

**20 JUNE 2001**

(General Purpose Standing Committee No. 3)

***Portfolio***

Fair Trading, Corrective Services and Sport and Recreation

**QUESTIONS TAKEN ON NOTICE DURING HEARING**

1. **Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

*(Hansard: p17)*

In relation to Budget Paper No. 3, Volume 1, Subprogram 43.1.1., Fair Trading Strategy:

- (1) Why has the line item “Recurrent grants to non profit organisations” been cut from \$151,000 in 2000-01 to a mere \$50,000 for the current financial year?

**Answer**

In 2001/2002, the Utility Consumer Advocacy Program has been transferred to the Ministry for Energy, along with its corresponding funding.

- (2) Do non-profit organisations overall receive less money?

**Answer**

See answer to (1).

2. **Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

*(Hansard, p 28)*

What is the average cost per prisoner per day to keep a prisoner in the High Risk Management Unit at Goulburn?

**Answer**

As the Unit is yet to become fully operational, it is not possible to provide an accurate figure.

3. **Mr Gallacher asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

*(Hansard, p29)*

How many breaches by offenders participating in the home detention scheme have there been?

**Answer**

As the Honourable Member has not stated a timeframe, it is impossible to provide an accurate figure.

4. **Mrs Sham-Ho asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

*(Hansard, p 30)*

- (1) How many officer, teacher, or welfare positions have been established in Corrective Services which are designated for indigenous people?

**Answer**

The Department has advised me that there are 61 indigenous identified positions in Corrective Services.

*(Hansard, pp 31-2)*

- (2) Has a cost-benefit analysis been conducted of the new Dillwynia gaol?

**Answer**

This issue has been canvassed by the Select Committee. Tenders have now been called for the new gaol.

## ADDITIONAL QUESTIONS ON NOTICE

*(Relevant area in Budget Papers: 44.1 Containment and Care of Inmates p7-32)*

**5. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) From 1 January 2001 to 31 May 2001:
- (a) How many assaults on staff by inmates have occurred and at which jail did these occur?

**Answer**

The Department has advised me that accurate data for this period will not be available until later this year.

- (b) How many assaults on inmates by inmates have occurred and at which jail did these occur?

**Answer**

See (a).

- (c) How many deaths in custody have occurred and at which jail did these occur?

**Answer**

Nine. Bathurst, Grafton, Parramatta, Tamworth, Goulburn, MMTC, Silverwater and home detention (2).

- (i) Of these how many were categorised as natural or other? (as categorised in the Budget Papers 44.1 Containment and Care of Inmates)

**Answer**

The coronial inquests for the deaths occurring in this period have not been completed. Therefore, it would be inappropriate for me to canvass this issue.

**6. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

How many prisoners, male and female, have escaped from correctional centres for each different type of security classification in the 2000/01 year and in the previous four financial years? (Please provide separate figures for each security type, gender and year.)

**Answer**

This information is published in the Budget papers and the Annual Reports.

**7. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

(1) How many inmates are given monthly drug urine tests?

**Answer**

Five percent, per month. This is in addition to targeted and administrative testing.

(2) What proportion of these prove to be positive?

**Answer**

The rate differs depending on whether the tests are targeted, random or administrative.

(3) How many tests were taken during May, and how many of these proved to be positive?

**Answer**

1163 tests were taken.

(4) What action is taken if an inmate returns a positive urine test?

**Answer**

The procedures in the Operations Procedures Manual are followed.

(5) What proportion of inmates tested are unable to provide a sample for testing?

**Answer**

Approximately four percent.

(6) How many inmates are given monthly drug urine tests?

**Answer**

See (1).

(7) What proportion of these prove to be positive?

**Answer**

See (2)

(8) How many tests were taken during May, and how many of these proved to be positive?

**Answer**

See (3).

(9) What action is taken if an inmate returns a positive urine test?

**Answer**

See (4)

(10) What proportion of inmates tested are unable to provide a sample for testing?

**Answer**

See (5).

*(Relevant area in Budget Papers: BP No3; Vol.1; p7-33)*

**8. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) (a) Is an inmate at Berrima Correctional Centre currently suing the Department of Corrective Services for damages as a result of a broken leg?

**Answer**

I have received no advice about such an event.

- (b) If so, how much is he suing for?

**Answer**

See (a).

- (2) When custodial officers in a correctional centre are responding to cell call alarms, how many correctional officers must attend that cell call alarm?

**Answer**

It depends on the classification of the centre.

- (3) What section of the Operations Procedures Manual relates to this issue?

**Answer**

During 2000, an instruction was issued about this matter. It is to be included in Section 12

- (4) Are custodial officers legally bound to this procedure?

**Answer**

Yes.

- (4) What action would be taken if a correctional officer disobeyed this policy?

**Answer**

It would depend on the results of any investigation.

**9. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) How many staff were engaged at Cooma jail and at what cost in the following years, 1997/98, 1998/99, 1999/2000, 2000/01 and 2001/02?

**Answer**

Prior to closure in August 1998, 32 staff were engaged.

- (2) Has the Government been considering reopening Cooma jail?

**Answer**

The government has a range of strategies to deal with the increasing prison population. The future use of Cooma gaol has been under consideration for some time, with expressions of interest called from the local community. Any future use of Cooma gaol will be after consideration by government and consultation with the local community.

(3) Is there any plan to transfer inmates from Berrima to Cooma and use Berrima as a women's prison?

**Answer**

See (2).

(4) When will Cooma jail open?

**Answer**

See (2).

(5) When will Berrima become a women's prison?

**Answer**

See (2).

(6) What is the estimated cost to re-open Cooma jail?

**Answer**

See (2).

(7) What is the estimated cost to transform Berrima into a women's prison?

**Answer**

See (2).

(8) Have any funds been budgeted towards re-opening Cooma jail?

**Answer**

See (2).

(9) Have any funds been budgeted towards transforming Berrima into a women's prison?

**Answer**

See (2).

**10. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

How many inmates are there who have completed their sentence are awaiting deportation but their country of origin won't accept them back?

**Answer**

I am advised that there are currently 25 persons in immigration detention awaiting deportation action by the Commonwealth. This figure varies from time to time.

**11. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

- (1) (a) Was an inmate, Eric Devine, formerly at Long Bay Correctional Centre released early by a Senior Corrections Officer?
- (b) If yes, by how many days before his release date was he released?
- (2) Is the Department undertaking an internal investigation?
- (3) Will the results of the investigation be made public?

**Answer**

(1) – (3) See my answer to question on notice 2062.

**12. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) What is the current classification of inmate Thomas John Foster?

**Answer**

As at August 1, Foster was unlawfully at large.

- (2) In which jail is he currently imprisoned?

**Answer**

See (1).

- (3) When was he sentenced?

**Answer**

He has been sentenced on more than one occasion.

- (4) What crime(s) was he convicted of?

**Answer**

See (3).

- (5) How long is his current sentence?

**Answer**

14 years, five months, 28 days, due to expire in July 2001.

- (6) When is his likely release date?

**Answer**

See (5).

**13. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) (a) After 40 inmates rioted and trashed their cells rendering them uninhabitable in March 2000 at Goulburn Correctional Centre what was the total repair cost of this incident?

**Answer**

See answer to question on notice 1678.

- (2) In each of the following years, 1995/96, 1996/97, 1998/99, 1999/00, 2000/01, 2001/02 how many occasions have inmates been found to be in possession of security keys within the jail?

**Answer**

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

The Commissioner of Corrective Services has advised me that the resources required to answer this question would unreasonably divert resources away from Departmental, including operational, priorities.

- (3) What other major incidents have occurred in NSW gaols in the last financial year in which the damage was similar or greater than the damage which occurred at the Goulburn Correctional Centre in March 2000 (ie damage was in the order of \$100,000.00)

**Answer**

I am advised that there was no similar incident.

- (4) What were the dates, location and amount of damage caused in each incident?

**Answer**

See (3)

- (5) On what date will Mannus Correctional Centre be operational?

**Answer**

Mannus has been operational since 1927.

- (b) When will the new 40 inmates be admitted?

**Answer**

New inmates are sent to different correctional centres every day of the week.

- (c) How many more custodial staff members will be employed to work at the centre?

**Answer**

The level of custodial staff depends on the number of inmates and the type of correctional centre, amongst other things.

- (d) When will the new custodial staff members begin working at the centre?

**Answer**

See (c).

- (e) How many new inmates in total will be admitted to the centre?

**Answer**

See (b).

- (f) What capital works projects have been planned for Mannus Correctional Centre and when are they planned to be completed?

**Answer**

Capital expenditure at Mannus Correctional Centre is considered as part of the Department's overall capital plan.

- (g) What is the budgeted cost of each of these capital works projects?

**Answer**

See (f).

- (6) (a) What security level is Mannus Correctional Centre?

**Answer**

Minimum.

- (b) What was the result of any inquiry into organised corrective service officer prisoner bashings, corrective service officer drug dealing and corrective service officer misuse of authority, announced in the media on 21 August 2000?

**Answer**

See answer to question on notice 2176.

- (c) What was the result of possible prisoner TAB phone betting accounts as referred to in the Daily Telegraph 5 November 2000?

**Answer**

The Commissioner has advised me that there is no evidence to suggest any inmate has accessed a TAB telephone account via telephone diversion technology.

- (6) What was the total cost of overtime payments for custodial staff in each of the NSW Correctional Centres in the following years 1995/96, 1996/97, 1997/98, 1998/99, 1999/00, 2000/01?

**Answer**

The total cost from 1995/96 to 1999/2000 was approximately \$84 million. 2000/2001 figures are not yet available.

- (8) (a) Have there been any reported complaints of sexual harassment made by students at the Corrective Services Academy against Lecturers?

**Answer**

The Commissioner has not advised me of any such event.

- (b) If so, what action was taken in each case to deal with offenders?

**Answer**

See (a).

- (c) Have any Lecturers been transferred to other areas within the Department of Correction Services following sexual harassment complaints?

**Answer**

See (a).

- (9) (a) How many people commenced the Corrective Services officers' training course at the Corrective Services Academy in the last financial year, and how many successfully completed the course with a satisfactory pass?

**Answer**

These statistics are kept on a calendar year basis. In 2000, 485 commenced training and 476 passed.

- (b) To keep a higher pass rate have any instructions been given to Academy Lecturers to pass students who are considered unsatisfactory?

**Answer**

I am advised that this is not the case.



*(Relevant area in the Budget Papers: BP No3; Vol.1; p73)*

**14. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) What was the highest amount received by an inmate as compensation for an injury in 1999/2000?
- (2) Did one inmate receive \$130,000 for an eye injury caused by another inmate?
- (3) Was any of this covered by insurance?
- (4) What will be the total received by inmates 1999/00 and 2000/01 for compensation due to injury?
- (5) What will be the total received by correctional officers in 1999/00 and 2000/01 for compensation due to injury?
- (6) How many claims have been made by officers to date this year?
- (7) How many claims were made by officers last year?

**Answer**

- (1) – (7) See answer to question on notice 2295.

*(Relevant area in the Budget Papers: BP No3; Vol.1; p 7-1)*

**15. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) (a) Did you seek or receive reimbursement, or did your government agency pay or is in the process of paying, for an “out of pocket” expense, incurred by you, as outlined in Ministerial Memorandum No 99-24, in 2000-01?

**Answer**

Ministerial memorandum 99-24 provided guidelines on the policy for reimbursement of expenses related to general expenses. The expenditure must relate to expenditure on official government business.

- (b) If so, what was the breakdown of these expenses?

**Answer**

See (a).

- (c) What is the forecast amount to be spent in 2001-02?

**Answer**

See (a).

- (2) (a) Does the Ministerial Office have a discretionary allowance?

**Answer**

This question is unclear – I do not know what the phrase “discretionary allowance” means in this context. Accordingly, it is impossible to provide an accurate answer.

- (b) How was it expended during 2000-01?

**Answer**

See (a).

- (c) What was the forecast for expenditure in 2001-02?

**Answer**

See (a).

- (3) (a) What was the breakdown of expenditure for the day-to-day running of your Ministerial Office in 2000-01?

**Answer**

Expenditure for Ministerial offices is determined by the Budget Committee of Cabinet. Expenditure must be in accordance with the provisions of the Public Finance and Audit Act.

- (b) What was the forecast for expenditure in 2001-02?

**Answer**

See (a).

- (4) (a) What is the breakdown of expenditure, as authorised by your Chief of Staff, and outlined in Ministerial Memorandum No 96-28; for 2000-01?

**Answer**

Ministerial Memorandum No.96-28 has been replaced. However, approval of expenditure must be in accordance with delegations and in accordance with the Public Finances and Audit Act.

- (b) What is the forecast for expenditure in 2001-02?

**Answer**

This will depend on the nature and extent of any expenditure in 2001/2002.

- (6) What was the total cost of salaries for your Ministerial staff in 2000-01?

**Answer**

Expenditure was in accordance with the remuneration levels determined by the Director-General of Premier's Department as the employer of ministerial staff.

- a) What was the total cost of Ministerial motor vehicle expenses in 2000-01?

**Answer**

Motor vehicle management is undertaken within policies administered by State Fleet Services and the Department of Public Works and Services.

**16. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

For each agency in your portfolio, what was spent in 2000-01 on media services?

**Answer**

As there is no definition of media services this question is difficult to answer. As was the case under the former Coalition Government all agencies undertake a range of monitoring activities and monitoring is undertaken within appropriate delegations.

**17. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) What is the Department's criteria for allocating capital works to the NSW prisons and Academy in 1999/00, 2000/01 and 2001/02?

**Answer**

Needs and requirements.

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

- (2) What is the Department's disability plan for Department of Corrective Services properties, staff and clients in 1999/00, 2000/01 and 2001/02?

**Answer**

The Department has a Disability Action Plan for the period January 1, 2000 to December 31 2002.

- (3) What areas has the Department targeted for savings in 199/00, 2000/01 and 2001/02?

**Answer**

They include reducing workers' compensation premiums, reducing overtime for medical and court escorts and motor vehicle fleet rationalisation.

- (4) (a) Does the Minister have access to a discretionary fund?

**Answer**

As Minister for Corrective Services, no.

- (b) If so, how did you spend your discretionary fund in 1998/99 and 1999/00?

**Answer**

See (a)

- (5) What standards do you have to comply with when spending the discretionary allowance?

**Answer**

See (a)

- (6) Who was granted discretionary funds in the following years in 1997/98, 1998/99, 1999/00 and 2000/01?

**Answer**

See (a)

**18. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) What was the actual Capital Expenditure on:
- (a) Correctional Centres in 1999/00 and 2000/01?
- (b) alternatives to custody in 1999/00 and 2000/01?

**Answer**

Capital expenditure is set out in the budget papers.

- (2) What is the budgeted Capital Expenditure on:
- (a) Correctional Centres in 2001/02?
- (b) What is the budgeted Capital Expenditure on alternatives to custody in 2001/02?

**Answer**

Capital budgets are set out in the budget papers.

*(Relevant area in Budget Papers: BP No3; Vol.1; p7-36)*

**19. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) During the years 1995/96, 1996/97, 1997/98, 1998/99, 1999/00 and 2000/01:

- (a) How many drugs have been found in prison cells?
- (b) What drug taking implements have been found in jail cells?

**Answer**

The Commissioner has advised me that the resources required to answer this question cannot be justified as they would divert Departmental staff from operational priorities.

- (2) Which NSW jail has the highest amount of finds in drugs?

**Answer**

As no timeframe has been specified, it is not possible to provide an accurate answer to this question.

- (3) Which NSW jail has the highest amount of finds of drug taking implements?

**Answer**

As no timeframe has been specified, it is not possible to provide an accurate answer to this question.

- (4) Since June 30, 2000, to May 31, 2001, how many incidents have there been where visitors to correctional centres have been found in the possession of drugs?

**Answer**

In 2000/2001, I am advised that the activities of the Department's Drug Detector Dog Unit resulted in 163 police charges being laid in relation to illegal drugs.

- (5) Over the same period how many inmates have returned positive urine tests to drugs in Correctional Centres?

**Answer**

See answer to question (7).

- (6) How many inmates, visitors and correctional officers have been charged with possession of drugs in NSW Correctional Centres between June 30, 2000 and May 31, 2001?

**Answer**

Accurate data about police charges should be sought from the NSW Police Service.

**20. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

- (1) How many serious offenders are due for release at the end of 2002?

**Answer**

The actual number to be released will be a matter for the Parole Board.

- (2) What are the inmates names?

**Answer**

See (1).

- (3) What offence(s) are they in jail for?

**Answer**

See (1).

(4) How many years jail were they sentenced for?

**Answer**

See (1).

*(Relevant area in the Budget Papers: BP No3; Vol.1; p7-8)*

**21. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

Have there been commissioning problems with the High Risk Management Unit in Goulburn Jail which resulted in electronic gates opening during a blackout?

**Answer**

The Commissioner has advised me that this is not the case.

*(Relevant area in the Budget Papers: BP no3; Vol.1; 7-37)*

**22. Mr Gallacher asked the Minister for Corrective Services, the Hon John Watkins MP –**

(1) (a) What is the cost per day per inmate placed on Home Detention?

**Answer**

The Department has advised that the cost in 2000/2001 was \$54.74.

(b) How many inmates were on home detention in each of the following years 1997/98, 1998/99, 1999/00, 2000/01?

**Answer**

The daily average was 94 in 1997/1998, 158 in 1998/1999 and 188 in 1999/2000. Final figures for 2000/2001 are not yet available.

(c) How many revocations of Home Detention orders occurred in the following years, 1997/98, 1998/99, 1999/00, 2000/01?

**Answer**

105 in 1997/1998, 175 in 1998/1999 and 197 in 1999/2000. Final figures for 2000/2001 are not yet available.

(2) (a) How many occasions have periodic detainees failed to attend detention?

**Answer**

As no timeframe has been specified, it is not possible to provide an accurate answer.

(b) What records are kept of any inmate who fails to attend detention and are these records kept in computerised form?

**Answer**

See answer to Question on Notice 2296 (LA).

(c) How many chances do periodic detainees get before they are breached?

**Answer**

These details are set out in the relevant legislation.

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

- (d) How many periodic detainees have been placed into full-time detention due to non-attendance for periodic detention

**Answer**

As no timeframe has been specified, it is not possible to provide an accurate answer.

- (3) (a) How many offenders are on the work release program as at 30 March 2001 at each correctional centre?

**Answer**

See answer to Question on Notice 1791.

- (b) Of these offenders on work release as at 30 March 2001, how many are on weekend release as well and from which correctional centre?

**Answer**

The Commissioner has advised me that retrieval of this information would require a large allocation of resources and would unreasonably divert Departmental staff from operational priorities.

- (c) What type of work are offenders engaged in?

**Answer**

The answer depends on whether the question is directed to work undertaken whilst in gaol or whilst on work release.

- (d) How many offenders were approved for the work release program in 1998/99, 1999/2000 and 2000/2001?

**Answer**

A total of 1685 to March 30, 2001.

- (e) How many were discontinued for any reasons?

**Answer**

A total of 342 to March 30, 2001.

- (f) What were the reasons?

**Answer**

A range of reasons. The Commissioner has advised me that individual retrieval and examination of 342 files for the three year period would unreasonably divert Departmental staff from operational priorities.

- (g) How many offenders completed work release and left prison in 1998/99, 1999/2000, 2000/2001?

**Answer**

A total of 384 to March 30, 2001. This figure refers to inmates on the work release program at the date of their release.

- (h) How many offenders participated in weekend release in 1998/99, 1999/2000, 2000/2001?

**Answer**

A total of 945 to March 30, 2001.

- (i) What are the criteria which offenders have to satisfy in order to participate in weekend release?

**Answer**

Inmates must satisfy the criteria set out in the Operations Procedures Manual.

- (j) What are the conditions under which weekend release are taken?

**Answer**

Conditions are set out in the Operations Procedures Manual.

**23. Ms Sham-Ho asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

Budget Papers No 3, Vol 1 and 7-12 states that one of the Department's major priorities for 2001-02 is to increase the use of sport, recreation and physical activity to address emerging social and health issues such as crime prevention, social dislocation and substance abuse.

- (1) Can the Minister give details of any programs that target these areas?

**Answer**

Many of the Department's programs target issues such as those outlined by the Honourable Member. One example is the Youth in Sport Program which is a partnership between the Department and Police and Community Youth Clubs (PCYC). All PCYC's can apply for funding to develop programs for youth at risk.

Other programs include:

- the Active Kids Communities Grants Program for initiatives that encourage greater participation in physical activity, particularly in under represented and targeted populations;
- the Aboriginal Community Grants Scheme to develop sustainable sport and recreation programs in aboriginal communities; and
- a new program to develop sports libraries in remote areas of the State, who otherwise have difficulty accessing sporting equipment.

- (2) The Budget Papers for 2001-02 do not mention any funding for ethnic communities.

- (a) Does the Department have any policies or programs on involving ethnic communities in sport?

**Answer**

Yes

- (b) If not, why not?

**Answer**

See (a).

- (c) If so, how much funding is allocated to programs to encourage women from ethnic backgrounds to participate in sport?

**Answer**

A range of Departmental grants programs can be accessed by women from ethnic backgrounds to assist them to participate in sport. For example, specific funding has been identified in the Youth in Sport program to target teenage girls from the Vietnamese community.

- (3) (a) Is the Minister aware that Muslim women in Sydney have only one indoor swimming pool (Bankstown RSL club) which offers women-only days?
- (b) Can the Minister give details of any strategies the Department has to enable Muslim women in NSW to exercise in accordance with their religious and cultural beliefs?

**Answer**

The Department of Sport and Recreation supports a number of initiatives for Muslim women. Although local government and private operators predominantly manage swimming pool facilities, since 1996, the Department has fostered links with local networks to organise access to facilities and programs. Since then, learn to swim programs targeting the Muslim community have been delivered at Lakemba, Miller, North Parramatta, Bankstown RSL and Parramatta Leagues Club. In addition, issues relating to the needs of culturally and linguistically diverse communities are a priority for the NSW Water Safety Taskforce.

**24. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) If women make up 52% of our population, why are there only 10 – 20% of females involved in state sporting organisations?

**Answer**

Although the question is unclear, I assume the Honourable Member is referring to administration positions. If so, his figures are inaccurate. A 1998 survey conducted by the Department of Sport and Recreation found that women held 41 percent of director positions and 20 percent of president/chairperson positions in sporting organisations. However, clearly these statistics should be better. That's why, amongst other things, the Department runs an Women's Sport and Recreation Scholarship Program to provide intensive training in sports administration and management.

- (2) Why is there no Apprentice Coaching Scheme being offered by the Department of Sport and Recreation or the NSW IS as is offered by the AIS in Canberra?

**Answer**

The Department operates the NSW Coaching Centre, at the Sydney Academy of Sport and Recreation. In addition, the NSW Institute of Sport conducts the Women in High Performance Sport Scheme.

- (3) Is the Minister conducting a review of legislation relating to competitive boxing and martial arts for women? Can the Minister outline the medical reasons why women are banned yet men are not?

**Answer**

The Boxing and Wrestling Control Act is currently under review. A copy of the issues paper, which outlines a range of issues associated with the sport, can be obtained from the Department.

- (4) Could the Minister please provide participation figures of volunteers and coaches in sport in NSW?

**Answer**

The 2000 Australian Bureau of Statistics survey into voluntary work, indicated that 392,800 adults volunteer in the sport and recreation field in NSW.

- (5) Libby Darlinson has been Chair of the NSW Taskforce on Women's Sport. What is the current status of this taskforce and if still active, will the Minister table the meeting dates and agenda items for this taskforce?

**Answer**

The Taskforce has met several times over the past 12 months.

- (6) Could the Minister explain why the Women's Sports Unit within the Department has been downsized?



**Answer**

A new Community Participation Unit has been created in the Department. The Director General advises me there has been no loss of positions or gradings.

- (7) Could the Minister detail how many women are on the Boards of Sporting Academies in NSW?

**Answer**

It is unclear what the Honourable Member is referring to.

**25. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) How much has been spent on maintenance and upgrade work at the Department's recreation facilities in NSW and how much has been spent on advertising these facilities and their programs?

**Answer**

As the Honourable Member has not specified a timeframe, it is impossible to give an accurate answer.

- (2) What is the Minister doing to assist with the much-needed upgrade of Marathon Stadium at Newcastle?

**Answer**

This matter is being handled by the Premier's Department.

- (3) Recently a series of cheques were presented by the Member for Miranda in the Sutherland/Sylvania area. Under which grants program was the Minister able to fund \$500 for a table tennis table for a group of women in the Sutherland Shire, \$4300 for Sylvania High School and \$6050 for the Sutherland Bowling Club?

**Answer**

These projects were funded in the same way as a range of others across the State, which are fully detailed in the Department's Annual Report.

**26. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) What is the percentage of gymnasiums that are participants in the industry voluntary code?

**Answer**

The question asked is extremely vague. If the Honourable Member is referring to the Code of Practice for Fitness Centres, I am unable to give him specific statistics relating to a category of "gymnasiums". However, both the government and the fitness industry body (fitnessnsw) encourage all fitness centres to subscribe to the Code.

- (2) Is this rate of participation a concern?

**Answer**

See (1). Obviously, as both Minister for Fair Trading and Minister for Sport, I have – and will continue to work with – fitnessnsw to encourage fitness centres to sign up to the Code.

- (3) What action is the Minister taking to raise the rate of participation?

**Answer**

All material produced by the Department of Fair Trading that makes reference to the fitness industry also includes a message to consumers recommending that they choose a fitness centre that is a member of fitnessnsw and so, meets agreed industry standards of consumer protection through compliance with the Code. In addition, the Honourable Member may not be aware that last year the government passed

legislation to provide greater protection to fitness centre users, particularly in relation to the pre-payment of membership fees. Finally, fitnessnsw received, in 2000/2001, a grant of \$41,675 to support its coordination role within the industry and promote the Code. This support is ongoing.

**27. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) Does the Minister support the NSW Sporting Injuries Committee's attempt to be included in the Department of Sport and Recreation instead of the Department of Industrial Relations?

**Answer**

I have received no advice about this proposal.

- (2) In relation to a duty of care in sport, such as Netball Australia banning pregnant women, SLSA banning inflatable vessel racing, SLSNSW's recent court case regarding volunteer lifesavers, is there a role for the state in protecting sporting volunteers and administrators from these growing duty of care concerns? If so, what action is the Minister taking?

**Answer**

Risk management is obviously an important issue for all sporting organisations. Resources for sporting organisations are being developed by the Department.

**28. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

Can you please provide an update on the Grandstand Hotel Development at the SCG, which was announced on 31 December 2000?

**Answer**

The Sydney Cricket Ground Trust is continuing to work on the matter.

**29. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

For each of your portfolio agencies in 2000/01:

- (1) (a) How much money was spent on advertising in 200-01?

**Answer**

Advertising is to be undertaken in accordance with government guidelines for advertising.

- (b) What is the estimate of money to be spent on advertising in 2001-02?

**Answer**

The exact cost will depend on the nature and scope of advertising identified for 2001-2002.

- (c) Can you please provide a list of each campaign and cost for (1) (a) and (b)?

**Answer**

See answers to (a) and (b).

- (2) (a) How much was spent on consultants in 2000-01?

**Answer**

This information is reflected in the publicly released annual reports

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

- (b) What is the estimate of money to be spent on consultants in 2001-02?

**Answer**

Use of external expertise is required to be strictly in accordance with relevant Government guidelines.

- (c) Can you please provide a list of each consultant, project and cost for (2) (a) and (b)?

**Answer**

In relation to 2(a), see the Annual Reports. In relation to 2(b), clearly it is not possible to provide a sensible answer to this question.

- (3) (a) How much was spent on overseas trips in 2000-01 by officials?

**Answer**

Overseas travel details are included in the relevant Annual Report.

- (b) What is the estimate of money to be spent on overseas trips in 2001-02 by officials?

**Answer**

International travel by public servants is required to be undertaken in accordance with appropriate guidelines.

- (c) Can you please provide a list of each trip, purpose and cost for (3) (a) and (b)?

**Answer**

In relation to 3(a), see answer above at (a). In relation to (b), it is obviously not possible to provide a complete list this early in the financial year. The relevant Annual Report will contain the full list.

- (4) (a) What is the total cost of your overseas trips in 2000-01?

**Answer**

\$0.00

- (b) What is the estimate of money to be spent on your overseas trips in 2001-02?

**Answer**

\$0.00 at this stage.

- (c) Can you please provide a list of each trip, purpose and cost for (4) (a) and (b)?

**Answer**

Not applicable.

- (d) For each trip, can you please provide a breakdown in airfare costs, hotel costs, car hire and accompanying staff and officials?

**Answer**

Not applicable.

- (5) (a) How much was spent on interstate trips in 2000-01 by officials?

**Answer**

Interstate travel by portfolio agencies is required to be undertaken in accordance with appropriate guidelines.

- (b) What is the estimate of money to be spent on interstate trips in 2001-02 by officials?

**Answer**

This will depend on the nature and scope of any required travel.

- (c) Can you please provide a list of each trip, purpose and cost?

**Answer**

See (a) and (b).

- (6) (a) What is the total cost of your interstate trips in 2000-01?

**Answer**

Official travel was undertaken in accordance with the relevant guidelines and within cost expectations.

- (b) What is the estimate of money to be spent on your interstate trips in 2001-02?

**Answer**

It is too early to provide an accurate estimate at this stage of the financial year. However, expenditure will depend on the nature and scope of any travel.

- (c) Can you please provide a list of each trip, purpose and cost for (6 (a) and (b)?

**Answer**

See (a) and (b).

- (d) For each trip, can you please provide a breakdown in airfare costs, hotel costs, car hire and accompanying staff and officials?

**Answer**

See (a) and (b).

For each of your portfolio agencies in 2000/01:

- (7) (a) How much money in total was spent on Olympic-related costs?

**Answer**

Expenditure was in accordance with Olympic-related priorities.

- (b) Of this amount, how much was reimbursed by additional appropriations, or by assistance from Olympic agencies?

**Answer**

Expenditure was in accordance with agency requirements.

- (8) (a) How much money was spent on performance pay for public servants in 1999/00 and 2000/01?

**Answer**

On 28 August 2000 Premier's memorandum 2000-21 was issued indicating that performance pay was not to be made available to members of the Chief and Senior Executive Services. In August 2000, details of performance payments were published in the Sydney media relating to a range of performance payments made in 2000.

- (b) Did you personally approve these bonus payments?

**Answer**

Approvals for performance payments as well as all other remuneration to members of the Senior Executive Service were made by the respective Chief Executive Officers.

- (9) (a) How many times were matters referred for independent investigation to ICAC in 2000/01?

**Answer**

It is not appropriate to canvass issues that may be the subject of an ICAC investigation.

- (b) Can you please provide a breakdown of these referrals?

**Answer**

See (a).

- (10) (a) How much money was spent for entertainment purposes in 2000/01?

**Answer**

As this question is so vague I am unable to provide an accurate answer.

- (b) What was the breakdown by cost and nature of these functions?

**Answer**

See (a).

- (c) What is the forecast to be spent in 2001/02?

**Answer**

See (a).

- (11) (a) In 2000/01, how much was spent on your ministerial expenses?

**Answer**

See answer to question 15(3)(a).

- (b) Can you please provide a breakdown by expense, for example hotel expenses, office refurbishments etc?

**Answer**

See answer to question 15(3)(a)

- (c) What is the forecast amount to be spent in 2001/02?

**Answer**

See answer question 15(3)(b)

- (12) (a) In 2000/01, how many board appointments were made by you, or by your Corrective Services portfolio?

**Answer**

I understand a detailed, whole of government answer was provided in response to question 1312 in December 2000.

- (b) Of these appointments:
- (i) How many were women?
  - (ii) How many were people from non-English speaking background?
  - (iii) How many were of people with a disability?
  - (iv) How many were Aboriginal or Torres Strait Islanders?
  - (v) How many were young people?

**Answer**

See (a).

- (13) (a) For each of your portfolio in 2000/01, what fees and fines were increased, and by how much?

**Answer**

Since being appointed Minister I have implemented a policy that any such increases should be in accordance with the Consumer Price Index. In 2000/2001, the CPI was discounted for the estimated impact of the GST.

- (b) In 2001/02, what is the forecast for fees and fines to be increased, and by how much?

**Answer**

See (a).

- (14) (a) In 2000/01, For each of your portfolios agencies, how many media or public relations advisers were employed?

**Answer**

Staff numbers vary from time to time, depending on leave or peak periods.

- (b) What is the total cost of this?

**Answer**

See (a).

- (c) What is the forecast for 2001/02 for the number of media or public relations advisers to be employed, and their total cost?

**Answer**

It is not possible to forecast whether additional staff might be required during the course of the financial year and their total cost.

- (15) (a) For each of your portfolios agencies, in 2000/01, how much was spent on legal expenses?

**Answer**

Expenditure on legal expenses is to be taken following an appropriate review of the circumstances and the need for such expenditure.

- (b) What was the breakdown for these expenses?

**Answer**

See (a).

- (c) In 2000/01, how much did you spend on legal expenses?

**Answer**

As the question does not differentiate between public or private expenditure, it is impossible to provide a sensible answer.

- (16) (a) For each of your portfolio agencies in 2000/01, how much was spent on public opinion surveys?

**Answer**

On 20 December 2000 Premier's Memorandum 2000-28 was issued indicating that under no circumstances should surveys of clients, other users of government services or citizens be used to elicit information of a political nature.

- (b) What was the breakdown for the cost of these surveys?

**Answer**

See (a).

- (17) (a) How many Ministerial staff are currently employed by you?

**Answer**

Ministerial staff are employed by the Director-General of the Premier's Department.

- (b) What is the total salary cost of these staff?

**Answer**

See (a).

For each of your portfolio agencies in 2000/01:

- (18) (a) How much was spent on office fitouts and refurbishments?

**Answer**

All such expenditure is required to be in accordance with guidelines and procedures for office fit-outs and refurbishment.

- (b) What is the estimated cost for 2001/02?

**Answer**

This will depend on the nature and extent of any changes to office fit-outs and refurbishment.

- (19) (a) How much was spent on the cost of leases in the Sydney CBD?

**Answer**

Expenditure on lease of government office accommodation follows careful review of the particular circumstances and needs of agencies. The Government Asset management Committee oversees policy of government accommodation.

- (b) What is the estimated cost for 2001/02?

**Answer**

This will depend on a range of factors and it is too early in the financial year to estimate expenditure. The Government Asset Management Committee will oversee leasing issues.

- (20) (a) Was there any vacant or under-utilised office space?

**Answer**

The Government Assets Management Committee oversees all asset management in the NSW public sector. The GAMC ensures that all agencies adopt a strategic approval to property management.

- (b) If so, how much did this cost?

**Answer**

See (a).

- (21) (a) How much was spent on the salary packages for Senior Executive Service?

**Answer**

Salary packages for the Senior Executive Service are set by the Statutory and Other Offices Tribunal. Current bands for each level are:

Level 8	\$258,000 TO \$318,315
Level 7	\$218,615 TO \$276,135
Level 6	\$181,960 TO \$219,510
Level 5	\$158,840 TO \$194,770
Level 4	\$145,350 TO \$169,420
Level 3	\$132,410 TO \$155,575
Level 2	\$118,675 TO \$137,145
Level 1	\$109,225 TO \$127,130

- (b) What is the estimated cost for 2001/02?

**Answer**

This will depend on the number of SES officers employed and their current point within the particular range.

**30. Mr Pearce asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) (a) Did you seek or receive reimbursement, or did your government agency pay or is it in the process of paying, for an 'out of pocket' expense, incurred by you, as outlined in Ministerial Memorandum No 99-24, in 2000-01?

**Answer**

This question repeats question 15. Answers are provided there.

- (b) If so, what was the breakdown of these expenses?

**Answer**

This question repeats question 15. Answers are provided there.

- (c) What is the forecast amount to be spent in 2001/02?

**Answer**

This question repeats question 15. Answers are provided there.

- (2) (a) Does your Ministerial Office have a discretionary allowance?

**Answer**

This question repeats question 15. Answers are provided there.

- (b) How was it expended during 2000/01?



**Answer**

This question repeats question 15. Answers are provided there.

- (c) What is the forecast for expenditure in 2001/02?

**Answer**

This question repeats question 15. Answers are provided there.

- (3) (a) What was the breakdown of expenditure for the day to day running of your Ministerial office in 2000/01?

**Answer**

This question repeats question 15. Answers are provided there.

- (b) What is the forecast for expenditure in 2001/02?

**Answer**

This question repeats question 15. Answers are provided there.

- (4) (a) What is the breakdown of expenditure, as authorised by your Chief of Staff, and outlined in Ministerial Memorandum No 96-28, for 2000/01?

**Answer**

This question repeats question 15. Answers are provided there.

- (b) What is the forecast for expenditure in 2001-02?

**Answer**

This question repeats question 15. Answers are provided there.

- (5) What was the total cost of Ministerial motor vehicle expenses in 2000/01?

**Answer**

This question repeats question 15. Answers are provided there.

- (6) For each of your portfolio agencies, what was spent in 2000/01 on media services?

**Answer**

This question repeats question 15. Answers are provided there.

**31. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

In relation to Budget Paper No 3, Volume 1, Subprogram 43.1.1, Fair Trading Strategy:

- (1) Why has the line item 'recurrent grants to non-profit organisations' been cut from \$151,000 in 2000/01 to a mere \$50,000 for the current financial year?

**Answer**

See answer to question (1).

- (2) Do non-profit organisations overall receive less money?

**Answer**

See answer to question (1).

**32. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) On what basis are prison assault figures calculated?

**Answer**

Assault figures are calculated using information collated by the Department's Research and Statistics Unit.

(2) What proportion of assaults on prison staff were considered 'serious' in 2000/2001?

**Answer**

I am advised that assault figures for the period after December 31, 2000 have not been finalised. As explained in the budget papers, assaults on officers are not categorised into "serious" and "minor". Rather, in the 2000 calendar year, 191 out of 253 assaults at full-time correctional centres involved possible injury.

(3) What criteria distinguish 'serious' from 'minor' assaults?

**Answer**

See (2).

(4) (a) Do the figures for prison assaults in table 44.1.1 of the financial statement include assaults perpetrated by prison staff or for which the perpetrator was unknown?

**Answer**

These are not separately identified.

(5) If so, what proportion do these make up of the total?

**Answer**

See (4).

(6) If not, what are the equivalent figures for these types of assault?

**Answer**

See (4).

(7) What measures are the Department of Corrective Services undertaking to address the 68% increase in serious assaults upon NSW prisoners over the last two years?

**Answer**

The Department conducts anger management programs and an intensive residential program for inmates with a history of violence within the correctional system.

(8) How much extra funding has been allocated to reducing prison assaults in the 2001/2002 budget?

**Answer**

The issue of violence in the correctional system is addressed through a range of programs offered.

(9) What is the estimated cost of medical treatment and other costs associated with the serious assault of more than five NSW prisoners every week?

**Answer**

This answer should be directed to the Minister for Health, responsible for the Corrections Health Service.

(10) (a) What is the current rate of serious assaults on prisoners, calculated on a per 100 inmates basis?

**Answer**

2.6 in 2000.

(11) What was the rate of serious assaults on prisoners during:

(i) 1999/2000 calculated on the same basis?

**Answer**

2.2.

(ii) 1998/1999 calculated on the same basis?

**Answer**

2.2.

(iii) 1994/1995 calculated on the same basis?

**Answer**

2.6.

(12) Why did the Commissioner write a letter to the Daily Telegraph on June 15 claiming that the rate of prison assaults resulting in serious injury is unchanged from 1994 levels at 2.5 per 100 inmates when in fact it is now over 3.6 per 100 inmates?

**Answer**

I am advised the 2000 rate was 2.6.

(13) How many NSW prisoners are believed to have behavioural or emotional problems associated with the traumatic after effects of assault?

**Answer**

It is not possible for the Department to properly estimate an answer to this question.

**33. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) How many self-harm incidents occurred in NSW prisons in:

(a) 2000/2001?

**Answer**

The Department has advised that the data for 2000 has not been finalised.

(b) 1999/2000?

**Answer**

586 (1999 calendar year)

(c) 1998/1999?

**Answer**

597 (1998 calendar year)

(2) How many of these involved women prisoners?

**Answer**

The Department's Research and Statistics Unit received reports of 19 incidents in 1999 and 30 in 1998.

**34. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) What programs has Corrective Services undertaken to promote greater use of community service orders, periodic detention and home detention?

**Answer**

Probation and Parole has ongoing liaison with magistrates and judges. Pre-sentence reports are also provided. Of course, the issue of what sentence an offender receives is not controlled by the Department.

- (2) How much funding did these programs receive in 2000/2001?

**Answer**

Home detention – approximately \$3.7 million. No separate costs are maintained for the others.

- (3) What funding will these programs receive in 2001/2002?

**Answer**

Home detention – approximately \$3.8 million.

**35. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) How many ACT prisoners are currently in NSW prisons?

**Answer**

As at June 30, 2001 – 123 offenders whose most serious offence was an ACT offence.

- (2) How much money does NSW receive from the ACT for this service?

**Answer**

In 2000/2001, \$8.806 million was received.

- (3) How many Federal prisoners are currently in NSW prisons?

**Answer**

As at June 30, 2001 – 315 offenders whose most serious offence was a federal offence.

- (4) How much money does NSW receive from the Commonwealth for this service?

**Answer**

Nil.

- (5) What will be the average cost per prisoner per day to keep someone in the Goulburn HRMU?

**Answer**

See answer to question (2).

- (6) What is the average cost per prisoner per day of other maximum security prisoners?

**Answer**

The 2000/2001 estimate is \$184.07.

- (7) What was the average cost per day of detaining a full-time female prisoner in NSW in:

(a) 2000/2001?

**Answer**

\$145.33.

(b) 1999/2000?

**Answer**

\$146.40.

(c) 1998/1999?

**Answer**

\$146.49.

**36. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) What has been the cause of the \$6 million blowout in the projected cost of the Windsor women's prison over the past 12 months?

**Answer**

The increase in costs is due to a CPI increase, an increase in gross floor area and additional site costs.

(2) What contracts have been so far been awarded concerned with the building of the new Windsor women's prison?

**Answer**

The perimeter fence contract.

(3) What proportion of these contracts have been awarded to providers in the Windsor area?

**Answer**

As only one contract has been awarded to date, proportions are not yet relevant. However, as with all correctional centres, local providers will be used where possible.

(4) When is the Windsor women's prison expected to begin receiving prisoners?

**Answer**

Late 2003.

(5) At the current rate of growth in the number of imprisoned women and allowing for the promised closing of a wing at Mulawa, how long will it be before the new women's prison is full?

**Answer**

The Department has advised that the new centre will be used as required.

(6) How much would an independent cost-benefit analysis into the new Windsor women's prison of the kind recommended by the Select Committee on the Increase in Prison Population cost?

**Answer**

The Department has advised that it cannot accurately estimate the cost.

- (7) Given that the blowout in the cost of the prison since SCIPP's interim report is many times the cost of a cost-benefit analysis, what possible reason could there be for refusing to accept this recommendation?

**Answer**

The Government provided its response to the interim report.

**37. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) What is the expected final cost of building a new prison at Kempsey?

**Answer**

Estimated cost is \$70 million.

- (2) When is work expected to commence on the new Kempsey prison?

**Answer**

October 2001.

- (3) When is it expected to begin receiving prisoners?

**Answer**

March 2004.

- (4) What will be its total capacity?

**Answer**

350.

- (5) How many male prisoners will it be able to hold?

**Answer**

300.

- (6) How many female prisoners will it be able to hold?

**Answer**

50.

- (7) How many minimum security prisoners will it be able to hold?

**Answer**

60 men and 50 women of all classifications.

- (8) How many medium security prisoners will it be able to hold?

**Answer**

240 medium and maximum.

- (9) How many maximum security prisoners will it be able to hold?

**Answer**

See (8).

- (10) What commitment has the Department made to sourcing Kempsey prison building and service contracts in the Kempsey region?

**Answer**

The construction of the centre is being overseen by the Department of Public Works and Services. Once the centre is commissioned, Corrective Services has given a public commitment its requirements in terms of a range of needs will be purchased locally.

- (11) How many full-time permanent employees of the Kempsey prison are expected to be recruited in the Kempsey region?

**Answer**

Obviously this depends on the number of applications. The Government has repeatedly stated that the new gaol is expected to bring great employment benefits to the local and surrounding community.

- (12) What proportion of Kempsey Prison's inmates are expected to come from the Kempsey region?

**Answer**

Again, this depends on the number of, and geographical location of, the inmates at the time. In general, Kempsey will serve the mid-North coast.

**38. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) What information does the Minister have concerning irregular or corrupt appointments to Department of Corrective Services positions by a senior Department officer?

**Answer**

As this question is vague, I would be loathe to speculate on any particular matter. Should the Honourable Member have any such information, she should provide it to the ICAC.

- (2) What agencies have been involved in the investigations of irregular appointments in the Department of Corrective Services during 2000/2001?

**Answer**

See (1). In addition, as the Honourable Member is aware, the ICAC, the Ombudsman and the Inspector General all have an oversight role in relation to the Department.

- (3) (a) Will all documents concerning such appointments made available to the Minister by the Inspector-General and other agencies be made available to Parliament?

**Answer**

See (1).

- (d) If so, when?

**Answer**

See (1).

- (4) What mechanisms exists within the Department of Corrective Services for removing senior staff who repeatedly come under suspicion for corrupt practices but escape conviction for such practices?

**Answer**

The Public Sector Management Act 1988 sets out mechanisms for dealing with officers found to have committed a breach of discipline.

**39. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) What is the current overall ratio of permanent staff to prisoners in NSW prisons?

**Answer**

In 2000/2001, the ratio was 0.59.

(2) What was the overall ratio of permanent staff to prisoners in NSW prisons in:

(a) June 2000,

**Answer**

See (1).

(b) June 1999?

**Answer**

0.58.

(3) How many days of lock-ins occurred for reasons which had nothing to do with the actions of prisoners, for example staff shortages, construction work etc in:

(a) 2000/2001

(b) 1999/2000

(c) 1998/2000?

**Answer**

The Commissioner has advised me that the allocation of resources required to provide this information would unreasonably divert staff from operational priorities and cannot be justified.

(4) How many extra staff are required by Corrective Services to bring to an end the practice of locking prisoners in their cells for no reason other than a shortage of available custodial staff?

**Answer**

This question cannot be properly answered as a shortage may occur for a range of reasons and may only be for a very short period of time.

(5) How much would it cost to hire and train these staff?

**Answer**

See (4).

(6) What plans do Corrective Services have in place to ensure that the practice of locking prisoners in their cells because due to staff shortages is brought to an end?

**Answer**

The Department reviews strategies to address this issue on an ongoing basis.

**40. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**



(1) What was the cost of searching prison visitors for contraband during 2000/2001?

**Answer**

As the search function is part of the normal duties of officers, a specific cost is not isolated.

(2) Does this include the expense of searching prisoners who are being visited?

**Answer**

See (1).

(3) What is the anticipated combined cost of searching prisoners and visitors during prison visits in 2001/2002?

**Answer**

See (1).

(4) How many searches of prison visitors were carried out in 2000/2001?

**Answer**

Because of (1), the allocation of resources required to compile this information cannot be justified in terms of the Department's operational priorities.

(5) How many of these:

- (a) involved the use of sniffer dogs?
- (b) physical contact with the visitor?
- (c) were strip searches?
- (d) resulted in the seizure of illicit material?
- (d) resulted in the seizure of illegal drugs, as opposed to legal ones which are not allowed to be brought into prisons?

**Answer**

See (4).

(6) What kinds of illicit drugs were seized?

**Answer**

See (4)

(7) How many people were banned or suspended from contact visits with prisoners in 2000/2001?

**Answer**

2000/2001 figures are not yet available. During 2000, more than 500 visitors had sanctions of some kind placed on their visiting privileges.

(8) How many of these people were caught with contraband?

**Answer**

See (7).

(9) Does the Department of Corrective Services ban contact visits on the basis of suspicion of contraband smuggling when visitors have been searched and no contraband found?

**Answer**

If it is considered appropriate to do so.

- (10) (a) Are prisoners searched for contraband after contact visits?

**Answer**

Yes.

- (c) If so, why is it also necessary to search visitors?

**Answer**

For security reasons.

**41. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) (a) What has been the cost of the drug detection dog program in 2000/2001?

**Answer**

Estimated to be \$4.7 million.

- (b) What is the projected cost of the drug detection dog program for 2001/2002?

**Answer**

Approximately \$5 million.

- (2) How many searches using drug detection dogs were performed upon prison visitors in 2000/2001?

**Answer**

861 operations were carried out and a total of 61,093 visitors searched.

- (3) (a) How many of these searches resulted in the seizure of illicit drugs?

**Answer**

163 charges were laid in relation to illegal drugs.

- (b) What kinds of illicit drugs were seized?

**Answer**

Cannabis, cannabis seed, amphetamines, heroin, cocaine and methadone.

- (4) (a) How many cell searches using drug detection dogs were carried out in prisons during 2000/2001?

**Answer**

10,030.

- (b) How many of these searches resulted in the seizure of illicit drugs?

**Answer**

The Commissioner has advised me that this information cannot be readily compiled.

- (c) What kinds of illicit drugs were seized?

**Answer**

See (b).

- (5) (a) How many searches of Corrective Services staff using drug detection dogs were carried out during 2000/2001?

**Answer**

The Commissioner has advised me that this information cannot be readily compiled.

- (b) How many of these searches resulted in the seizure of illicit drugs?

**Answer**

See (a).

- (c) What kinds of illicit drugs were seized?

**Answer**

See (a).

- (6) What policies govern the use of sniffer dogs upon those, such as Muslims, who believe the touch of dogs to be unclean?

**Answer**

The Commissioner has advised me that no person is exempt from Departmental policy in this regard but cultural and religious beliefs are treated with respect.

- (7) (a) Does Corrective Services provide dogs and/or handlers for NSW police operations?

**Answer**

Yes.

- (b) If so, is the Department reimbursed for the expense of such operations?

**Answer**

No.

**42. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) What was the total profit or loss realised by the prison buyup program in:

- (a) 2000/2001,  
(b) 1999/2000,  
(c) 1998/1999?

**Answer**

As the Department engages independent contractors to provide buy-up services, this information is not available.

- (2) What percentage of money spent in prison buyups went on food & drink items in:

- (a) 2000/2001,  
(b) 1999/2000,

(d) 1998/1999?

**Answer**

See (1).

(3) How are the contracts for the provision of goods for buyups and purchase by visitors awarded?

**Answer**

By tender.

**43. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) How many NSW prisons still provide free coffee & tea to prison visitors?

**Answer**

11.

(2) How much profit was realised from food and drink vending machines in NSW prisons during 2000/2001?

**Answer**

Food and drink vending machines are generally operated by staff social club groups which generally allocate any profit toward things such as local charities, inmate family day activities and staff amenities.

(3) What is done with these profits?

**Answer**

See (2).

(4) How much of it is made available to prison officers?

**Answer**

See (2).

(5) How does the price of food items purchased in prison buy ups compare with the supermarket prices of equivalent goods?

**Answer**

This question is too vague to enable an appropriate answer.

(6) How does the price of clothes and blankets purchased in prison buy ups compare with the price of equivalent goods in stores such as Target?

**Answer**

See (5).

(7) How much does it cost to buy a pair of tracksuit pants in a prison buy up?

**Answer**

All newly received inmates are issued with fleecy lined track pants.

(8) How many blankets are allocated to prisoners free of charge?

**Answer**

The Department has advised that due to the differing climates at locations of the State's correctional centres, it is not possible to set a standard scale for the issue of bedclothes.

(9) Does this vary in prisons in different climate zones?

**Answer**

See (8).

(10) How much does it cost to buy a blanket in a prison buyup?

**Answer**

See (8).

(11) How much does it cost to buy a doona in a prison buyup?

**Answer**

See (8).

(12) What was average cost of a prison meal in:

(a) 2000/2001,

**Answer**

\$4.41 per inmate per day.

(b) 1999/2000,

**Answer**

\$4.03 per inmate per day.

(c) 1998/1999?

**Answer**

\$4.98 per inmate per day.

(13) What percentage of prison meals were cookchill in:

(a) 2000/2001,

**Answer**

67.

(b) 1999/2000,

41.

(c) 1998/1999?

20.

(14) What advice has Corrective Services sought regarding the long term nutritional value of cookchill food?

**Answer**

Prior to its implementation, the plan was analysed by an independent team of dieticians.

**44. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) How many prisoners identifying as Muslim are currently in NSW prisons?

**Answer**

Approximately 280, as identified by an Islamic chaplain.

(2) (a) Are halal meals available free of charge to Muslim prisoners?

(b) If not, how can Islamic prisoners access halal food?

**Answer**

See answer to Question on Notice 848.

(3) What proportion of Muslim prisoners have access to cooking facilities sufficient to prepare a main meal?

**Answer**

See answer to Question on Notice 848.

**45. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) How much money did the Department gain in 2000/2001 by reclaiming funds allocated for a specific purpose which had remained unused for more than a year?

**Answer**

This is governed by section 23(1) of the Public Finance and Audit Act.

(2) How much of this was money raised by prisoners for their own individual or communal use?

**Answer**

The Department is required to bring to account all funds received by it, no matter the source.

(3) What information are prisoners given that their unused pooled funds can be claimed by the Department in such a manner?

**Answer**

See (1).

(4) What programs have been implemented to minimise the spread of bloodborne diseases in NSW prisons?

**Answer**

The Department provides programs in relation to such issues for inmates.

(5) What methods are used to assess the effectiveness of these programs?

**Answer**

Survey.

(6) What is the current cost per year of treating NSW prisoners infected with bloodborne diseases?

**Answer**

This question should be directed to the Minister for Health.

- (7) How many NSW prisoners are on special diets due to their infection with bloodborne diseases?

**Answer**

It is not possible to collate this information without diverting resources from operational priorities.

- (8) How many NSW prisoners are thought to be infected with bloodborne diseases?

**Answer**

This question should be directed to the Minister for Health.

- (9) What is the current capacity of the Healthy Lifestyles Units?

**Answer**

Each has a capacity of 12.

- (10) How many female prisoners are in the Healthy Lifestyles Units?

**Answer**

The Mulawa unit has a capacity of 12.

- (11) What is expected to be the capacity of the Healthy Lifestyles Units by the end of 2001/2002?

**Answer**

These matters are reviewed on an ongoing basis.

- (12) How many prisoners are on the waiting list of infected prisoners wishing to be transferred to the Healthy Lifestyles Unit?

**Answer**

This varies, depending on the makeup of the inmate population and for male and female prisoners.

- (13) What new measures will be introduced in 2001/2002 to reduce the spread of bloodborne disease in NSW prisons?

**Answer**

Additional activities are being developed with the Corrections Health Service and a new protocol is being developed to assist in the management of inmates with Hepatitis C.

- (14) What was the cost of the HIV containment operation conducted in the MRRC last December after an HIV positive prisoner admitted to sharing needles?

**Answer**

Approximately \$3,500 in staff costs.

- (15) What drugs were given to prisoners thought to be at risk of infection?

**Answer**

This question should be directed to the Minister for Health.

- (16) What counselling was made available to these prisoners?

**Answer**

Pre and post test.

(17) How long did it take between the prisoner's admission and notification of prisoners at risk of infection?

**Answer**

Less than 72 hours.

(18) Were any of these prisoners transferred to another prison in the interim?

**Answer**

Some were transferred to Long Bay hospital.

**46. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) (a) How much money did Corrective Services pay as compensation to prisoners and ex-prisoners infected with bloodborne diseases in NSW prisons during 2000/2001?

**Answer**

Nil.

(b) Do these figures include 'out of court' settlements?

**Answer**

See (a).

(2) How many needlestick injuries were suffered by NSW prison officers in the workplace during 2000/2001?

**Answer**

I am advised that needlestick injuries are not recorded as a specific event.

(3) (a) How much money did Corrective Services pay as compensation to prison officers infected with bloodborne diseases in NSW prisons during 2000/2001?

**Answer**

No common law compensation.

(b) Do these figures include 'out of court' settlements?

**Answer**

See (a).

**47. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

(1) How many prisoners had been subjected to forensic sampling by June 1, 2001?

**Answer**

4028.



- (2) How many copies of the Crimes (Forensic Procedures) Act were made available to NSW prisoners subject to forensic testing?

**Answer**

A minimum of two per centre. 140 in total.

- (3) What is the estimated cost of the testing program up to June 1 2001?

**Answer**

As the program's cost is shared across portfolios, it is not possible for Corrective Services to provide an accurate cost.

- (4) (a) How many Federal and ACT prisoners in NSW prisons have been subjected to forensic sampling?

**Answer**

I understand the Police Service is not authorised to take samples from these prisoners.

- (b) What is the estimated cost of this sampling?

**Answer**

See (a) and (3).

- (5) What measure have Corrective Services taken to ensure that NSW police destroy the samples taken from ACT and Federal prisoners as the result of the 'simple misunderstanding' by the Department?

**Answer**

This question should be asked of the Minister for Police.

- (6) How much money was spent producing informational videos and literature associated with the forensic testing of NSW prisoners?

**Answer**

See (3).

- (7) Was the information given in the videos and literature found to be in error?

**Answer**

Information provided by Corrective Services has already been reviewed once to ensure it is as clear as possible for inmates.

- (8) Has erroneous informational material about forensic procedures now been withdrawn from circulation in NSW prisons?

**Answer**

See (7).

- (9) Is the Department aware of any pending lawsuits against it brought by prisoners who allege that their rights have been abused in connection with forensic testing?

**Answer**

No.

48. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—

- (1) What has been the estimated cost of treating Ivan Milat following his hunger strikes and swallowing of metal objects?

**Answer**

This question should be directed to the Minister for Health, responsible for the Corrections Health Service.

- (2) On what basis does the department allege that these acts by Milat constitute escape attempts?

**Answer**

Many maximum security inmates rate their chances of escape from a hospital escort as far greater than that from a maximum security correctional centre.

- (3) What charges have been brought against Milat for attempting to escape?

**Answer**

None.

- (4) What would be the cost of providing Milat with access to the legal research material he has requested?

**Answer**

The Department has advised me Ivan Milat has access to legal resources.

- (5) If details of the movement of Ivan Milat between Goulburn and Toronto were kept secret from the media, how did the Sydney Morning Herald obtain the photograph on the front page of its 21/6/01 edition?

**Answer**

This information is not known to the Department.

- (6) How did the media obtain medical records of Ivan Milat after he had specifically refused a request to have them released?

**Answer**

See (5).

- (7) What reports has the Minister received concerning the leak of Ivan Milat's medical records to the media?

**Answer**

See (5).

- (8) (a) Will the Minister be making such reports available to Parliament  
(b) If so, when?

**Answer**

See (5).

**49. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) How many currently serving NSW prisoners are expected to fall under the provisions of the Crimes Legislation Amendment (Existing Life Sentences) Bill?  
(2) What provisions will be made to deal with the population of elderly prisoners, many with mental illnesses, which will result from this legislation?

- (3) What counselling services will be provided to prisoners when they are informed that there is no hope of them ever being released?
- (4) What extra security measures will be put into place to deal with prisoners who have no incentive to be of good behaviour and very little to lose from assaulting prison staff or fellow prisoners?

**Answer**

These questions should be directed to the Attorney General who administers the legislation.

**50. Ms Rhiannon asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) Are NSW prisoners provided with medical services in a culturally appropriate manner?

**Answer**

This question should be directed to the Minister for Health.

- (2) Is Junee private prison required to maintain the same standard of medical services provided in other NSW prisons?

**Answer**

Yes.

- (3) Why was a Muslim prisoner at Junee on the methadone program denied access to linctus outside of Ramadan fasting hours?

**Answer**

I am advised that this case was the first where an inmate refused to accept methadone or any other pharmaceutical product on the basis of religious fasting.

- (4) What actions has Corrective Services taken to ensure that Junee prison meets its obligations regarding the standard and propriety of medical services?

**Answer**

A new agreement took effect in April 2001.

**51. Ms Sham-Ho asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

At 7-7 of the Budget papers, it is estimated that \$48 million will be spent on the new 200-bed women's prison in South Windsor.

- (1) Is the Minister aware that Hawkesbury Local Council, in whose area the gaol will be built, has also indicated its opposition to the gaol and written to you requesting that you implement the Select Committee's recommendations?

**Answer**

I am advised that the Council has expressed views on the matter.

- (2) Could you please explain why you have not followed the Select Committee's recommendations, notably that a cost-benefit analysis be completed into possible alternatives to the new women's gaol at South Windsor?

**Answer**

The government has provided its response to the interim report.

- (3) Evidence by the Department of Corrective Services to the Select Committee into Imprisonment indicated that Mulawa was in a bad state and required substantial remodelling before it would be in a fit state to accommodate women. It is now clear that Mulawa is to continue as a prison. What factors are to be used to determine which prisoners remain at Mulawa and which will progress to Dillwynia, the proposed South Windsor prison for women?

**Answer**

The factors will include classification, sentencing status, assessment and designation.

**52. Ms Sham-Ho asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

I refer to 7-7 in the Budget Papers, where it states that Mulawa will cater for remand prisoners.

- (1) Will remand prisoners be housed at Dillwynia also?

**Answer**

Stable remand prisoners would be considered.

- (2) What level of security will these remandees require at that gaol?

**Answer**

The level of perimeter security needed for such inmates.

- (3) Does the housing of remandees at the new gaol require legislative or classification changes before they can properly be housed there?

**Answer**

No.

**53. Mr Gallacher asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) (a) How many licences of traders have been suspended by the Department of Fair Trading since the *Fair Trading Act* amendments were gazetted allowing for such suspensions?

**Answer:**

These amendments to the Fair Trading Act commenced on 1 August 2000. From 1 August 2000 – 30 June 2001, 22 licences or certificates were suspended.

- (b) Could the Minister outline the circumstances of each of these suspensions?

**Answer**

The cases included real estate agents who failed to account for trust monies, building contractors who provided defective or incomplete work and a motor dealer who tampered with vehicle odometers.

- (2) I have had a complaint from a real estate agent based at Liverpool about a 33-day delay between lodging an application for termination, due to the arrears of rent payments, and the date of the hearing. The application is for a hearing at the Liverpool office. If this is a normal waiting time, and given the financial loss being experienced by the landlord in such cases, what measures are being put in place to ensure that such applications do not take more than 4 weeks to be heard?

**Answer**

I am informed by the Registrar of the Residential Tribunal that applications from the south western metropolitan area of Sydney are heard at Liverpool or Campbelltown depending on the address of the rented premises. Additionally, the Tribunal’s own hearing rooms at Campbelltown are offered to applicants as an alternative hearing venue. I understand that, in the case raised, the landlord’s agent was not available to attend hearings on any Tuesday and also was not available to attend the Campbelltown hearings at any time.

The Registrar acknowledges that in this matter, a listing date 33 days after lodgement of an application was unsatisfactory, and exceeded the service commitment of 14-21 days. The Registrar has asked me to convey her apologies and informs me that the Tribunal’s listing guidelines have been reinforced with registry officers.

- (3) Fair Trading licensee inspections for 2000/2001 dropped from a budgeted 515, as reported in the 2000/2001 Budget Papers, to 253, as reported in the 2001/2002 Budget Papers (43.1.2). Why have these inspections dropped so significantly this year?

**Answer**

The figures published in the 2000/2001 Budget Papers show a projected level of inspections for the financial year 2000/2001. They were prepared before the close of financial year 1999/2000, and were based on the manner in which the inspection program was then operating. As in previous years, that inspection program concentrated on routine issues such as record keeping.

During the financial year 2000/2001, the nature of the inspection program has changed and the Department has concentrated on more focused and detailed inspections targeting major and serious issues. The figures for 2000/2001 and 2001/2002 in this year’s Budget Papers are forward projections which were prepared in March/April this year and are based on this new mode of operation.

- (4) Product and electrical safety inspections for 2000/2001 dropped from a budgeted 1050, as reported in the 2000/2001 Budget Papers, to 310, as reported in the 2001/2002 Budget Papers. Why have these inspections dropped so significantly this year?

**Answer**

During the financial year 2000/2001, the nature of the inspection program changed and the Department is now concentrating on more focused inspections targeting particular issues or types of product, as well as providing rapid investigation of urgent or high priority matters. The figures for 2000/2001 and 2001/2002 in this year’s Budget Papers are forward projections which were prepared in March/April this year and are based on this new mode of operation.

- (5) Building complaints rose from a budgeted 809 in the current financial year, as reported in the 2000/2001 Budget Papers, to 1500, as reported in the 2001/2002 Budget Papers. What factors have led to this significant increase in complaints, if these complaints are not direct result of the collapse of HIH Casualty and General?

**Answer**

The collapse of HIH Casualty and General Insurance has had a marked effect on the Department’s complaint levels. The upward trend is also due to an increase in the number of investigators in Building Investigations Branch and higher levels of consumer awareness.

- (6) Please outline the reasons for the significant changes in the table below in the figures for the same financial year, as reported in the 2000/2001 Budget Papers as compared to the 2001/2002 Budget Papers (43.1.3):

	2000-01 Budget Papers	2001-02 Budget Papers
	1999/2000	1999/2000
Registration Inquiries	259.7	253.7
Licensing enquiries	119.9	122.1
New business name registrations	93	101.6
Business name renewals	60	67.5

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

Business name extracts	163.3	152.9
Co-operatives registered	919	893
Associations incorporated	2.1	1.6
New association names reserved	3.3	2.9
New licences / certificates issued (general)	7.3	7.4
New licences / certificates issued (building)	12.8	11.3
licences / certificates renewed (general)	19.6	28.4
licences / certificates renewed (building)	97.3	94.9
Business licence packages issued	32.0	31.8
Average Staffing	197	198

**Answer**

It is misleading to characterise the differences in the table as “significant”. Rather, they are simply a result of the normal budget process followed by the Department. The Budget for each financial year is brought down in May of the previous financial year. Hence Departments prepare their entries for each edition (eg 2000/2001) some months before the close of the financial year immediately preceding the year for which that edition is current (eg for 2000/2001, in approximately March/April 1999/2000). Hence entries in the 2000/2001 Budget Papers for the year 1999/2000 are of necessity projections to the end of that financial year. These figures are replaced in the following year's edition (in this case 2001/2002) with actual figures.

- (7) Budget Papers (43.1.4) show a budgeted increase in other operating expenses from a revised figure this financial year of \$13.071m to \$15.482 m next financial year. Please outline the reasons for the significant increase in expenses.

**Answer**

The increase in 2001/02 is a result of an increase in operational costs associated with the home building reform package which is to be implemented progressively during 2001/02.

- (8) Budget Papers (43.1.4) also show a \$129,000 ex gratia payment this financial year. Please outline the circumstances of this payment.

**Answer**

The figure of \$129,000 relates to a number of ex-gratia payments approved during the course of the 2000/2001 financial year.

- (9) Budget Papers (43.1.4) show a budgeted decrease in subsidies to organisations – public financial enterprises from \$13.785 million this financial year to \$11.1 million next financial year. Please outline the circumstances of this decrease in subsidy.

**Answer**

Consumer and Trader Services perform functions for Fair Trading Administration Corporation (FTAC). The reduction in funding is due to the grant from Treasury for the operations of FTAC being reduced from \$15.0 million to \$12.0 million. As the Honourable Member would know, this is a consequence of the winding down of FTAC.

- (10) Please outline the reasons for the significant changes in the figures below for the same financial year, as reported in the 2000/2001 Budget Papers as compared to the 2001/2002 Budget Papers (43.1.4).

	2000-01 Budget Papers	2001-02 Budget Papers
	1999/2000	1999/2000
Fair Trading enquiries	745.4	870.7
Register of Encumbered Vehicles checks	847.6	951.4
Strata scheme enquiries	44.5	46.7
Fair Trading complaints	26.5	25.9
Dispute management service	3.7	3.4
Building insurance claims processed	444	507
Register of Encumbered Vehicles certificates	87.1	96.4

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

generated		
Encumbrances registered	346	424.9
Average Staffing	617	607

**Answer**

It is misleading to characterise the differences in the table as “significant”. Rather, they are simply a result of the normal budget process followed by the Department. The Budget for each financial year is brought down in May of the previous financial year. Hence Departments prepare their entries for each edition (eg 2000/2001) some months before the close of the financial year immediately preceding the year for which that edition is current (eg for 2000/2001, in approximately March/April 1999/2000). Hence entries in the 2000/2001 Budget Papers for the year 1999/2000 are of necessity projections to the end of that financial year. These figures are replaced in the following year's edition (in this case 2001/2002) with actual figures.

- (11) Budget Papers (43.1.4) show a budgeted increase in retained taxes, fees and fines from \$21.945m this financial year to \$25.035m next financial year. Please outline the circumstances of this increase.

**Answer**

This item consists of fees received from the Real Estate Agents Statutory Interest Accounts as well as licence fees and recoveries relating to the Motor Dealers Compensation Fund. The Statutory Interest is closely related to the economic climate of the real estate industry.

- (12) Budget Papers (43.1.4) show that there are no provisions for grants and contributions during the 2001/2002 financial year. Please outline the circumstances of the removal of this provision.

**Answer**

There is no provision for grants and contributions in 2001/2002 due to the transfer of Fair Trading Administration Corporation costs to “Sales of goods and services – Recoupment of administration costs – non general government agencies” at the request of NSW Audit Office.

- (13) Please outline the reasons for the significant changes in the figures below for the same financial year, as reported in the 2000/2001 Budget Papers as compared to the 2001/2002 Budget Papers (43.1.5)

	2000-01 Budget Papers	2001-02 Budget Papers
	1999/2000	1999/2000
Fair Trading Tribunal		
Consumer claims division	7000	6456
Home building division	3000	4368
Commercial division	300	315
Motor vehicle division	500	1662
Residential tribunal	51	46.7
Strata schemes mediations	962	894

**Answer**

It is misleading to characterise the differences in the table as “significant”. Rather, they are simply a result of the normal budget process followed by the Department. The Budget for each financial year is brought down in May of the previous financial year. Hence Departments prepare their entries for each edition (eg 2000/2001) some months before the close of the financial year immediately preceding the year for which that edition is current (eg for 2000/2001, in approximately March/April 1999/2000). Hence entries in the 2000/2001 Budget Papers for the year 1999/2000 are of necessity projections to the end of that financial year. These figures are replaced in the following year's edition (in this case 2001/2002) with actual figures.

- (14) The 2001/2002 Budget Papers (7-15) show the proceeds from the sale of investments was budgeted to be \$2.5m in 2000/2001 and was revised to \$8.114m. The purchases of investments was budgeted to be \$1.595m in 2000/2001 and was revised to \$7.991m. Please outline the circumstances of each of these variations.

**Answer**

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

The increase of \$5.6 million between 2000/01 Budget and Revised figures is due mainly to the sale of \$5.0 million of Stockland Trust Convertible Bonds belonging to the Real Estate Compensation Fund. Treasury ruled that this type of investment was not available to the Compensation Fund.

These Funds were re-invested along with the net funds (income less expenses) available from Statutory Interest. Investments are sold and repurchased in order to gain better returns on investments from the different investment funds within TCorp.

- (15) Please outline the reasons for the significant increase in cash assets budgeted for the 2001/2002 financial year as compared to the 2000/2001 budgeted figures (7-17)

**Answer**

The increase in cash during 2000/2001 is a result of an increase in revenue, a decrease in operational expenditure and a decrease in expenditure on capital projects.

- (16) Please outline the reasons for the significant decrease in other financial assets budgeted for the 2001/2002 (7-17) financial year as compared to the 2000/2001 budgeted figures.

**Answer**

Decrease of Non Current - Other Financial Assets totalling \$5.0 million between the 2000/01 Budget and 2001/02 figures is due to the sale of \$5.0 million of Stockland Trust Convertible Bonds belonging to the Real Estate Compensation Fund. These assets are now recorded as Current - Other Financial Assets.

- (17) Please outline the reasons for the significant changes in the below figures for the same financial year, as reported in the 2000/2001 Budget Papers as compared to the 2001/2002 Budget Papers (43.1.1).

	2000-01 Budget Papers	2001-02 Budget Papers
	1999/2000	1999/2000
Outputs		
Regulatory reforms completed	16	35
Community Consultation meetings held	19	33
Consultation papers prepared	23	22
Publications produced:		
Fact sheets	103	34
Brochures/booklets	105	31
Guides	10	21
Other / electronic titles	26	104
Information seminars held	1420	958
Average Staffing	78	76

**Answer**

It is misleading to characterise the differences in the table as “significant”. Rather, they are simply a result of the normal budget process followed by the Department. The Budget for each financial year is brought down in May of the previous financial year. Hence Departments prepare their entries for each edition (eg 2000/2001) some months before the close of the financial year immediately preceding the year for which that edition is current (eg for 2000/2001, in approximately March/April 1999/2000). Hence entries in the 2000/2001 Budget Papers for the year 1999/2000 are of necessity projections to the end of that financial year. These figures are replaced in the following year's edition (in this case 2001/2002) with actual figures.

- (18) Please outline the reasons for the significant changes in the below figures for the same financial year, as reported in the 2000/2001 Budget Papers as compared to the 2001/2002 Budget Papers.

	2000-01 Budget Papers	2001-02 Budget Papers
	1999/2000	1999/2000
Investigations		
Fair Trading	530	380
Real estate	485	301
Product & electrical safety	680	267



BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

Inspections		
Fair Trading licensee	500	273
Real estate licensee	1260	2160
Product & electrical safety	1020	Na
Electrical certification applications processed	2700	2377
Measuring instrument certification applications	3150	3469
Trade measurement licensee audits	50	86
Prosecutions	505	563
Civil proceedings	175	193
Disciplinary actions	40	58
Average Staffing	158	155

**Answer**

It is misleading to characterise the differences in the table as “significant”. Rather, they are simply a result of the normal budget process followed by the Department. The Budget for each financial year is brought down in May of the previous financial year. Hence Departments prepare their entries for each edition (eg 2000/2001) some months before the close of the financial year immediately preceding the year for which that edition is current (eg for 2000/2001, in approximately March/April 1999/2000). Hence entries in the 2000/2001 Budget Papers for the year 1999/2000 are of necessity projections to the end of that financial year. These figures are replaced in the following year's edition (in this case 2001/2002) with actual figures.

**54. Mr Gallacher asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

I refer to the Statutory Interest Account under the Property Stock and Business Agents Act and the education funding that comes from this account.

- (1) Given that under this funding a July to June financial year is used, why were applications only called in February this year for the current financial year?

**Answer**

Advertisements for funding were placed in major newspapers on 9 December 2000.

- (2) I understand that in 1994 actuaries told the Department of Fair Trading and the real estate industry that the Account should never fall below \$40 million. However, last year the fund was approximately \$33 million. Please outline the circumstances of the drop in the funds of this Account.

**Answer**

The Actuarial Report by Coopers and Lybrand (Securities) Ltd in May 1994 was undertaken to ascertain the level of surplus funds available to be distributed to the Housing Reserve Fund for utilisation by the Home Purchase Assistance Authority. An amount of \$10.0 million was withdrawn from the Real Estate Compensation Fund that had a balance of \$30.3 million as at 31 March 1994. At 31 March 1995, the balance was \$25 million. As these balances occurred under the former, Coalition government, the Honourable Member's question seems odd.

- (3) The 1999/2000 Department of Fair Trading Annual Report (pages 60 – 62) shows that although \$5.8 million was granted to organisations, only \$443,352 was granted to the real estate industry. Please outline the criteria used for the provision of these grants.

**Answer**

The criteria used are set out in the Property Services Grants Program Funding Guidelines, a copy of which is attached.

- (4) (a) What is the status of review of the Property Stock and Business Agents Act?

**Answer**

As has been reported in the metropolitan media, an exposure bill is in the process of being drafted.

- (b) Is it the intention of the Department of Fair Trading to opt for a minimal licensing regime?

**Answer**

See (a).

- (c) Under the proposed reforms, will an agent operating in another state with little or no licensing requirements be able to gain a license in NSW to practice real estate?

**Answer**

See (a).

**55. Mr Gallacher asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

I refer to Operation Coverage conducted by the Department of Fair Trading.

- (1) How many real estate agents were inspected?

**Answer**

As Operation Coverage is now an annual event, I am unable to provide an accurate answer as no particular timeframe is outlined.

- (2) How many breaches were detected during those inspections and for what offences?

**Answer**

See (1).

- (3) How many prosecutions were launched?

**Answer**

See (1).

- (4) How many prosecutions are now concluded?

**Answer**

See (1).

- (5) Of the prosecutions concluded, how many were successful and how many were unsuccessful?

**Answer**

See (1).

- (6) How many prosecutions are yet to be concluded?

**Answer**

See (1).

**56. Mr Gallacher asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) How many matters were on hand in the Fair Trading Tribunal as at 30 April 2001?

**Answer**

5233

- (2) Of the matters on hand, how many of these matters were filed:

(a) more than 12 months ago?

(b) between 6 and 12 months ago?

- (c) less than 6 months ago?

**Answer**

The length of time taken to finalise an individual matter depends on the type of dispute, the nature of the issues between the parties and the level of disputes within a particular division. One of the reasons for the review of the Fair Trading Tribunal, was a concern about the length of time taken to finalise certain matters, such as those in the home building division. That is why improved administrative procedures, listing procedures and the like are being given high priority in the development of the proposed new Tribunal. The new early intervention dispute resolution process for home building, will also help shorten the time taken to finalise matters.

- (3) What is the monthly rate of claims filed with the Fair Trading Tribunal in the:

- (a) home building division?

**Answer**

This varies from month to month.

- (b) motor vehicle division?

**Answer**

This varies from month to month.

- (c) consumer claims division?

**Answer**

This varies from month to month.

- (d) commercial division?

**Answer**

This varies from month to month.

- (4) What is the average wait between the filing of a claim in the Fair Trading Tribunal and the convening of an initial hearing in these divisions?

**Answer**

It varies from division to division. The home building division has had the longest waiting time, whilst the consumer division the shortest. See (2) above also.

- (5) Of the Members of the Fair Trading Tribunal, how many are full time and how many are part time?

**Answer**

The Fair Trading Tribunal currently has nine (9) fulltime and 53 part-time members.

- (6) What is the average waiting time under the following stream for claims before the Fair Trading Tribunal:

- (a) fast track,

**Answer**

See (2), (3) and (4) above.

- (b) standard,

**Answer**

See (2), (3) and (4) above.

- (c) complex?

**Answer**

See (2), (3) and (4) above.

- (7) How many assessors have been appointed to the Fair Trading Tribunal pursuant to division 4 of the Fair Trading Tribunal Act?

**Answer**

A total of 32.

- (8) As at 30 April 2001, at what locations were Fair Trading Tribunal Members based and how many members were based at each location?

**Answer**

Members are allocated to matters right across the State, depending on demand.

- (9) What is the average wait for consumers calling the Department of Fair Trading Call Centre as at 30 April 2001, How does this compare with the same time last year?

**Answer**

It is would be misleading to give the average wait time on a particular date. I can advise, however, that taking May 2001 as an example, the average wait time was 1 minute 56 seconds.

- (10) How many retirement village operators have been found to be in breach of the Retirement Villages Act during the current financial year? What breaches were detected?

**Answer**

The Department has contacted 212 retirement villages as part of its targeted inspection program. 175 of these villages were visited, including villages in the far north coast, Hunter and Riverina/Murray regions, and 48 were contacted by correspondence during the inspection program.

The Department developed a compliance program to identify compliance risks, identify key issues and assist the retirement village industry to understand their obligations under the legislation.

**57. Mr Gallacher asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

*[In relation to Budget area 43.1.2]*

- (1) Settlement of claims for damages are budgeted to increase from \$346,000 this financial year to \$800,000 next financial year. Please outline the reasons for the significant increase in expenses.

**Answer**

This item is related to the settlement of claims against the Real Estate Compensation Fund. An estimate of \$800,000 is allowed each year.

- (2) Legal and other costs are budgeted to increase from \$279,000 this financial year to \$950,000 next financial year. Please outline the reasons for the significant increase in legal and other costs.

**Answer**

Legal costs associated with the Heritage Retirement Village and other smaller cases.

- (3) In relation to 7-14 Operating Statement, Retained Revenue, Retained Taxes, Fees and Fines, the 2001/2 Budget Papers show an increase from \$24.559 million to \$27.8 million. Please outline the reasons for this increase.

**Answer**

See answer to 53(7).

- (4) In relation to 7-14 Operating Statement, Expenses, Grants and Subsidies, the 2001/2002 Budget Papers show a drop from \$18.515 million to \$16.361 million. Please outline the reasons for this decrease in funding.

**Answer**

See answer to 53(9).

**58. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) Has any investigation conducted by the Department of Fair Trading found that the home building company known as *Henley Properties Ltd* has breached any provisions of the Home Building Act 1989 or any other legislation administered by the Minister for Fair Trading?

**Answer**

The Department recently sought an injunction against the company before the Supreme Court of NSW. The company gave specific undertakings to the Court and the matter has been adjourned to 2002. In a small number of cases, investigations are continuing into complaints of significant structural defects. The Department currently awaits Henley's response to its findings. Henley has advised that it does not intend to commence any new residential building work in NSW in the short term. The company has formally undertaken to the Supreme Court that it will advise the Director General in writing prior to entering into new contracts.

- (2) If so, what sections of the Home Building Act 1989 or provisions of other Fair Trading legislation are they suspected to have breached?

**Answer**

See (1).

- (3) What additional information in respect to the company known as *Henley Properties Ltd* will be placed on the register to warn consumers which is maintained pursuant to Section 120 of the Home Building Act 1989 if the company ultimately complies with orders given by the decision of the Supreme Court of NSW on 20 June 2001?

**Answer**

The Home Building Regulations (Clause 58) stipulates what information may be included on the Public Register. The clause in its current form would not permit the Department to place any orders made by the Supreme Court of NSW on to the Register. However, the Department has the power to place conditions upon a contractor license. These conditions could reflect any orders made by the Court. A licence endorsed with conditions is information that can be made available to consumers who make inquiries of the Register.

- (4) If the changes proposed in the Home Building Legislation Amendment Bill 2001 to Section 120 of the Home Building Act 1989 had already been in force by June 20 2001, would that have made any difference to the details to be recorded on the register to warn consumers if *Henley Properties Ltd* had not complied with orders of the Supreme Court given on that date?

[Note to Question (4) I recognise that the question is somewhat hypothetical. If this is a problem, the information I am trying to obtain is whether the new legislation will capture decisions of the Supreme Court with better accuracy than the current arrangements after it is introduced. The Minister may answer in general terms if he prefers.]

**Answer**

The amendments to section 120 are designed to ensure that relevant information relating to the disciplinary history and more generally the performance of a licensee can be held and made available for inspection by consumers.

The amendments will allow for the inclusion of the results of show cause proceedings, the results of prosecutions, details of penalty notices, the number of insurance claims paid, instances of non-compliance with Tribunal orders to do work or pay money, details of public warnings, details of formal cautions and any cancellation or suspension of an authority.

**59. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to dot point one, in the first strategic approach item outlined under the heading “major priorities” in the Department of Corrective Services Corporate Plan 2001-2004:
- (a) What are currently regarded as the “core correctional programs which address risk offending” which are currently operated by the Department?

**Answer**

The Department has advised that all programs offered to inmates are designed to address risk factors.

- (b) What new correctional programs are to be developed to address “offending risk behaviours” and what existing programs are specifically to be refined?

**Answer**

A range of programs by Probation and Parole as well as other programs for correctional centres.

- (c) Does the Department plan to design programs aimed at targeting other serious offender risks not currently covered by a specific program to reduce offending behaviour such as the use of illegal drugs, excessive use of alcohol and culpable driving? If not, why not?

**Answer**

Programs which the Department has introduced, or is in the process of introducing, target illegal drug use, excessive use of alcohol and driving offences.

**60. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to the dot point three, in the first strategic approach item outlined under the heading “major priorities” in the *Department of Corrective Services Corporate Plan 2001-2004*:
- (a) What existing “services and supports” are operated by the Department of Corrective Services for ex-offenders to reduce re-offending?
- (b) What specific services for ex-offenders are to be improved and made more accessible?

**Answer**

The Department has advised that the Probation and Parole Service assist offenders released from prison in their reintegration back into the community by providing links with, and making referrals to, appropriate support agencies in the community.

**61. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to the dot point two, in the second strategic approach item outlined under the heading “major priorities” in the *Department of Corrective Services Corporate Plan 2001-2004*:
- (a) What is the range of “diversionary and custodial options” which are currently operated by the Department of Corrective Services?

**Answer**

Home detention and periodic detention. The Department is also involved in the Drug Court trial and the administration of community based sentencing options.

- (b) Which “diversionary and custodial options” are to be reviewed to ensure that best use of the Department’s services and facilities?

**Answer**

Program evaluations are undertaken by the Department.

- (c) In view of the fact that community based options and diversionary options are far less expensive, and possibly more effective in reducing crime, will the Department be doing anything specifically to encourage greater use of those options by other participants in the criminal justice system where appropriate? If so what?

**Answer**

See answer to question 34(1).

**62. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to dot point one, in the third strategic approach item outlined under the heading “major priorities” in the Department of Corrective Services Corporate Plan 2001-2004:
- (a) What working conditions does the Department plan to make “more flexible” as part of the implementation of this objective?

**Answer**

Benchmark comparisons with interstate agencies are currently being undertaken.

- (2) I refer to the “major priorities” section of the Department’s Corporate Plan for 2001-2004:
- (a) In view of the fact that the Department was already late in preparing its plan, required pursuant to section 9 of the Disability Services Act 1993, and further in view of the fact that the current “Disability (sic) Strategic Plan” does not in its current form make any reference to the “Principles and Application of Principles” outlined in the Act, why isn’t this item on the list as a major priority for the Department?

**Answer**

The provision of programs to inmates with disabilities is a major objective of the Department.

**63. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to dot point two in the third strategic approach item outlined under the heading “major priorities” in the Department of Corrective Services Corporate Plan 2001-2004:
- (a) Which planning and accountability systems are to be improved pursuant to that item in the Corporate Plan?

**Answer**

A Probity and Performance Review Branch has been established.

- (2) I refer to dot point two under the heading “Strategies” outlined for “Custodial Services and Inmate Services” on page 9 of the Department of Corrective Services Corporate Plan 2001-2004:

- (a) Who is the “inmate and multidisciplinary Case Team” who are to monitor inmate progress along the designated programs pathway?

**Answer**

A quorum of three comprising a case manager and representatives from two other disciplines.

- (b) Are they a single team, which perform this task for the entire Department or are there multiple numbers of teams located at various places in the network of the Department’s facilities performing this task individually for all inmates?

**Answer**

They are based within each correctional centre.

**64. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to dot point three under the heading “Strategies” outlined for “Custodial Services and Inmate Services” on page 9 of the Department of Corrective Services Corporate Plan 2001-2004:

- (a) What key performance indicators specifically measure the effectiveness of this strategy, particularly after the review and enhancement that is to be carried out in the implementation of the Department’s “major priorities”?

**Answer**

The Department has advised that each evidence based program will have appropriate indicators of process performance and outcomes.

- (2) I refer to dot point six under the heading “Strategies” outlined for “Custodial Services and Inmate Services” on page 9 of the Department of Corrective Services Corporate Plan 2001-2004:

- (a) What key performance indicators will the Department use to measure their effectiveness in addressing this strategy?

**Answer**

Consultation will be undertaken to enable programs to be culturally appropriate.

- (3) I refer to page 10 of the Department of Corrective Services Corporate Plan 2001-2004, item one, under “Key performance Measures” for Correction Centre Management, Custodial Service and Inmate Services and Programs:

- (a) What are the current rates of inmate participation in programs and what new targets if any is the Department planning to set itself to achieve by 2004?

**Answer**

Current rates are not yet available.

- (4) I refer to page 10 of the Department of Corrective Services Corporate Plan 2001-2004, item 5, under “Key performance Measures” for Correction Centre Management, Custodial Service and Inmate Services and Programs:

- (a) What are the current rates of participation by inmates in case management?

**Answer**

All inmates have involvement in the case management process.

- (b) How will the Department plan, implement and measure improvement in case management participation by inmates in view of comments by the Inspector General in his Annual Report (refer page 12, for the year ended June 2000) and evidence given to the Select Committee on the



Increase in Prison Population which appear to suggest that the implementation of case management is still less than optimal?

**Answer**

A Case Management Support Team, will carry out regular audits of the process.

- (5) Has the Department implemented the Recommendation made by the Inspector General in his Annual Report to design “a strategic plan to address the difficulties of case management, which is more detailed than existing approaches and which places more accountability on middle management for their responsibilities”? If not why not?

**Answer**

The Department has advised that it has implemented case management with responsibility for its administration resting with middle management.

- (6) I refer to page 10 of the Department of Corrective Services Corporate Plan 2001-2004, item 5, under “Key performance Measures” for Correction Centre Management, Custodial Service and Inmate Services and Programs:
- (a) What are the current rates of inmate participation in the “structured day”, how will the Department plan, implement and measure improvements in this critical area of performance?

**Answer**

A structured day is an organisational process – it is not a program in which inmates can choose to participate.

- (7) I refer to page 11 of Department of Corrective Services Corporate Plan 2001-2004, dot point five, “Strategies” for Court Security and Inmate Escort Services:
- (a) What is the current use of video conference facilities for court appointments? What specific strategies does the Department plan to use in order to increase their use?

**Answer**

The MRRC is used for preliminary criminal matters. Links are being established in more locations and facilities for the Parole Board are also being examined.

- (8) I refer to page 11 of Department of Corrective Services Corporate Plan 2001-2004, “Key Performance Measure” number two, Court Security and Inmate Escort Services:
- (a) What is the current rate of escapes from escorts to courts, medical appointments or other authorised external appointments?

**Answer**

In 2000/2001, there were seven out of more than 100,000 escorts.

**65. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to page 11 of Department of Corrective Services Corporate Plan 2001-2004, “Key Performance Measures” number three, Court Security and Inmate Escort Services:
- (a) What is the current rate of injuries sustained by inmates on escort or in court custody?

**Answer**

In 2000, there were fewer than 50 fights and assaults involving inmates reported on escort or at a court complex. In six instances, a moderate level of medical treatment was needed.

BUDGET ESTIMATES—FAIR TRADING, CORRECTIVE SERVICES, AND SPORT AND RECREATION

- (2) I refer to page 12 of Department of Corrective Services Corporate Plan 2001-2004, item one, “Strategies”, Community Based Correctional Services:
- (a) What benchmarks are currently used to measure the “efficiency and effectiveness” of the Court Advice Program and reports to the Parole Board?

**Answer**

The standards developed in relation to each area.

- (b) Does the Department have or plan to introduce a measure for this operational area which is similar to that used by the Department of Juvenile Justice, which publishes statistics showing the number of recommendations accepted by the courts by its court advice service? If not why not?

**Answer**

No. This is because all sentencing options are canvassed in the reports.

- (3) I refer to page 12 of Department of Corrective Services Corporate Plan 2001-2004t, item three, “Strategies”, Community Based Correctional Services:
- (a) What quality evidence based programs and services aimed at reducing re-offending are currently operated by the Probation and Parole Service?
- (b) What areas of re-offending are to be targeted by the new programs that are to be “designed”?

**Answer**

See answer to question 59.

- (4) I refer to page 12 of Department of Corrective Services Corporate Plan 2001-2004t, item two, “Strategies”, Community Based Correctional Services:
- (a) Does the Probation and parole Service currently have a “valid risks/needs assessment instrument” for use in assessing its clients?

**Answer**

It is to be introduced in the current financial year.

- (b) If so what items does it assess and how?

**Answer**

See (a).

- (5) I refer to page 13 of Department of Corrective Services Corporate Plan 2001-2004, item one, “Key Performance Indicators”; Community Based Correctional Services:
- (a) What are the “required standards” for Court and Parole reports referred to in the Key Performance Measures and what is the Department’s current level of performance in meeting them?

**Answer**

The Court Advice Program is currently being reviewed and the Department intends to review Parole Board reports.

- (6) I refer to page 13 of Department of Corrective Services Corporate Plan 2001-2004, item four, “Key Performance Indicators”; Community Based Correctional Services:
- (a) What is the current rate of participation in accredited programs addressing criminogenic needs by clients of the Probation and Parole Service?

**Answer**

This data is not available.

**66. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) Is it a fact that inmates at the Goulburn Correctional Centre do not have access to indoor areas during all incidents of inclement weather?

**Answer**

Inmates are returned to their cells in inclement weather.

- (2) It is a fact that if it rains or snows unexpectedly during the day, the only shelter inmates are authorised to use is a number of roof only shelter areas in the exercise yards that have no side walls for protection?

**Answer**

See (1).

- (3) Is it a fact that the provisions of shower outlets in some pods in the Goulburn Correctional Centre are so limited that it is almost impossible for some inmates to ever use a single outlet on their own during the time allocated for inmates to bathe? What is the level of provision of shower facilities the Department regards as sufficient to ensure adequate human dignity?

**Answer**

I am advised that inmates have sufficient time each day to shower without needing to share a shower outlet.

- (4) Has the Minister received a final report from the Inspector General relating to current practices and procedures for the management of inmate property as was anticipated on page 13 of the Inspector General's Annual Report? What were the findings and recommendations of the Report or will the Minister table the report to the Committee?

**Answer**

Yes. A copy of the recommendations is appended to this document.

**67. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to the to the Report of the Audit Office into NSW Correctional Industries(CI):
- (a) What action is to be taken in response to the Audit Office recommendation that CI more effectively: "Target work which optimises inmate employability development, place more emphasis on inmate development needs in planning business development and address barriers to creating more realistic work environments"?

**Answer**

The Business Plan has been modified.

- (b) Why are CI not referred to specifically in the Department of Corrective Services Corporate Plan 2001-2004 ?

**Answer**

It does not seek to address the specifics of individual programs.

**68. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) How many (EFT) staff were employed in each of following branches of the Home Building and Property Services Division, with the Department of Fair Trading as of 1 June 2001 (i.e. currently):

**Answer**

As the Honourable Member has been advised, during briefings with my Department, in May 2001 there was a general re-organisation of the Department's complaint and investigation processes designed to make the Department's enforcement programs more effective.

The Building Investigations Branch has been transferred to the Compliance and Standards Division effective from 28 May 2001 with a newly established Special Investigation Team. The establishment of the new unit within the Division will provide a greater focus on taking action against persons who wilfully flout the law. The additional resources directed to home building complaints will ensure that serious incidences of misconduct are more speedily dealt with.

The former Home Building and Property Services Division has been reconfigured as the Home Building Division with responsibility for building licensing, insurance and dispute management.

- (a) Home Building Technical Investigations Section,

**Answer**

Refer to answer to 68(1) above.

- (b) Home Building General Investigation Section,

**Answer**

Refer to answer to 68(1) above.

- (c) Building Licensing,

**Answer**

44

- (d) Dispute Management Services

**Answer**

12

- (e) Building Insurance

**Answer**

26.6

- (2) does this represent all of the Fair Trading staff who provide compliance and regulatory services to the home building industry?

**Answer**

Staff from the Department's Customer Services Division, located in 23 Fair Trading Centres across New South Wales, are also involved in administering the Home Building legislation. Customer Service officers provide general information on home building matters to consumers and contractors. These officers are also responsible for undertaking licensing checks for consumers, accepting contractor licence applications and renewals, and issuing owner builder permits.

- (3) What is the average time taken to make an initial acknowledgment of a written complaint regarding a building matter received by the Home Building and Property Services Division?

**Answer**

The Department endeavours to provide an initial acknowledgment of a written complaint within 48 hours of its receipt.

- (4) How long after that does a site visit take place if required, and how long does it normally take to finalise a complaint?

**Answer**

When a complaint is first received, the departmental officer assigned to the matter assesses the complaint and discusses options for resolution with the complainant. This may include, where appropriate, lodging an insurance claim with a private insurer or the now closed DFT insurance scheme or lodging a claim with the Fair Trading Tribunal. The Department may also in some instances, try to resolve the complaint by contacting the builder direct. The time frame for finalising these complaints varies greatly depending on the circumstances and complexity of the matter and requires a case by case assessment. In some instances this may occur within days. In other instances, it may take longer or ultimately not be finalised to the satisfaction of the complainant.

- (5) Does the Department have targets for performance in this area, and if so how has the department performed against these targets during the last financial year?

**Answer**

Yes. The Department's Guarantee of Service provides that written building complaints will be acknowledged within 48 hours of being received in Home Building Division. This performance standard was met in 90% of cases processed during 2000/2001.

**69. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) How many investigations were carried out by technical investigation of the section of the DFT into complaints against licensed home builders during the financial year 2000-2001 for breaches of the Home Building Act?

**Answer**

During the past financial year the Department's Building Investigations Branch, of which the Technical Investigations Team forms a part, has conducted in excess of 250 investigations into house sites that have been the subject of complaints against licensed contractors for breaches of the Home Building Act.

- (2) How many disciplinary actions were completed in the Fair Trading Tribunal against licensed home builders by the DFT during the financial year 2000-2001 for breaches of the Home Building Act? Could the Minister please supply an itemised list showing the number of builders disciplined under each category, warning letter, Section 23 warning, Section 22 licence cancellation, show cause etc?

**Answer**

The Fair Trading Tribunal has finalised five separate disciplinary proceedings brought by the Department of Fair Trading against licensed contractors.

The Tribunal reprimanded one contractor, placed a condition on the licence of another contractor and determined that the other three contractors should have their licences cancelled and disqualified for varying periods ranging from 18 months to permanently.

Currently there is one further licensed contractor before the Tribunal and the matter is awaiting determination. The Department is also currently reviewing a further 14 matters for possible disciplinary action against licence holders.

The Department issued 1001 formal cautions during the last financial year. These cautions cover the full range of contraventions of all fair trading legislation with a primary focus upon contraventions of the Home Building Act.

The Department's Director-General has issued three notices under section 23 of the Home Building Act warning the public of the particular risks that could be involved in dealing with particular licensed contractors.

- (3) How many disciplinary actions were **commenced** in the Fair Trading Tribunal against **licensed** home builders by the DFT during the financial year 2000–2001 breaches of the Home Building Act?

**Answer**

See (2).

- (4) How many building contract licences have been cancelled as a result of Section 63 “show cause” disciplinary hearings initiated by the Department of Fair Trading during the 2000-2001 financial year? How many actions under the same section are still pending in the Fair Trading Tribunal?

**Answer**

See (2).

- (5) How many times in the last financial year has the Director General of the Department of Fair Trading, used those powers which are outlined in Section 23 of the **Home Building Act**, to issue warning notices against builders who pose a risk to the public because they have a recent history of unreasonable delays in completing work or defective work”?

**Answer**

See (2).

**70. Mr Ryan asked the Minister for Fair Trading, Corrective Services and Sport and Recreation, the Hon John Watkins, MP—**

- (1) I refer to 2000 Budget Estimates for Fair Trading. With regards to answers to questions 36, 37, 38, 39 and 41 – have the figures for the period changed since the answers were given. If so, what are the revised figures?

**Answer**

As these questions related to the year 1998-99, I am advised the figures have not changed.

- (2) (a) Have each of the major insurance companies complied with the annual and monthly notification requirements for approved Home Warranty Insurance scheme?

**Answer**

As the Honourable Member is aware, a number of amendments in the Home Building Amendment Bill 2001 were designed to overcome deficiencies in the scheme. I am confident that the new regime will see an improvement in such matters.

- (b) In addition, are all of them up to date in supplying this required information, if not, which companies are not up to date, and what details have not been supplied?

**Answer**

See (a).

- (c) In view of the Ministers answer to a similar question last year, has there been any improvement in their responses since July 2000?

**Answer**

See (a).

- (3) How many home warranty insurance policies have been issued by each of the major approved insurance companies during the last financial year or up until the May 2001 reorganisation (I would be grateful if the Minister provided an itemised list showing an amount for each company, like last year)

**Answer**

**1999-2000**

HIH Insurance	10,316
HIA Insurance (HOW)	43,316
Dexta Corporation	889 (note, this was the first year of operation)
Mercantile Mutual	92(+)
Zurich	233
Key (Owner Builder)	n/a
Reward (Owner Builder)	n/a

2000-2001 statistics are still being collected.

- (4) What was the value of the premium collected for policies issued by each of the major insurance companies for 1999-2000 and also during the last financial year or up until the May 2001 reorganisation. (Again I would be grateful if the Minister could provide an itemised list.)

**Answer**

The value of insurers' annual income from premiums on home warranty insurance has not been a reporting requirement.

- (5) How many claims did each of the major insurance companies **receive** under home warranty insurance during the last financial year or up until the May 2001 reorganisation? (Again I would be grateful if the Minister could provide an itemised list.)

**Answer**

**1999-2000**

HIH Insurance	367
HIA Insurance (HOW)	507
Dexta Corporation	10 (note, this was the first year of operation)
Mercantile Mutual	44
Zurich	0
Key (Owner Builder)	n/a
Reward (Owner Builder)	n/a

2000-2001 statistics are still being collected.

- (6) How many claims did each of the major insurance companies **approve** under home warranty insurance during the last financial year or up until the May 2001 reorganisation? (Again I would be grateful if the Minister could provide an itemised list.)

**Answer**

**1999-2000**

HIH Insurance	39
HIA Insurance (HOW)	135
Dexta Corporation	0 (note, this was the first year of operation)
Mercantile Mutual	45
Zurich	0
Key (Owner Builder)	n/a
Reward (Owner Builder)	n/a

2000-2001 statistics are still being collected.

- (7) What was the value of the claims paid under home warranty insurance by each of the major insurance companies during the last financial year or up until the May 2001 reorganisation? (Again I would be grateful if the Minister could provide an itemised list)

**Answer**

**1999-2000**

HIH Insurance	\$2,731,132
HIA Insurance (HOW)	\$4,654,111
Dexta Corporation	0 (note, this was the first year of operation)
Mercantile Mutual	\$602,451 (approximately)
Zurich	0
Key (Owner Builder)	n/a
Reward (Owner Builder)	n/a

2000-2001 statistics are still being collected.

- (8) How many claims did each of the major insurance companies **deny** under home warranty insurance during the last financial year or up until the May 2001 reorganisation. (Again I would be grateful if the Minister could provide an itemised list)

**Answer**

I am advised that this information was not collated by insurers. However, as the Honourable Member is aware, any such refusal can be taken to the Fair Trading Tribunal.

- (9) With regards to the following current providers of home warranty insurance:

- HIA
- Dexta Corporation
- Buildsafe Owner Builder Warranty
- Building Industry Solution Pty Ltd

- (a) Is this a complete list of approved insurers, if not, what others are there?

**Answer**

- (a) The current insurers writing home warranty insurance are:

HIA Insurance (incl. HOW)	from 28/4/97
Dexta Corporation	from 26/7/99
Key Insurance (via agents)	from 22/3/01 (o/b ins only)
- Buildsafe Owner Builder Warranty	
- Building Industry Solutions Pty Ltd	
Reward Insurance (via agent)	from 14/4/01 (o/b ins only)
- Australian Home Warranty Pty Ltd	

- (b) How many home warranty insurance policies have each of these companies issued since the May 2001 reorganisation?

**Answer**

This information is not yet available.

- (c) What was the value of the premium collected for policies issued since the May 2001 reorganisation?

**Answer**

This information is not yet available.