?

Mr ANTHONY ROBERTS: Again, it is being handled by a different section of government to me, but I do not know who Tronox mining is. But it is anticipated that it will be sold and that sale will go through before the end of 2021, subject to the resolution of the Aboriginal land claim.

Mr DAVID SHOEBRIDGE: And the proposal at the moment is to sell Grafton as well?

Mr ANTHONY ROBERTS: No, Grafton, as I said, you will have Health utilising part of it, the Aboriginal Lands Council will be utilising part of it and there is a marketing campaign for an expression of interest for the sale of the heritage precinct. So that could be anything—an art gallery, it could be a restaurant, it could be accommodation—

Mr DAVID SHOEBRIDGE: Headquarters for an international mining company.

Mr ANTHONY ROBERTS: In Grafton?

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Mr DAVID SHOEBRIDGE: It could be anything, I thought you said.

Mr ANTHONY ROBERTS: Yes, okay. But, again, it is part of the consultation we will have with the community.

Mr DAVID SHOEBRIDGE: What proportion of the site is proposed for sale? You said the heritage precinct. I think I am familiar with Grafton. So the really nice old bit is up for sale and the crappy new bits will be held by the public. Is that the idea?

The Hon. TREVOR KHAN: That is very cynical, David.

Mr DAVID SHOEBRIDGE: I am just picturing Grafton. The kinds of fifties, sixties, seventies stuff will be held by the public and the really nice old bit will be sold off. Is that the plan?

Mr ANTHONY ROBERTS: Again, you would have to probably seek advice from the New South Wales Department of Planning, Industry and Environment—it is responsible for that.

Mr DAVID SHOEBRIDGE: And Berrima, is it proposed to sell Berrima too?

Mr ANTHONY ROBERTS: Yes. The marketing campaign for the expressions of interest for the sale of the site commenced on 18 October and, as I said before, once that is closed an evaluation committee, chaired by the New South Wales Department of Planning, Industry and Environment, will meet to assess the applications, taking into consideration future economic and social benefit for the community.

Mr DAVID SHOEBRIDGE: Each different government agency is given a target or a budget for the sale of public land and for the amount that is to be recovered from the sale of public land. What is the budget that Corrective Services has to meet? What was it in the last financial year and what is it in the next financial year?

Mr ANTHONY ROBERTS: I will take that on notice.

Mr DAVID SHOEBRIDGE: You are aware of the need to meet the budget though, are you not, Minister?

Mr ANTHONY ROBERTS: In fact, we have got a very good story about our budget.

Mr DAVID SHOEBRIDGE: I am asking about the sale of public land. Is there a good story about that?

Mr ANTHONY ROBERTS: As I said, any question about the sale of these former operational centres is probably best directed to Planning.

Mr DAVID SHOEBRIDGE: Yes, but I am asking you what your budget is, what target it is you have to meet for the sale of public land last financial year and this coming financial year. Acting Commissioner?

Mr ANTHONY ROBERTS: Do we have—

Ms D'ELIA: I am not aware of a target.

Mr ANTHONY ROBERTS: No, I am not aware of a target either. Can we take it on notice?

Mr DAVID SHOEBRIDGE: You are aware of the \$3 billion whole-of-government target that has been allocated to the different agencies. I will ask that to the acting secretary.

Mr ANTHONY ROBERTS: Through me.

Ms D'ELIA: I am not aware of an allocation to the department, no.

Mr DAVID SHOEBRIDGE: Could you provide on notice the allocation to the department and particularly to Corrective Services?

Mr ANTHONY ROBERTS: If there is one.

Mr DAVID SHOEBRIDGE: Through you, Minister, to the acting commissioner, the first internal spread of COVID at Parklea, it was a little unclear to me what the date was that Corrective Services was first advised of it. On one occasion I heard 23 August and then on another occasion I heard 27 August. What was the date that Corrective Services was first advised about the internal spread of COVID in Parklea?

Mr ANTHONY ROBERTS: Acting Commissioner?

Acting Commissioner CORCORAN: Thanks, Minister. 23 August was the first time we were advised that there was a transmission outside of quarantine; in other words, it was not somebody who had contracted it in the community and come in.

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Mr DAVID SHOEBRIDGE: Maybe if we say the first time someone contracted COVID in Parklea. That is what we are talking about.

Acting Commissioner CORCORAN: The first time, yes, someone contracted COVID in Parklea, that is what we have become aware of. Of course, that is subject to an investigation through the Kirby Institute and they will be doing epidemiological studies into the genomics of each of those infections. But once that happened, I ordered that the entire centre be tested, and that is when we became aware of other infections.

Mr DAVID SHOEBRIDGE: But I also thought I heard you say, Acting Commissioner, that you found out on a Sunday night.

Acting Commissioner CORCORAN: No, I did not find out on a Sunday night. After I had received information that the infection had spread, that is when I started thinking I need to make a decision here to close this place down and start a process of identifying where other people who had been transferred out of Parklea were and start putting them into quarantine so we could test those individuals as well.

Mr DAVID SHOEBRIDGE: You see, 23 August is a Monday and if you first started raising those kinds of responses on a Sunday, the earliest that could have happened would be the twenty-ninth. So what happened on the twenty-fourth, the twenty-fifth, the twenty-sixth, the twenty-seventh and the twenty-eighth? Was COVID just spreading in Parklea?

Acting Commissioner CORCORAN: What we were doing was locking areas down in Parklea and testing all the inmates during that period.

Mr DAVID SHOEBRIDGE: You say Corrective Services found out about the first transmission on the 23 August. When was Parklea first aware that it had had a COVID case within Parklea and the transmission within Parklea? When was Parklea first aware of it?

Acting Commissioner CORCORAN: We have investigated this and the best information that we can come up with is the same date, but that is also the subject of the investigation by this independent investigator, just to get to the bottom of that issue.

Mr DAVID SHOEBRIDGE: Has Parklea been cooperative in the investigation?

Mr ANTHONY ROBERTS: We would have to speak to the investigator about that, but certainly I think with the Kirby Institute by all means, yes.

Mr DAVID SHOEBRIDGE: Acting Commissioner?

Acting Commissioner CORCORAN: Yes, certainly the department of Health, as Deputy Commissioner Grant was alluding to, had been engaged in a daily process. They basically took over the management of that outbreak. They were concerned about it and had put huge resources, from a public health perspective, into identifying what was going on and advising St Vincent's what to do in respect of this outbreak.

Mr DAVID SHOEBRIDGE: Will Parklea be paying the cost of that?

Acting Commissioner CORCORAN: That would be something I would have to take on notice, but certainly from a St Vincent's Health point of view, they would certainly be paying for that. As I said, they have put significant resources into making sure that that outbreak was contained.

Mr ANTHONY ROBERTS: Mr Chairman, me being my usual helpful self that I am—

Mr DAVID SHOEBRIDGE: We are having a COVID-safe break now, are we not, at 11 o'clock?

Mr ANTHONY ROBERTS: Me being my usual very helpful self to this Committee, we have been able to get clarification with respect to those potential capital sales for you. Would you like that answer now?

Mr DAVID SHOEBRIDGE: That would be good.

The CHAIR: We are about to have a break now for 15 minutes.

Ms D'ELIA: I just have a quick answer. The Department of Communities and Justice has not been allocated any capital sales targets by government. Our finance team has confirmed that.

Mr ANTHONY ROBERTS: How is that for service?

The CHAIR: We will break now and come back at 11.15.

(Short adjournment)

The CHAIR: We are now ready for Opposition questions to resume.

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The Hon. WALT SECORD: Ms Van de Zandt, through the Minister, some questions about Step Together. You mentioned 5,113 calls. I would like to know how many of them were referred to police?

Ms VAN DE ZANDT: I will take that question on notice, and I would also just need to be careful about reporting that in terms of sensitivity. So if I could take that question on notice?

The Hon. WALT SECORD: Okay, but I am just asking for a figure; I am not asking for individual cases. Of those calls, did the calls increase during COVID, if you are taking it on notice? Also, could I have a breakdown of the calls between religious extremism, far-right extremism and far-left extremism?

Mr ANTHONY ROBERTS: Mr Chair, I am just cognisant of issues around the sensitivity of that. Would you be happy, Mr Secord, if we directly briefed you on that?

The Hon. WALT SECORD: Minister, I understand that. I will leave it to you and your senior officials as to what information can be publicly disclosed—I understand that—and, yes, I would like to avail upon you to have a private briefing. On that note, it leads me to another issue. I want to be sensitive about how we discuss this. With recent overseas events involving public officials in the United Kingdom about increased protection or awareness of security involving public officials—I understand that you have to be mindful of anything that you take on notice or provide private briefings on—could you make some observations?

Mr ANTHONY ROBERTS: More of a broader statement?

The Hon. WALT SECORD: Yes. It is a very sensitive area. I also appreciate matters that you and I have discussed and I appreciate your sensitivity and your alertness.

Mr ANTHONY ROBERTS: Thank you, Mr Secord. This relates specifically to Sir David Amess and his constituency, at a surgery, that occurred on 15 October. His murder is alleged to have been religiously motivated and it is under review as an act of terror. I think it shocked Western democracy that this occurred. This Parliament and this Government—I would say every member—condemn any act of terrorism and violence. As you would be aware, Australia's national terrorism threat level is "probable", with the primary threat remaining religiously motivated violent extremists. However, of course, ASIO has also acknowledged the increasing threat posed by ideologically motivated extremists who we know are becoming more organised, sophisticated and active than in previous years.

But our system of government and democracy must never back down in response to cowardly acts of violence. Indeed, every member of Parliament needs to be able to speak openly and honestly about issues that they represent from their constituencies without fear of violence, intimidation and, in cases in this House, threats to themselves or damage to their property. Immediately after the incident in the United Kingdom I asked various agencies for a review of security arrangements for members of Parliament and their staff because this is a credible threat to not just members of Parliament but our system of democracy and, as I said before, people should be able, without fear, to state their cases on behalf of the people that they represent.

As you mentioned, and I thank you for that, for obvious security reasons it is not the best forum to discuss specific details around this review, but we have made it quite clear that if any members of Parliament feel that they are threatened or are in a position where they may come into danger—their families—we all know of plenty of cases in this place of death threats, particularly in recent times that appear to be escalating and that is certainly a focus of the review not just by the NSW Police Force but other agencies. But I am happy, when we arrange a further security review with you, to outline that. But we are taking the threat against members of Parliament and their families very seriously.

The Hon. WALT SECORD: Thank you, Minister. I will leave it at that, I will not do any follow-ups.

Mr ANTHONY ROBERTS: Thank you.

The Hon. WALT SECORD: You would be aware that the Prime Minister has recently written to, I think, four State Premiers about the management of high-risk terrorist offenders. These are people who have been in custody and have served their time and then have been released into the community and, unfortunately, I point to New Zealand, the 3 September supermarket attack in Auckland, where he was an ISIS supporter. After spending three years in prison he was released into the community in July 2021 and he was monitored by the New Zealand intelligence service with, I think at some points, up to 30 police officers monitoring him. In fact, because of that monitoring they were able to apprehend him and kill him in the supermarket. What is the situation on high-risk terrorist offenders in New South Wales and when they are released into the community? I understand if there are certain things that you cannot discuss, but what is your response to the Prime Minister's request in this area?

Mr ANTHONY ROBERTS: Thank you for the question. I will try to be as helpful as I can whilst taking into account the security implications. Currently, our status with respect to offenders currently subject to

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orders under the Terrorism (High Risk Offenders) [THRO] scheme, as at 1 October we have no continuing detention orders, we have two interim detention orders, we have eight extended supervision orders and one interim supervision order. Under the New South Wales scheme, the Terrorism (High Risk Offenders) Act 2017, those continuing detention orders and extended supervision orders may be imposed on offenders who pose an unacceptable risk of committing a serious terrorism offence in the future.

These offenders do not need to have committed a terrorist act or terrorism offence to be covered by the New South Wales scheme, and this is where the scheme differs to the Commonwealth legislation. Under the Criminal Code Amendment (High Risk Terrorist Offenders) Act 2016, the Commonwealth can seek a continuing detention order in respect to prescribed Commonwealth terrorism offences where the offender represents an unacceptable risk of committing a terrorism offence if they are released. At the moment, I might ask Ms Van de Zandt where we are up to with the numbers potentially coming from the Commonwealth, if you are able to.

Ms VAN DE ZANDT: I might have to take the exact numbers as of today on notice, Minister, but I can inform the Committee that in terms of Commonwealth terrorist offenders there are two options: one is continuing detention orders, as the Minister has referred to; the other option is an option we would like, for the provision of an extended supervision order. Those amendments are part of Commonwealth legislation that I think has recently been tabled in the Australian Parliament but has not yet been passed. So at this stage we have continuing detention orders that we can rely on and we are hopeful of Commonwealth legislation being passed so that there would be provision for extended supervision orders to be made in New South Wales for those offenders as well.

The Hon. WALT SECORD: Through the Minister, can you give a bit more of a description on what New South Wales would like to see in this regard?

Mr ANTHONY ROBERTS: Would you like to unpack that, Ms Van de Zandt? Certainly from our perspective, we work closely with the Commonwealth. As I said, we have got very strong powers in New South Wales. But certainly the management of those offenders and the various conditions we place upon them, some would say they are very broad and they are very deep—everything from conditions that require home visits by enforcement officers enabling us to seize at any time a computer, electronic equipment or data in the possession of that offender at his or her address.

We can make sure that they periodically report to an enforcement services officer. Part of that is, of course, our programs around participating in rehabilitation and treatment. Of course we have the electronic monitoring equipment and we can also stop them going to certain localities or specified locations or classes of locations—that could be anything from synagogues to mosques to churches to shopping centres or local government areas—specifically where this is effective, and that is ensuring that they do not associate with or contact specified persons or classes of persons, that they do not engage in specified conduct or classes of conduct, and they cannot engage in specified employment or classes of employment, which is critical when you are dealing with these individuals, and, of course, not being able to change their name or appearance. Did you want to add anything to that Ms Van de Zandt?

Ms VAN DE ZANDT: No, that is very comprehensive, Minister. I would only add that in terms of what we would like from the Commonwealth—and we have been heavily engaged both from a bureaucratic level with our department and Home Affairs and also the Minister has engaged directly with his counterparts at the Commonwealth level—we would like to see that legislation passed as soon as possible to enable the courts to at least consider extended supervision orders and hopefully make extended supervision orders, which would allow, as the Minister has explained, for a range of items in an order that would allow for supervision and management in the community and engagement with programs in the community. So in addition to the passing of the legislation, of course we work very closely with the Commonwealth in the way that legislation would be implemented and we are working regularly and meeting fortnightly in terms of how the framework for implementation of those laws would be delivered in New South Wales, and the cost implications.

The Hon. WALT SECORD: Minister, in your answer you made reference in passing to restrictions on people changing their names or changing their appearance. Have there been cases of people who have tried to change their name or change their physical appearance? Are you referring to removal of beards or physical changes? What are you referring to?

Mr ANTHONY ROBERTS: With respect to changing of names—and I can certainly see whether there have been any breaches—I will have to take that on notice, Mr Secord. But in respect to changing appearances, that would be very much around effectively, by changing appearance, attempting to disguise your identity.

The Hon. WALT SECORD: Coming back to you sort of monitoring individuals, does New South Wales play a role in this area? Several years ago there were the ISIS brides and jihadis and people engaging in

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foreign activity, like Syria, ISIS and that kind of stuff. Are there restrictive measures in place in New South Wales in regard to people like that, ISIS brides and jihadi brides?

Mr ANTHONY ROBERTS: I will ask the acting director. I just do not want to give any information that may in any way cause security issues. Do you think you can outline that as best as possible?

Ms VAN DE ZANDT: I can, but could you just clarify the question, Mr Secord?

The Hon. WALT SECORD: I just wanted to know if there was a New South Wales role? Several years ago—I think 2019—there were 70 Australian women and children in north-east Syria and quite a few of them are still there, but some of them did come back and I know that there was a high-profile case of a woman who had migrated to Australia at the age of six from New Zealand and she moved overseas and became involved in the jihadi movement. She came back to Australia, she had her citizenship removed and she was deported to New Zealand. So there were 70 of them and I just wanted to know what is the situation in New South Wales and is there a New South Wales government role in regard to ISIS brides or jihadi foreign fighters returning?

Ms VAN DE ZANDT: Yes, there is a New South Wales government role. Some of the individual matters you are speaking of are subject to suppression orders, so we are not able to talk about the details of those matters. But in terms of the arrangements in New South Wales, they are very comprehensive; there is a strategy for managing the return of families of foreign fighters that has been agreed by Cabinet, and that has been implemented, as you say, several times with people returning. That strategy sets out very comprehensive governance and operational arrangements for safely reintegrating people when they return. Of course, as you would appreciate, the first part of that work sits squarely with the Commonwealth and there are a number of agencies at the Commonwealth level that work in overseas territories and also in the return of families. But once people arrive at Sydney Airport then there is a comprehensive role for the New South Wales government and it involves Premier and Cabinet, the Department of Communities and Justice and my office, obviously, but also NSW Health, Education and obviously heavy involvement from New South Wales police.

The Hon. WALT SECORD: Thank you very much. Minister, you would be aware that prescribing terrorist organisations is a Federal Government responsibility but States and Territories do give input, give views and things like that. Earlier this week, on Monday, the Israeli Prime Minister, Naftali Bennett, asked the Australian Prime Minister, Scott Morrison, at Glasgow to designate Hezbollah as a terrorist organisation. I guess I am asking what is your view on proscribing Hezbollah and is there any comment you could make about activity in New South Wales? But, again, I understand you can refer to what you wish and I will not push you in that regard.

Mr ANTHONY ROBERTS: I appreciate that. Terrorist organisations are listed in the Criminal Code Act, the Commonwealth one of 1995. With respect to Hezbollah, I am advised that Australia, like the European Union, has banned the external security organisation of Hezbollah, not the group as a whole. For an organisation to be listed, the Commonwealth Minister for Home Affairs must be satisfied on reasonable grounds that the organisation is directly engaged in or preparing, planning, assisting in or fostering the doing of a terrorist act or advocates the doing of a terrorist act. From the New South Wales perspective, we provide advice as well as intelligence to the Commonwealth about listing or relisting terrorist organisations, and that was set out in an Intergovernmental Agreement on Counter-Terrorism Laws in 2004. In New South Wales it is me; I respond to the Commonwealth on behalf of the Premier. That is ongoing—I just have to be careful. There are ongoing discussions between the Commonwealth and the States around this issue.

The Hon. WALT SECORD: Thank you. I will leave it at that. Ms Moriarty?

The Hon. TARA MORIARTY: Yes, I think there are just a couple of minutes left in this round, so I might just ask some wrap-up questions on COVID. Where are we at with staff vaccinations? I think we covered some questions about inmates; I know it is now compulsory for staff. How is that going? How many staff are done and also what is the impact of the compulsory nature of it?

Mr ANTHONY ROBERTS: Are you happy to answer that, Mr Acting Commissioner?

Acting Commissioner CORCORAN: Thanks, Minister, yes. I do have that answer close by.

Mr ANTHONY ROBERTS: I have got it.

Mr DAVID SHOEBRIDGE: Also on page 1.

Acting Commissioner CORCORAN: In terms of staff vaccinations, 67.6 percentage of staff have received their first dose as at 1 October, but in the prisons, of course, there are 46.4 fully vaccinated. But in the prisons, of course, as at 25 October, we had to have everybody fully vaccinated, or at least have their first dose or booked in for their first dose. So that has occurred and, as a result of that, there are 17 people who are refusing or have refused to comply with that direction and those individuals are subject to interaction with the professional

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standards branch at the moment. But, as I understand it, some of them are then agreeing, once they get their letters, are then agreeing to get vaccination. But those numbers are varying day by day, obviously.

Mr DAVID SHOEBRIDGE: Sorry, I missed the first number. What were the numbers for the department? This is for Corrective Services?

Acting Commissioner CORCORAN: This is for the overall Corrective Services. As at 1 October it was 67.6 had their first dose, and 46.4. But that is at 1 October; those numbers have changed considerably since then, and those numbers reflect the people that have put forward their information on the vaccination database that we have at the moment. What we are finding is that the bulk of people have been vaccinated but they just have not entered their data. So that data is a little dated.

Mr ANTHONY ROBERTS: Then there is a part of a broader DCJ policy that I might get the acting secretary to elaborate on.

Ms D'ELIA: Thanks, Minister. All staff have been notified within the department with respect to dates by which they need to be vaccinated. We have had quite a positive response to that and I can give a slightly more current number, but for the entirety of the department. So the entirety of the department has about 25,000 staff. As of 3 November, 21,000 staff have reported their status and 98 per cent of those have had at least one dose. Not all staff are subject to having to report yet; so the difference between the 21,000 and 25,000, there are still a number of staff that do not have to report yet. So we are still waiting on that. As the Acting Commissioner mentioned, we are still working through data validation, so the process is continuing. But we have had quite a positive response to staff vaccinations.

Acting Commissioner CORCORAN: If I might just add and elaborate, those percentages I gave you were the percentage of staff that were administered a vaccine by Justice Health. A lot of them obviously got their vaccines in the community as well. That is why our numbers are so high in actuality.

Mr DAVID SHOEBRIDGE: Minister, either to you or through you to one of the officials, a number of New South Wales prisons are designated places of immigration detention. Are you aware of that?

Mr ANTHONY ROBERTS: Acting Commissioner?

Acting Commissioner CORCORAN: Thanks, Minister. If there is a person who is an immigration detainee, then we would be able to keep them in any facility around the place. It might be someone who has had their sentence expired but Immigration require us to keep them in custody, and we do have something like about 900—I cannot recall the exact number—people who are of interest to Immigration in the system at the moment, but they are spread throughout the system.

Mr DAVID SHOEBRIDGE: You are getting ahead of me there.

Acting Commissioner CORCORAN: Sorry.

Mr DAVID SHOEBRIDGE: That is okay, that is not a bad thing.

Mr ANTHONY ROBERTS: No, it is a really bad thing actually. Do not do that again.

Acting Commissioner CORCORAN: Sorry about that.

Mr DAVID SHOEBRIDGE: I should have said nothing. So all prisons in New South Wales, Acting Commissioner, are designated as immigration detention facilities. Is that your evidence?

Acting Commissioner CORCORAN: No, they are not designated as immigration detention facilities; they are correctional centres. But we do have people in there that are of interest to Immigration and we also at times assist Border Force in keeping particular people who are regarded as too problematic to be placed in an immigration detention facility.

Mr DAVID SHOEBRIDGE: As I understand it, there is a class of inmates who are held in New South Wales prisons who have finished their term of imprisonment but continue to be held in prison at the direction of Border Force. Is that right?

Acting Commissioner CORCORAN: That is correct.

Mr DAVID SHOEBRIDGE: Some of those, are you saying, are because Border Force has said the preference is that they be held in a New South Wales prison rather than put in an immigration detention centre?

Acting Commissioner CORCORAN: Yes. They make a request to us, we consider that request and, if approved, there is a financial consideration for that as well from the Commonwealth.

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Mr DAVID SHOEBRIDGE: Could you provide on notice, unless you have got the data there in front of you, how many people are being held in New South Wales prisons at the moment, having finished their term of imprisonment but are being held there at the request or direction of Border Force?

Acting Commissioner CORCORAN: I think the number that I have just been given is four.

Mr DAVID SHOEBRIDGE: Four? And how many has it been over the course of the last financial year?

Acting Commissioner CORCORAN: I would have to take that one on notice, sorry.

Mr DAVID SHOEBRIDGE: Could you provide on notice the longest period that somebody has been held in a prison in New South Wales as a form of immigration detention as opposed to being held for a custodial purpose?

Acting Commissioner CORCORAN: Yes, we can take that on notice.

The Hon. TREVOR KHAN: They could be exercising their rights of appeal, one suspects.

Mr ANTHONY ROBERTS: A very good point.

Mr DAVID SHOEBRIDGE: Of the people being held in prison who have concluded their term of imprisonment but are there at the request of Border Force, is some of that because there is no capacity in immigration detention? It is a question of capacity; they just cannot get them out of the prison system into immigration detention?

Acting Commissioner CORCORAN: No, it is not a question of capacity; it is a question of whether the immigration detention facilities are built to a standard that would enable the operator to manage that individual in an immigration detention centre. The ones that generally end up in our custody are quite problematic and generally have criminal records, extensive criminal records.

Mr DAVID SHOEBRIDGE: Are there individuals who have been granted parole yet are being held in prison at the direction of Border Force for immigration purposes?

Acting Commissioner CORCORAN: I would have to take that one on notice as well, but generally, I think—and it might be something I could, through the Minister, flick to the Assistant Commissioner, Community Corrections—if they were due for parole and they were due to be deported, then action would be taken to deport them when they were ready to be paroled.

The Hon. TREVOR KHAN: Accepting that they are exercising their rights of appeal against the deportation.

Acting Commissioner CORCORAN: That is right. In that case then they would stay in custody.

Mr DAVID SHOEBRIDGE: The question is: Would they stay in a New South Wales prison or would they be held in immigration detention? That is the question I am asking you. Maybe Ms Crawford might be able to assist on that.

Acting Commissioner CORCORAN: I can answer that. The question would be that Border Force would make that determination whether they would accept them into an immigration detention facility if they were due for parole but due to be deported.

Mr DAVID SHOEBRIDGE: Yes, and then, at Border Force request, Corrective Services may retain somebody in prison—

Acting Commissioner CORCORAN: That is right.

Mr DAVID SHOEBRIDGE: —although they have been granted parole.

Acting Commissioner CORCORAN: Yes, that is correct.

Mr DAVID SHOEBRIDGE: I wonder if Ms Crawford could assist on any numbers in that regard, both currently and over the last financial year. Ms Crawford?

Mr ANTHONY ROBERTS: Assistant Commissioner?

Assistant Commissioner CRAWFORD: Thank you. I would need to take that question on notice in terms of the numbers.

Mr DAVID SHOEBRIDGE: Through you, Minister, and it is probably to Deputy Commissioner Grant, it is about the thematic review. Deputy Commissioner, the thematic review was commenced on 18 October. Is

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there an intent to seek public submissions or broader submissions? What is the intent in terms of public submissions or stakeholder submissions?

Mr ANTHONY ROBERTS: Deputy Commissioner?

Deputy Commissioner GRANT: Thank you very much for the question, Mr Shoebridge. We are very pleased with the process we have initiated to undertake this review. It has got multiple components; one of the components is, I suppose you might describe it best as a deep listening component where we are going to speak to people with lived experience of deaths in custody and also for advocates who are advocating on their behalf. That process, which we are waiting for COVID to end because we just did not think it would be able to be facilitated online, will occur in the near future. We are in a co-design phase now with Aboriginal people about how that should occur, but the intention is to have an expertly facilitated forum where people who have had that experience—families and people who are advocates or people affected by deaths—could actually participate in a process where they share their experience and their views about what might need to change. We are not going to take formal submissions to the review, but advocates would be participating in that process and will have the opportunity to do that, but if anyone wanted to make a submission they would be most welcome to. I do not think there would be any exclusion; that is not our intention.

I can just explain the process, and I do not want to take up too much of your time. We are doing it in a way that has never been done before. We are doing the standard things, like undertaking a literature review and doing some statistics or analyses of deaths, of the most recent batch of deaths. We are also doing a very deep dive into all of the thinking and all of the decisions and all of the observations that have come from things like root cause analyses undertaken by Justice Health investigations, the Corrective Services internal investigations and our incident reports. All those documents using contemporary text mining tools are being worked through by an expert team from Monash University, who are going to pull from it recurring themes and bring them back along with other information ultimately for a synthesis.

What makes this very different to anything else we have done is we have a very high-level independent expert committee chaired by an Aboriginal professor of infectious diseases from the University of Queensland, James Ward, and very ably assisted by a number of very experienced Aboriginal people including Sandra Bailey, who is head of the Aboriginal Health and Medical Research Council, but also assisted the royal commission in Victoria; a psychiatrist from New South Wales; a retired deputy State coroner; the head of Aboriginal Affairs; and a range of Aboriginal community members. That group together will be coming together to look at all of the information that has come from these various sources.

And the final piece, which I think will be of some interest to everybody here, is that we are also looking at all the royal commission recommendations that may have an impact or may be of interest to the Minister with the responsibility of Corrective Services and Justice Health. Of the full 337-odd recommendations, about 110 of them are the direct responsibility of Justice Health or of Corrective Services. We are going to go through each one of those and assemble all of the evidence we can find for the status of their implementation. We have already started this process; we are about halfway through—maybe that is too optimistic as it takes a long time to go through each recommendation, but we are well advanced in this process. We are going to ask the expert committee to sign off on this, to say whether they are satisfied with the status of the implementation of those recommendations. If they have not been appropriately or fully implemented or if they are no longer relevant for a variety of reasons, all of that will feed into the review and we will be producing a very comprehensive report to the Minister when we have completed that from all of these parts.

I think nothing of this depth has ever been completed. So we really are taking it seriously. I know it has taken a long time, but the listening experience and taking on board people's views is a very sensitive and important part of it. The coronial process has become increasingly adversarial, from our perspective. It is meant to be an inquisitorial process, but we end up being in a situation where people are coming in and effectively demanding a prosecution of staff. It is not conducive to us being able to listen very well or easily to families' views and we are trying to set up something that is very respectful that is outside of that, designed in conjunction with Aboriginal people to capture those views.

As a separate listening experience, we are also going to listen to the staff members who have been exposed to deaths in custody and the coronial process, who also suffer a lot through this process. I cannot emphasise strongly enough what happens when someone dies in jail and how much it affects the staff. I think people assume, because it attracts the headlines, that it is a frequent event, but it is a fairly infrequent event. In a lot of correctional centres people will never see a death in custody and they are very shocked when it happens and we want to work through the process with them to try to see how we can support them following the death and how we can support them through the coronial process, which also has its consequences.

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Mr DAVID SHOEBRIDGE: Thank you, Deputy Commissioner. The terms of reference also include as part of the thematic review regard to the recommendations from the Select Committee on the High Level of First Nations People in Custody and oversight and Review of Deaths in Custody. What is the intent of the review, having regard to that report and the findings of that report?

Deputy Commissioner GRANT: The recommendations that relate specifically to what you ask is what are those important recommendations that are outside of this? If there is anything within the Minister's purview, it will also be gone through in a similar process. We are really waiting to go through and pull together this information. At the moment we have just started to complete the literature review. We have not heard from the families, and that is an important part of the process as well. I am sorry that I omitted to mention that, particularly as you have a particular interest in it, but that is absolutely part of it. The recommendations relevant to Corrective Services will be part of the process and the committee will have an opportunity to comment on the approach that needs to be taken to those recommendations that relate to us and the extent to which we have already implemented them or not. Some of them crossover; one of those recommendations we are aware of relates to the implementation of the royal commission recommendations and we get an interaction between the two.

Mr DAVID SHOEBRIDGE: In that initial analysis that is being done and the extent to which the recommendations of the royal commission have been implemented, I think you said you are a good way into that. That might be a fair summary of your evidence in that regard.

Deputy Commissioner GRANT: I might have overstated it. I know it has taken us a long time to do it. The interesting part of the process is people are pushing back and we have got advocates, like the senior advocate from Legal Aid, who want to see absolute documentary evidence of everything. So we are taking it very, very seriously, but we have certainly gone through a number—I cannot tell you how many we have gone through so far.

Mr DAVID SHOEBRIDGE: Deputy Commissioner, I am not trying to trip you up on this. I understand that will be a lengthy and contested process, would be my guess. I have had a look at your panel and I assume it is going to be a lengthy and contested process. What I am interested in though is when there is a document setting out the understanding of the extent to which those recommendations have been implemented or not implemented, will that be made public during the currency of the review?

Deputy Commissioner GRANT: Before the review is completed, are you suggesting?

Mr DAVID SHOEBRIDGE: Yes.

Deputy Commissioner GRANT: It is our intention to communicate with people. I know there is a lot of investment in it. I can give that undertaking now, that as we complete that work, maybe when we have completed that segment of the work, we will predate the full report and I am very happy to put that on our website. From our perspective, we get sick of people telling us that we have not implemented the royal commission recommendations. I have said this before at your other inquiry, that I have been doing this for 30 years, along with many of my colleagues. We take the recommendations really seriously. I am very confident that when people look at those recommendations they are going to see a lot of them have been implemented perfectly. I am not suggesting all of them have been, but a lot of them have been, and we have got a real investment in having that out in the public domain so that people have got more confidence that we have taken it seriously.

I think more important for us, we want to move on the royal commission recommendations. And if I might—I know it is a bit of an indulgence—acknowledge just in today's meeting the death of Hal Wootten earlier this year, who was a great mentor to me and who was involved in our Aboriginal advisory committee for many years. He made a very powerful statement in his speech that he gave for the twentieth anniversary of the royal commission; he was the New South Wales royal commissioner and he said:

The National Report was not a revelation from on high, not a font of perennial wisdom, not the end of history, but a passing moment in it. It was a response to the problems of the time, by people of the time, using the tools of the time. Take what you can from it and move on. It is now your thinking, your imagination, your dedication and your professional commitment that is needed.

We are rising to that challenge. We are using different tools but we want to put the royal commission recommendations to rest and to move forward with some more strategies to do this. We take a lot from Hal Wootten in his response to acknowledge this and make a contribution to the State.

Mr DAVID SHOEBRIDGE: But you acknowledge the best way to put those recommendations to rest is to implement the recommendations.

Deputy Commissioner GRANT: Absolutely. I could not agree more with that.

Mr DAVID SHOEBRIDGE: Is there a time frame for the review?

CORRECTED

Mr ANTHONY ROBERTS: Deputy Commissioner?

Deputy Commissioner GRANT: There was a time frame for the review, however, it has been extended through a variety of COVID-related issues. We are working through everything at the moment. Our original intention was to have it wrapped up before the end of this year; however, because we have not been able to do the community consultations it will not be wrapped up in that time. So every aspect of it is underway except for the work around the listening experience, but the other stuff is progressing very well already and we have got people engaged in various levels.

Mr DAVID SHOEBRIDGE: Deputy Commissioner, I think anybody would accept that COVID would have thrown a spanner in the works in regard to the initial time frame and I accept that the listening experience is not just an add-on but core to the process, so I am just going to ask you: What is your expectation in regard to the final reporting date?

Mr ANTHONY ROBERTS: Deputy Commissioner?

Deputy Commissioner GRANT: I would be hoping to have it finished within the first three months of next year now, something like that. So I think it is unlikely we will be able to get the listening process undertaken and complete. I think that the people we engage to do this work and to commence the process of engagement—we have got some fantastic people in the co-design process who are outside of the reference committee, including some members of the Aboriginal Advisory Council. They are all engaged, but the process was a 12-week time frame just for that component of the work. We are just at the beginning of the co-design phase at the moment. It is going to take 12 weeks from that time; it could take us into the beginning of next year, and then we need to bring it all together and synthesise it to everyone's satisfaction. So hopefully I would be saying by March next year—that would be my optimistic view.

Mr DAVID SHOEBRIDGE: Thanks, Deputy Commissioner. Minister, again going to page 1 of your briefing notes, what number of inmates are in New South Wales prisons at the moment, both male and female?

Mr ANTHONY ROBERTS: There are currently, as of 17 October, 12,218 inmates.

Mr DAVID SHOEBRIDGE: Do you have a breakdown on the number of women in jail and the number of men in jail?

Mr ANTHONY ROBERTS: If you go to page 1 of your notes.

Acting Commissioner CORCORAN: Yes, I have got it on page 1.

Mr DAVID SHOEBRIDGE: I have also got it.

Acting Commissioner CORCORAN: There are 801 female inmates. Did you ask for Aboriginal and Torres Strait Islanders?

Mr DAVID SHOEBRIDGE: That was my next question. It is most efficient if we do them both at once.

Acting Commissioner CORCORAN: Yes, 3,378 First Nations inmates.

Mr DAVID SHOEBRIDGE: Sorry, could you just give me the breakdown on men and women, and then also, if you could, First Nations, and women?

Mr ANTHONY ROBERTS: I can give you the number. There are 11,416 males, 802 females—

Mr DAVID SHOEBRIDGE: Could you give the breakdown on First Nations? You have added one to the Acting Commissioner's numbers.

Acting Commissioner CORCORAN: I think they might be a different date unfortunately, yes. With respect to First Nations inmates—this might be a different date from the Minister's— it is 3,378.

Mr DAVID SHOEBRIDGE: Perhaps if you have got consistent data on the same date, Acting Commissioner, if you give us that breakdown?

Acting Commissioner CORCORAN: The total? As at 31 October, 12,318 total prison population, and of those 801 were female inmates.

Mr DAVID SHOEBRIDGE: And of the total number of inmates, did you say 3,378 were First Nations?

Acting Commissioner CORCORAN: Yes.

Mr DAVID SHOEBRIDGE: Do you have that broken down between men and women?

CORRECTED

Deputy Commissioner GRANT: I can answer that if you wish. So 3,101 men and 277 women.

Mr DAVID SHOEBRIDGE: Is it true that the proportion of women in jail who are First Nations has grown over the past two years?

Deputy Commissioner GRANT: I would have to take that on notice because I know that the recent decline in the prison population has very much favoured women, and Aboriginal women, and it has made it slightly less. I have not analysed that in the last few months. I will take that on notice and get back to you about it.

Mr DAVID SHOEBRIDGE: I was waiting to be pulled up by the Chair but that is not going to happen so I will hand over to the Opposition.

The Hon. TARA MORIARTY: Are all of your facilities still closed to visitors because of COVID at the moment? Is that correct?

Mr ANTHONY ROBERTS: They are closed to visitors, correct.

The Hon. TARA MORIARTY: What is the proposal for reopening them?

Acting Commissioner CORCORAN: We are going through a process of developing a recovery plan at the moment. I understand it was 29 November that we are proposing to open up visits again.

The Hon. TARA MORIARTY: I want to ask about the rather large incident, the riot, that occurred at Parklea prison in July. I know that a couple of matters relating to that are before the courts and I do not intend to mess with what is happening there, but I do want to get some information about what did happen during that riot. My understanding is that there were around 60 inmates involved, including the 14 who somehow made it to the roof. Can you give us some information on what happened?

Mr ANTHONY ROBERTS: Before I pass over to the Acting Commissioner, the disturbance at Parklea Correctional Centre on 12 July is the only major disturbance at the centre since March 2019. The incident started when a number of inmates accessed the roof area and refused to comply with staff directions. I am informed that there were around 50 inmates in the yards who also refused staff directions. Centre staff deployed chemical munitions to clear the yards to gain the good order and security of the centre. Inmates also lit fires within wings that required a response from NSW Fire and Rescue. I will pass over from an operational point of view. I understand that the centre's immediate response team, as well as Corrective Services Security Operations Group [SOG] did a excellent job.

Acting Commissioner CORCORAN: Thanks Minister, you pretty much summed up what went on. The incident was contained in a pretty rapid manner considering there were a number of people up on the roof. That presents an extremely dangerous situation and the specially trained Security Operations Group were able to contain that and get them down fairly quickly.

The Hon. TARA MORIARTY: How do you define "rapid"? How long did it take to get the situation under control?

Acting Commissioner CORCORAN: I think it was about four or five hours.

The Hon. TARA MORIARTY: Will you confirm how many people were involved?

Acting Commissioner CORCORAN: Fifty inmates in the yards. I have not got the numbers here that were on the roof. I think it was probably under 20 who were on the roof.

The Hon. TARA MORIARTY: I appreciate that it was under control in four hours—well done to the team that did that—but four hours in maximum security? What was the cost of the damage?

Mr ANTHONY ROBERTS: You might have to take that on notice.

Acting Commissioner CORCORAN: Yes, I think I will have to take that one on notice.

The Hon. TARA MORIARTY: I know a number of issues are before the courts, and I am not asking about those. Referring to the ramifications or consequences for people who are not in that situation, what were the consequences for the 57 odd—if I have the number right; probably not, but however many people were involved—that are not before the court?

Acting Commissioner CORCORAN: The consequence is they would have been locked in their cells and subject to some restrictions. That process would have been gradually opened up over a number of weeks.

The Hon. TARA MORIARTY: Will you give us information about why this incident occurred? There was certainly commentary at the time that people were complaining about conditions. I understand this is a

CORRECTED

maximum security situation, and I was not there to understand what is true and what is not, but I would like to get some information about what their complaints were.

Acting Commissioner CORCORAN: Sure. The investigations we have done which are obviously ongoing also relate to listening to phone calls and things of that nature. The investigations have indicated that it was suggested that the incident was, in fact, related to getting hold of drugs that had been thrown onto the roof of that part of the facility.

The Hon. TARA MORIARTY: From some of the things that I have been told I do not doubt there are probably some people that were in that situation. Having said that, I do not know again as that is before the court, but there are some complaints that it was about treatment inside the facility, including allegations of racial complaints. Do you have any comments on that?

Acting Commissioner CORCORAN: Certainly I have not been briefed on that. The only briefing I have got so far was that it was related to retrieving drugs from the roof.

Mr ANTHONY ROBERTS: I am always happy to assist.

The Hon. TREVOR KHAN: Always. We know that.

Mr ANTHONY ROBERTS: Can I respectfully say again that this is still a matter for a police investigation and I think we need to be mindful of that.

The Hon. TARA MORIARTY: Understood. Minister, I do not mean this flippantly, but how do you lose an entire maximum security prison to mice?

Mr DAVID SHOEBRIDGE: They are very well organised mice.

Mr ANTHONY ROBERTS: With respect to—

The CHAIR: It was a plague.

Mr ANTHONY ROBERTS: Yes, it was a mice plague. We build prisons to keep people in.

Mr DAVID SHOEBRIDGE: Not to keep mice out.

Mr ANTHONY ROBERTS: Due to the ongoing impact of the rural mouse plague at Wellington Correctional Centre all inmates and most staff have been relocated to other correctional centres whilst urgent and necessary remediation work can be undertaken. We had been dealing with that mouse plague since November 2020 which took, as you mentioned, a significant toll on the infrastructure and the conditions for staff and inmates. The damage included internal wiring in the ceiling panels and that has made continuing normal operations untenable at this time. We have had to temporarily hold operations at the centre because that is the best solution to the challenges presented by the plague.

Removing the inmates and as many staff as possible will expedite the remediation works. This work includes investigating ways in which we will protect the centre from future mouse plagues. Again, these are just learnings. We had issues mostly, I have to say, around the operational side or the management side of the prison, not the actual cells themselves. We had people potentially working in an office building or buildings where the cavities were full of dead mice. The ceilings were full of dead mice. I am not sure whether the acting commissioner attended there and had an experience.

Acting Commissioner CORCORAN: Yes. I got gravely ill after attending there and I know others did too. That was certainly one of the reasons from a health and safety perspective it was absolutely critical to look after the health of staff working in those facilities. It was just unacceptable. It was not so bad in the inmate areas but they certainly were suffering as well. It was a huge decision to close down that facility but, nevertheless, I think it was the right one and I think it is something like a \$50 million insurance claim that we are up with at the moment to rectify that facility. But the good news story is about \$38 million of that is being spent in the local community.

Mr ANTHONY ROBERTS: Something good has come out of this but we had to decant 420 inmates. We did that successfully and we have been able to deploy the 200 officers around the system so there was no loss of pay and other entitlements. Again, it is one of those learnings. It was not COVID hitting us. We have had fires, we have had floods, we have had pestilence through the rodents and, of course, COVID. So it has been a bit of a rough year, but I think we have managed it pretty well.

The Hon. TREVOR KHAN: Yes, all one now needs is frogs and boils.

CORRECTED

The Hon. TARA MORIARTY: So you made the decision to close that facility. How long had there been consequences from the mouse plague? I have had complaints from people that they were ill for a long time before you guys acted.

Acting Commissioner CORCORAN: That is true. There is no doubt that there were some real health and safety issues existing in that facility. We embarked on a bit of a tour around the system to listen to staff in relation to the People Matter survey and that was one of the facilities that I and other executives visited. Listening to the staff, it was only then that we understood the magnitude of the problem. It certainly was not clear to us prior to that, but once that group of executives went there, sat down with staff and listened to the stories of what was going on in terms of their health risks, we just had to start doing something about it.

Mr ANTHONY ROBERTS: Was there also an issue with mites?

Acting Commissioner CORCORAN: Mites from the dead mice falling down, and mice faeces falling down. There was a whole range of health issues that just needed to be addressed. It is such a huge thing to lock down or close a correctional centre. We were just fortunate we had had this huge building program occurring so we had the capacity to actually spread those inmates throughout the system.

The Hon. TARA MORIARTY: Where are they all now because this was a maximum security facility?

Acting Commissioner CORCORAN: It is maximum security, yes.

The Hon. TARA MORIARTY: Were there 400-odd? How many inmates were moved?

Acting Commissioner CORCORAN: I think it was 592, but I could be corrected, that we had to spread around the system. They went to a whole range of maximum security facilities, but there were also minimum security and women as well. I spoke to all those people in custody as well whilst we were there and tried to get a bit of a handle on how they were experiencing things. Some of the buildings I went into were just horrendous—the smell. I was almost throwing up just going into the places where people were living, and it was completely unacceptable to continue on in that facility.

The Hon. TARA MORIARTY: Where are they all now? Is the idea that once the facility is fixed people will return? I do not have a timeline but obviously their sentences will be for different periods, but is the idea that people will return. What is the timeline for that?

Acting Commissioner CORCORAN: Yes. Sorry, there were only 420 inmates who were relocated, just to correct the record there. I suspect that the works should be finished very early in the new year.

The Hon. TARA MORIARTY: I understand that a mice plague has affected all of New South Wales and I think there are probably still issues. But another facility that I think is roughly two or three kilometres away from this one was not affected. Why was this one affected? Was there a lack of maintenance?

Mr ANTHONY ROBERTS: Another good question. That is what I asked too.

Acting Commissioner CORCORAN: It is really interesting because I was asking the same question. I was thinking, "Hold on, why this facility?" They managed to keep that pretty much mouse-free and the other one was getting overrun. There were a couple of reasons for that. But I think primarily it is that they are of very different construction. At the Macquarie facility they were able to put a whole range of poisons around just on the perimeter to make sure that nothing could get in. They were poisons that basically anaesthetised the mice. They would only go another half a metre and then basically fall asleep and die. It was a very humane treatment.

The Hon. TARA MORIARTY: But somehow they could not go three kilometres up the road to do the same thing.

Acting Commissioner CORCORAN: It was very humane. But up the road what we had was a much older facility which had a lot of—

The Hon. TREVOR KHAN: I am not quite sure that Emma Hurst would agree.

Mr DAVID SHOEBRIDGE: I think that is why he put it in those terms "fell asleep".

Acting Commissioner CORCORAN: It was very humane. Up the road that facility had a whole range of things called pits that were either stormwater drains or electrical pits and that is where they were getting in. So we could put the stuff around there but they were chewing through, and we were trying to block these things up, but they were getting in—

Mr ANTHONY ROBERTS: Too small for a prisoner to get out but big enough for mice to get in.

CORRECTED

Acting Commissioner CORCORAN: But big enough for mice to get in. So they were getting into buildings through these pits and just invading the buildings. That is why primarily it was the gatehouse and some of the staff facilities that were most impacted there.

The Hon. TARA MORIARTY: And the staff were all accommodated in other places?

Acting Commissioner CORCORAN: Yes, they were all accommodated in other places. A lot of them are working from Macquarie. We had just built a new programs building in Macquarie and we were able to convert that into staff offices.

The Hon. TARA MORIARTY: I have five minutes so I am going to have to rush this but I do not mean to rush as this has been ventilated before. This is in relation to some staffing issues and workers compensation issues which was well ventilated at the last estimates. I want to follow up with a preliminary question. I understand that your workers compensation liability insurance has almost doubled over the course of the last year. There have been some serious allegations raised—again well ventilated at the last estimates so they are on the record. A number of independent reports and inquiries had to be conducted into how workers compensation claims have been dealt with in Corrections. What have you done to improve that since those concerns were last ventilated?

Acting Commissioner CORCORAN: We recognised that this was a significant issue. I have got to say I regret the way some of those individuals were treated by the agency with a lack of contact, intervention and management. DCJ has assisted us hugely from a human resources point of view. It did a review into what was going on in the injury management area. We have quadrupled the number of staff involved in injury management which has meant that we can have a caseload of around 40 per injury management worker and it was probably about triple that or more previously. The Department of Communities and Justice and ourselves put a lot of effort into making sure that we have a much better system to manage injured workers.

Mr ANTHONY ROBERTS: I think the acting secretary might have something to add,

Ms D'ELIA: Just to add on to what the Acting Commissioner said, as you mentioned, the department acknowledges that the best result for injured workers is when we achieve a supportive and effective result. We did do an internal review of workers compensation and significant changes have been made. We have made changes to the claims process where there is a legal challenge. We now have more skilled workers who work with the insurers legal representatives. As the Acting Commissioner mentioned, we have increased the funded level of staffing from six to 24. We now have all injury managers in the department reporting through to a single team so we ensure that there is appropriate supervision. We have reduced the caseload limits so that a caseload has no more than 40 active claims. We also have a new team to deal with complex claims which is supporting injury managers with the psychosocial claims that need to be done. We have also released a new department injury management strategy.

The Hon. TARA MORIARTY: Is it then safe to assume that there will be no further backdating or changing of reports while these things are being dealt with, which is what has been found in some of your previous cases in independent inquiries, and also comments from management documenting that they will "hit people in the hip pocket" to pressure them out of their claims. How are these things being dealt with so that that will not happen to people in the future? People have been very badly treated. It will probably damage and affect them for the rest of their lives really badly and there is no excuse for it. How can they be confident that this will not happen in the future?

Ms D'ELIA: We did take a look as well. We did do the external review, I think. But the previous Secretary had an independent review as a result of the last estimates briefing. We have taken a look at what happened in those circumstances specifically. That has just come to the Office of the Secretary within the last couple of weeks. What will happen is that we will be taking the results of that in order to determine what next steps need to happen internally and also with our relationship with SIRA and with iCare.

The Hon. TARA MORIARTY: How are sexual harassment complaints being dealt with? There is a report that up to 10 per cent of staff said they experienced harassment of that nature in the past 12 months and it is not really being dealt with in an appropriate way. How do you want to respond to that?

Mr ANTHONY ROBERTS: I will ask the acting commissioner to respond.

Acting Commissioner CORCORAN: There is a whole range of things we are looking at. I think this comes out of that work I was talking about, about going around and talking to staff about their workplace. Certainly it was reinforced to us that bullying and harassment and sexual harassment were rife in some areas. What we have done—and again with the assistance of DCJ—is to put about \$1 million worth of staffing into human resources business partners which will be placed around the regions to train up and develop managers to deal with sexual harassment, bullying and harassment grievances, performance management and low-level

CORRECTED

misconduct. We really want to push that down the line. We want to get it fixed as quickly as possible. In addition, I have also spoken to my Assistant Commissioner, Governance and Continuous Improvement and said that I want the backlog of complaints and professional standards matters that are outstanding at the moment resolved very quickly. I have given him a timeframe and the resources to make that happen as quickly as possible as well.

Mr DAVID SHOEBRIDGE: Ms D'Elia, is it true that the workers compensation premiums for Corrective Services this financial year is some \$52 million? Do you have the figure in front of you?

Ms D'ELIA: I will check. I would have to take it on notice off the top of my head.

Mr DAVID SHOEBRIDGE: If you can check and if you could provide us with what it was last financial year and the year before? Again, like Ms Moriarty, I have been informed that that there is a near doubling in workers premiums. If we could get that number now that would be very useful. You indicated that there was an independent review of Corrective Services' handling of workers compensation cases, Ms D'Elia?

Ms D'ELIA: Yes.

Mr DAVID SHOEBRIDGE: Does that include the appalling behaviour directed towards Mr Fitzpatrick and the inexcusable behaviour of QBE as well?

Ms D'ELIA: The review—

Mr ANTHONY ROBERTS: Just outline the terms of reference.

Mr DAVID SHOEBRIDGE: If you have the terms of reference maybe the best way is just tabling those, if that is possible.

Ms D'ELIA: I do not have them to hand. I can have them tabled.

Mr DAVID SHOEBRIDGE: What do you have about the terms of reference of the review there?

Mr ANTHONY ROBERTS: I think we are trying to find that now.

Ms D'ELIA: I am looking.

Mr DAVID SHOEBRIDGE: I will consciously stop asking you questions, go onto a different topic and then come back to that. Minister, the rollout of tablets over the last two years in New South Wales prisons has been I think broadly accepted as a success to the extent that it has rolled out. Can you advise how many tablets there are and which facilities have them and/or do not have them?

Mr ANTHONY ROBERTS: Certainly. I ask the deputy commissioner to respond to that.

Deputy Commissioner GRANT: I am really happy to say at the moment—and we are not finished yet—that we have rolled out 5,485 of the new tablets. This did not include the ones we had put in place already for COVID purposes. We had 600 tablets for audiovisual link [AVL] visits and so on for COVID. For the new tablets which are the ones to be used in cell, we have rolled out 5,485 of those into our correctional centres. So we have now got them in Dawn de Loas, Dillwynia, Geoffrey Pearce, John Morony, Lithgow, Mannus, Mary Wade, Mid North Coast, Shortland and South Coast. At the two rapid-build centres, we built something different there because we had a plan for that. They have an in-cell digital device also.

So there is another 800 of those devices. They are actually affixed to the wall of our accommodation units as opposed to being a handheld device. So we have 800 there. In addition to that, every prisoner in Clarence Correctional Centre, which is around 1,000 prisoners or slightly more, also has a tablet. In total, if you add those together, it is about 7,000 prisoners have a device that they can use at the moment in the evenings after lock-in hours on which they can communicate with their family and friends and have access to another series of arrangements. We have now got a process in place—I am not sure if the Minister wants to talk about that—but we are planning to expand this to the remaining centres in the near future.

Mr DAVID SHOEBRIDGE: Minister, I think we can all agree that allowing prisoners to keep connections with family and, if I recall your comments, being able to talk to kids, see the bedroom, keep that connection, is extremely valuable and important. Indeed, returning those community and family connections is one of the best ways of avoiding recidivism. Is there a budget to roll out tablets to the balance of the prison population? If so, what is the budget and what is the deadline?

Mr ANTHONY ROBERTS: Deputy Commissioner, I think we have an additional \$42 million. Is that correct?

Deputy Commissioner GRANT: That is right. We have \$23 million confirmed in the first tranche of funding. The rollout is over the next two to three years. It is two years for the infrastructure work but to get the

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whole thing up and running. It is not just the tablets that this investment is for; there are a number of other things including live virtual therapy units which operate slightly differently. They are constructing private booths in correctional centres for more private consultations with psychologists. In addition to that, it includes money for developing the platform further. At the moment we have a learning management system but a big investment as well is being made in a very high-quality learning management system that we will be going out to tender for.

In addition to that, we are including some of the content—we have been trying to put the MindSpot app, which is something developed by Macquarie University—a fabulous behavioural tool for anxiety, depression and trauma. We have to make some adjustment to that to make it really usable for prisoners, so we have got the money for that as well. We are so indebted to the Government for supporting this strategy. We have been working on it for a long time and when we get this in place we will be the envy of the correctional world in Australia. No other agency will have anything like this in play.

Mr DAVID SHOEBRIDGE: It is intended, therefore, over the next two financial years with that budget to have tablet or tablet-like facilities available to each inmate in New South Wales? I am not including them but there may be some inmates excluded in forensic facilities or in extremely high security facilities. But each inmate, apart from that small handful?

Deputy Commissioner GRANT: The intention is for that to be so, yes.

The Hon. TREVOR KHAN: That is pretty good.

Mr DAVID SHOEBRIDGE: I commenced this by saying most people had thought it was positive. Minister, will you be looking at the impact on recidivism as a result of these kinds of connective services?

Mr ANTHONY ROBERTS: Very much so. I will ask the deputy commissioner to unpack some of the additional services we will be providing. As I keep saying, if you treat someone like a dog, they will behave like a dog. If you lock someone in their room or their cell for 18 hours a day with no ability to access services, to speak with their families or even undertake rehabilitation courses, this just opens up that engagement that we have been missing for such a long time as we continue to reduce the level of recidivism.

Mr DAVID SHOEBRIDGE: I appreciate that, and if there are any further details to be provided on notice I would be more than happy for that to go on notice rather than right now, Minister.

Mr ANTHONY ROBERTS: I am always happy to expand on these things. I am excited by this.

Mr DAVID SHOEBRIDGE: Minister, I commenced this line of questioning by saying I thought it was positive, so we are ad idem on that.

Deputy Commissioner GRANT: Minister, if I might add something there. We do have documents being prepared by the University of Technology, the centre for Designing Out Crime. We commissioned that group to develop a program logic and a very detailed evaluation plan. It is a very impressive document and I think it helped us to get the Government across the line because the benefits were very clearly articulated in the document, as was the approach we were going to take to measuring it. One of the great beauties of the tablets themselves is that they have an inbuilt survey tool which will be very helpful from a number of perspectives even including asking prisoners about their satisfaction with the quality and the nature of the food. We can use that for researching people's usage and to ask people about their experience. That is already in the tablets now. We have a big campaign underway to evaluate those—

The Hon. TREVOR KHAN: I would love to see some of those answers.

Mr DAVID SHOEBRIDGE: I was going to say I would be interested to see the views on food but that is not my question. If that document could be provided on notice that would be of assistance.

Mr ANTHONY ROBERTS: Deputy Commissioner, can we provide that?

Deputy Commissioner GRANT: Yes.

Mr DAVID SHOEBRIDGE: I am more than happy for that to be taken on notice. I might go back to Acting Secretary D'Elia. Do you have any of those numbers?

Ms D'ELIA: I have the total number of workers compensation claims—not a dollar value but the numbers—which is a combination of both physical and psychological. For 2020-21, as at 30 June 2021, the total number of claims was 805. In the preceding year it was 698; in 2018-19 it was 716; and in 2017-18 it was 635 claims. I do not have the specific terms of reference; I can take that on notice. The review though was intended to review how the department managed the workers compensation claims.

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Mr DAVID SHOEBRIDGE: And you will provide the actual quantum of workers compensation premiums for this financial year and the last one on notice?

Ms D'ELIA: The premiums? That I do not have. I would have to take that on notice.

Mr DAVID SHOEBRIDGE: Will the review be made public?

Ms D'ELIA: At this point in time I would have to take that under advisement. There is quite a bit of private information included in the review. I would have to have someone take a look at that before I can make that call.

Mr DAVID SHOEBRIDGE: Given the behaviour that was outlined in the reports that were undertaken by SIRA of Corrective Services' handling of workers compensation claims, and particularly the appalling interaction between claims management officers in Corrective Services and QBE, has anybody been held to account for that behaviour?

Ms D'ELIA: The outcomes are dependent upon the—and it is only with respect to what has been managed internally—that is the result of the investigation. We have just had our initial meeting with human resources [HR] that the investigation had been completed and the Acting Commissioner and I will have to work through with HR what the outcomes of that would be.

Mr DAVID SHOEBRIDGE: The case managers whose behaviour I think on any fair reading would say was appalling, have they continued to be working as case managers up to now?

Ms D'ELIA: My understanding is that there were internal staff involved in the scenario and there were also staff for the insurer so—

Mr DAVID SHOEBRIDGE: Indeed, QBE and Corrective Services.

Ms D'ELIA: I can only comment on the action that needs to be taken with respect to the department and that is what the Acting Commissioner and I will work through.

Mr DAVID SHOEBRIDGE: I am asking whether those staff within Corrective Services who were handling the workers compensation claims—

Mr ANTHONY ROBERTS: No, claims management officers are not Corrective Services NSW staff.

Mr DAVID SHOEBRIDGE: Within the department. Thank you, Minister for the appropriate clarification. Those claims officers within the department—

Mr ANTHONY ROBERTS: DCJ.

Mr DAVID SHOEBRIDGE: —within DCJ, have they continued in that role up to now?

Ms D'ELIA: I do not have the specific names of the individuals. I can follow up on that.

Mr DAVID SHOEBRIDGE: I am not asking to put the names in response; I am asking you to deal in substance with the individuals who were involved in the report whose conduct has been highly criticised by the regulator. I am asking you whether or not they have continued in that role up to now. And you can provide that on notice.

Ms D'ELIA: I will take it on notice.

Mr DAVID SHOEBRIDGE: Minister, are you aware of the data on women in prison that shows that at least 70 per cent of the women who are in New South Wales prisons have survived some form of quite significant gender violence?

Mr ANTHONY ROBERTS: The actual data itself, I am unaware of, but it would not be surprising if that was the case.

Mr DAVID SHOEBRIDGE: In fact, if you wanted to see a part of the population who have themselves been the victims of often gender-based violence, the New South Wales prison population of women would be a subset of some of the most disadvantaged and, in many cases, victimised people in the community. Would you agree with that?

Mr ANTHONY ROBERTS: Yes.

Mr DAVID SHOEBRIDGE: Given that, can you tell me what trauma-informed support services are being provided to women in prison?

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Mr ANTHONY ROBERTS: Yes, I can. Before I pass to the deputy commissioner, the ones I am aware of are Out of the Dark, which is a program for women who have experienced domestic and family abuse that identifies the options and support that is available for them. We have approved counselling services offered to women who have been victims of crime, including sexual assault and domestic violence and, of course, trauma-informed practice training is part of the primary training package for all new custodial recruits and we also provide that to existing frontline staff.

Mr DAVID SHOEBRIDGE: As you are doing this, to the extent you can provide the number of women who have been provided with those services? You will probably have to take this on notice: As a proportion of the women in prison, how many are getting access to those services?

Mr ANTHONY ROBERTS: We might have to take it on notice but the deputy commissioner is the font of all knowledge.

Mr DAVID SHOEBRIDGE: I am not trying to cut off the deputy commissioner.

Mr ANTHONY ROBERTS: No, I am saying that we might be able to give it to you now, if we can.

Mr DAVID SHOEBRIDGE: Indeed.

Mr ANTHONY ROBERTS: He is the font of all knowledge in Corrections. Deputy Commissioner?

Deputy Commissioner GRANT: Thank you for that ring of endorsement.

Mr DAVID SHOEBRIDGE: It is a contested point, Deputy Commissioner.

Deputy Commissioner GRANT: The Minister has done an excellent job there covering some of the things we do. The trauma-informed practice is a starting point in recognising that women in custody have been exposed to trauma. I have contributed to the development of this literature myself by doing the only large proper study of the experience of sexual violence in women in the State. They have published a lot of papers about the prevalence, so you are quite correct about the prevalence. Trauma-informed practice is the most important component of that, recognising that every interaction that every staff member has needs to have that particular lens which they do at Corrections.

We engage with a number of organisations to develop their own trauma-informed practice training which has been rolled out to all the women's centres—perhaps not to all the men's centres but all the women's centres definitely have had that. So all of our staff in those centres have had the benefit of the training. The Minister mentioned the victims counselling service which also has been running in prisons, and that has been very, very, successful. We can get you the numbers from that. In addition to that, individual psychological sessions of contact, which I have not got the numbers in front of me. I know it is massive in its scale in terms of the number of individual contacts that psychologists have had.

I just looked at, say, the sessions and I had to break them down, but there have been about 70,000 sessions in 2020-21 which gives some indication of the scale of that work. I can break that down into the numbers that are provided to women. A lot of that is around mental health related issues. In addition to that, the chaplaincy service provides fundamental support for people as well who are distressed. We have some group-based interventions, including a program that is based on dialectical behaviour therapy called the Real Understanding of Self Help [RUSH] Program.

I do not have the numbers in front of me now but I will take that on notice and give you the numbers for all of those. All of those things are designed to support women. One of the things we recognise is that our other programs, whether they be programs around addiction or behavioural change or even education can be compromised if women are too traumatised and are still suffering from them that they cannot engage. So we take it very, very seriously, and it is a big part of our program at the moment.

Mr ANTHONY ROBERTS: Thank you.

Mr DAVID SHOEBRIDGE: Through you Minister to the Deputy Commissioner: Given that over one-third of the women in prison—I think it was 35 per cent when I had a look at the numbers—are First Nations women, how many of those trauma-informed services being provided to women are being provided by Aboriginal controlled organisations, bringing that cultural strength and that cultural knowledge to the trauma-informed services?

Deputy Commissioner GRANT: I will have to take that on notice. However, I would observe that we do employ Aboriginal people ourselves. So we have a program, for instance, at Emu Plains for Aboriginal women, particularly focusing on their needs around employment. But that program, because of the barriers that are created by people's trauma experience, has incorporated trauma work into that program. That is Corrective Services staff

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and it is external people. I can take that on notice but there are Aboriginal staff delivering—in other words, external. Our own staff can do that including Aboriginal staff who Corrective Services employs.

Mr DAVID SHOEBRIDGE: Minister, is it part of policy in New South Wales if you are providing that kind of trauma-informed services—and I note there has been an increase in the services provided and the training, and I am not trying to minimise that—but to the extent that those trauma-informed services are being provided to Aboriginal women and Aboriginal men, is there a policy in place to have those services provided by Aboriginal controlled organisations?

Mr ANTHONY ROBERTS: In their entirety?

Mr DAVID SHOEBRIDGE: Or so far as possible? Is that a policy goal? If not, why not?

Deputy Commissioner GRANT: Part of our response is to engage with Aboriginal community organisations to provide services. However, there is some work, and I just cannot give you the reference, that was done by the Kirby Institute that looked specifically at drug and alcohol work. What they wanted above everything else was for people who had an appropriate cultural competence. Aboriginality is really important but people who are culturally competent are also able to contribute to that. Those were the views of the people who were surveyed. I will have to track down that reference and provide it to you, and I am happy to do that. In principle we like to engage with Aboriginal organisations. We engage Aboriginal people ourselves. But we do not assume that non-Aboriginal people who are culturally competent cannot contribute to this as well.

Mr DAVID SHOEBRIDGE: Minister, do you think it may be a useful policy direction to, so far as possible, engage the services and work with Aboriginal controlled health organisations in particular to provide cultural and trauma-informed services to Aboriginal inmates in New South Wales?

Mr DAVID SHOEBRIDGE: It would certainly be worth looking at. I think from the cluster as a whole there has been some movement—

Acting Commissioner CORCORAN: I really have to throw over to the acting secretary. That new appointment made by the Attorney General recently in relation to how we pull together services for Aboriginal people—

The Hon. TREVOR KHAN: Is that Brendan Thomas?

Acting Commissioner CORCORAN: That is Brendan Thomas, yes.

Ms D'ELIA: As you would be aware, Brendan Thomas will be joining as of Monday as the Deputy Secretary for the transformation of Aboriginal service delivery. Mr Thomas's remit will be across all of the services provided by DCJ to ensure that we are able to better work towards the Closing the Gap target as well as ensuring that we have appropriate services now for Aboriginal clients.

The Hon. TREVOR KHAN: I have a feeling that the acting commissioner spoke sympathetically on a lot of these subjects when we visited Mulawa some time ago, David.

Mr DAVID SHOEBRIDGE: I recall some of that discussion. My question is: How much is it played out in practice?

The Hon. TREVOR KHAN: It is good to start with a sympathetic ear.

Mr DAVID SHOEBRIDGE: It is better to start with a sympathetic purse.

The Hon. TARA MORIARTY: I have a couple of quick wrap-up questions in the last 12 minutes that we have. Under current welfare legislation that we passed regarding COVID you were given the power to release prisoners in managing COVID. Have any inmates been released?

Mr ANTHONY ROBERTS: That would be an operational issue.

The Hon. TREVOR KHAN: I think that is the first time today.

Mr ANTHONY ROBERTS: Before I pass to the acting commissioner, arguably one of the safest places to be in New South Wales during COVID was within the Corrective Services system. We saw that play out as we managed to keep it out up until the very end, and even then we managed it incredibly well with, unfortunately, only the one individual who was on bail that sadly passed away. That is a great tribute again to our correctional staff as well as Justice Health and St Vincent's Health.

Mr DAVID SHOEBRIDGE: Minister, I assume when you are saying that it is only in relation to COVID? You cannot be saying prisons are safe places.

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Mr ANTHONY ROBERTS: Yes, whilst there were calls from some sectors to release prisoners back into communities that were rife with COVID, we pushed back on that. I am pleased to say that we were able to ensure the safety of our prisoners. But certainly the acting commissioner—

The Hon. TARA MORIARTY: Before you pass to the acting commissioner, the commentary about the option of doing this in August came from Corrections publicly. Can we get a direct answer to the question? Was anyone released?

Mr ANTHONY ROBERTS: No.

The Hon. TARA MORIARTY: We touched on the appointment of the commissioner. What is the time line for that? And can you tell me how many applicants reached the interview stage?

Mr ANTHONY ROBERTS: That would have to be a question for the acting secretary. I have no oversight on that.

Ms D'ELIA: As I mentioned previously, we are currently up to the referee checkpoint. Once that has been finalised we will be able to make our recommendation. With respect to the number of candidates that made it through to being able to be interviewed, there were five. One pulled out at the last moment so that meant there were four interviews that were conducted.

Mr DAVID SHOEBRIDGE: I hope you do a better referee check than the Department of Education.

The Hon. WALT SECORD: It is our time, David. Minister, in your Government's submission to the Federal Parliamentary Joint Committee on Intelligence and Security inquiry into extremist movements and radicalism in Australia on 18 March 2021, it is claimed that the program reached almost 1.5 million people. What was the basis of that claim?

Mr ANTHONY ROBERTS: I will pass it to the acting executive director.

Ms VAN DE ZANDT: That claim came directly from the evaluation of the NSW Countering Violent Extremism Program. That evaluation is public so we can certainly provide you with the link for that.

The Hon. WALT SECORD: In the submission you talk about New South Wales counterterrorism strategy programs to "combat bias crimes". What are bias crimes? That is on page 3 of the Government's submission.

Ms VAN DE ZANDT: That terminology is used by the NSW Police Force. I would assume it would refer to alleged crimes that are committed on the basis of views or attitudes that are held—racial prejudices, prejudice about LGBTQI+ communities and other forms of prejudice.

The Hon. WALT SECORD: Back to the evaluation there is a claim of almost 1.5 million people. I have tried to locate that evaluation so rather than providing me with a link can you provide to the secretary the actual evaluation, if that is possible?

Ms VAN DE ZANDT: Yes, of course.

The Hon. WALT SECORD: In the submission it says that in 2015 the New South Wales government announced \$47 million for a four-year countering violent extremism program. Then it says that changes were made to that program this year. What changes were made to that program, and please do not refer me to the submission.

Mr ANTHONY ROBERTS: No, we will not refer you to the submission.

The Hon. WALT SECORD: Because it is not in the submission.

Mr ANTHONY ROBERTS: Yes, a number of changes were made.

Ms VAN DE ZANDT: That program was the first New South Wales program funding for countering violent extremism [CVE] and that finished in the last financial year. In the 2020-21 financial year the New South Wales government funded a new four-year program for CVE and increased funding from \$47 million to \$49.6 million over those four years. As a result of the increased funding, changes were made to that program. Additional measures, for example, include an increase in funding for the Hate Crimes Unit from New South Wales police; an increase in funding for grants programs or compact community cohesion grants; and an increase in funding for Step Together as a specialised case management program for people who might be at risk of extremism. Those are some of the changes. It was mostly an increase in funding.

The Hon. TAYLOR MARTIN: Minister, is there anything that has been raised this morning that you would you like to clarify or pick up on?

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Mr ANTHONY ROBERTS: No, I am very happy.

The CHAIR: The Minister is obviously very happy with the questioning he has had today.

Mr ANTHONY ROBERTS: Very good.

(The Minister withdrew.)

(The witnesses withdrew.)

The Committee proceeded to deliberate.