

## Questions taken on notice

### [1] Emergency Management Days – total COVID-related

Portfolio:	Corrections
Witness:	Ms Larissa Strong
Committee member:	Mr Danny O'Brien
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#### **Relevant text:**

**Mr D O'BRIEN:** Thanks, Chair. Good afternoon, everyone. Could I start with Acting Commissioner Strong. We have previously been advised by your predecessor on the number of emergency management days awarded in relation to COVID-19. At 26 August it was 71 000 days granted to 4313 sentenced prisoners. I was wondering if you could give us an update on that figure now as a result of COVID-19.

**Ms STRONG:** I understand we have provided those figures in September. I have to take it on notice and give you more update since September. As you know, the emergency management days have been used throughout the COVID pandemic in response to some lockdowns that we have applied to manage the risk of the pandemic for prisoners. We have also used them in the past when there was a fire at Port Phillip Prison in 2017 and also at Fulham's industrial relations action in 2012, but I will get back to you on that number.

**Mr D O'BRIEN:** Sorry, can you just pull the microphone a bit closer to you? That is better. So you will take that on notice?

**Ms STRONG:** I will.

#### **Answer:**

Under the *Corrections Act 1986*, Emergency Management Days (EMDs) may be granted for prisoners who demonstrate good behaviour while suffering disruption or deprivation during an industrial dispute, emergency or other circumstances of a special or unforeseen nature.

As part of the COVID-19 response in prisons, prisoners have experienced restrictive regimes, such as significantly less hours out-of-cell or lockdowns, or being placed in a quarantine regime, such as 14 days in protective quarantine upon reception into prison. In many instances, quarantine regimes result in prisoners being held in their cells for 23-24 hours per day.

EMDs are a vital part of ensuring compliance with COVID-19 infection prevention and control measures (including social distancing). EMDs are not granted for prisoners who demonstrate poor behaviour, and this approach has helped maintain a settled prison system despite significant restrictions being introduced for many prisoners.

As at 17 December 2020, 129,568 days have been granted to 4,927 sentenced prisoners (average of 26.3 days). An additional 203,343 (approximately 61 per cent of EMDs) have been applied to prisoners on remand and may never be realised. For remandees, any EMDs granted are applied to a sentence of imprisonment, if one eventuates.

**[2] EMDs – average per prisoner: why higher than the 14-day average period of PQ?**

Portfolio:	Corrections
Witness:	Ms Larissa Strong
Committee member:	Mr Danny O'Brien
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**Relevant text:**

**Mr D O'BRIEN:** Likewise, the data that was provided suggested it was an average of 16 days but that EMDs were granted, for quarantine at least, on a one-for-one basis, so if you were in quarantine for 14 days you would get 14 EMD days, all things being equal. I am just wondering why the average is so high.

**Ms STRONG:** Again, I might have to take that on notice. I mean, EMDs can be granted for up to four days for every day of disruption. We look at the decision about whether or not to apply an EMD based on the individual circumstance, what the deprivation is, what the disruption is, whether the prisoner has been of good behaviour before a decision is made, so they are actually made on an individualised basis. However, as a general policy in terms of the lockdown with COVID we are more looking at kind of not granting up to four days. It is more the one-for-one component, as you suggested.

**Answer:**

While up to four days is the maximum number of Emergency Management Days (EMDs) that can be granted under the Corrections Act for every day of disruption or deprivation, during the COVID-19 emergency, the Commissioner's policy is that the number of EMDs granted will be close to or equivalent to the number of days of disruption or deprivation. To date, in response to the COVID pandemic, EMDs have been granted on a 'one for one' basis.

The COVID-19 emergency has resulted in disruption or deprivation being experienced by prisoners in a range of circumstances. This includes:

- protective quarantine for 14 days upon reception into prison
- quarantine for any prisoner who develops COVID-19 symptoms
- isolation for confirmed cases of COVID-19
- transfer quarantine as an additional protective measure to ensure the safe movement of prisoners between custodial and higher-risk external locations.

In addition to quarantine, out-of-cell hours have been significantly restricted at some prisons to facilitate physical distancing.

There are some prisoners who may have experienced multiple periods of disruption or deprivation as outlined above.

**[3] Drones – contraband seizures since 20 March**

Portfolio:	Corrections
Witness:	Ms Larissa Strong
Committee member:	Mr Danny O'Brien
Page of transcript:	2 and 3

**Relevant text:**

**Mr D O'BRIEN:** Okay. Can I also ask: there was a report in *The Age* recently about 97 security incidents relating to drones near prisons since the suspension of visits; can you advise what the total quantity of contraband items including drugs and weapons has been as a result of those incidents?

**Ms STRONG:** Not the actual number. I mean, we have seen as we have not had face-to-face visits in prisons that prisoners have been more inventive in terms of how they get contraband into prisons. One way has been through incoming mail, the other means has been through drones. We have invested in drone detection technology, with the first drone detection system operational in October and all of them operational by November, in response to the fact that we were seeing drones dropping contraband into the prison system. In terms of the actual number due to drones, I will have to take on notice.

**Mr D O'BRIEN:** If you could. So the question was: what items of drugs and weapons would have been seized as a result of the drones?

**Answer:**

The seized contraband that was attempted to be introduced by drones since the cessation of face to face visits includes tobacco and cigarette papers, crystal-like substances, razor blades, two mobile phones, a SIM card, buprenorphine, methylamphetamine, a knife, screwdriver heads and a USB.

**[4] Zoom account and Samsung tablets – ongoing costs and total costs of tablet purchases**

Portfolio:	Corrections
Witness:	Ms Minister Hutchins
Committee member:	Mr Danny O’Brien
Page of transcript:	5 and 6

**Relevant text:**

**Mr D O’BRIEN:** Thanks, Chair. Minister, with respect to the output provision of ‘Prisoner supervision and support’ on page 298 of BP3, we know from the Buying for Victoria website that in March this year Corrections Vic purchased 250 Samsung tablets and a \$500 000 Zoom account, noting the lack of visitation at prisons, to allow prisoners to keep in touch. Now that in-person visits have recommenced, have those two programs concluded, or are they going to be ongoing?

**Ms HUTCHINS:** I think because we are still implementing our program of coming out of COVID lockdown into a COVID ongoing safe environment, certainly the availability of iPads—tablets—for online visits is still a practice that is in place, particularly because of COVID restrictions visitors will be limited ahead of the Christmas period and people are still going to want to be able to make those contacts. I think the second part of your question was about the phone calls.

**Mr D O’BRIEN:** No, not yet. I will come to that in a moment.

**Ms HUTCHINS:** Sorry. I missed the second part.

**Mr D O’BRIEN:** It was the tablets and the Zoom calls. I guess the question is: what is the total cost of those two purchases, and is there an ongoing cost into the future?

**Ms STRONG:** Our intention is actually to keep the Zoom visits going as a complement to face-to-face visits. They have been really successful. They have allowed prisoners to maintain important family connections that they would have not otherwise been able to do, which is important for rehabilitation. So we intend to integrate the tablets into our operating model.

**Mr D O’BRIEN:** So will that be a \$500 000 annual cost?

**Ms STRONG:** I might have to take that on notice. I think that cost refers to the purchase. That certainly would not be the ongoing cost of those tablets.

**Mr D O’BRIEN:** Okay. If I could get that on notice, what the ongoing cost is. And have there been subsequent purchases of tablets? There were 250 done in March.

**Ms STRONG:** My understanding is all up we have probably purchased about 400 tablets across the correction system not just to support face-to-face visits but to support remote service delivery so people could continue to do their programs during the pandemic and also to support the AVL process with the courts—as courts took up more and more AVL, we moved the consultations with lawyers to the tablets as well.

**Mr D O’BRIEN:** Could I get the total cost of those tablet purchases as well?

**Ms STRONG:** Of course.

**Answer:**

The annual cost of 1,756 Zoom licenses is currently estimated to be \$131,000. The Zoom licenses include licenses to support Corrections Victoria staff working remotely into prisons, such as clinicians in Forensic Intervention Services. This cost covers the period from March

2020 to March 2021. The license payment schedule is based on an arrangement where the more licenses that are purchased, the cheaper the individual Zoom license becomes. It is not a fixed per-license rate.

The total cost of tablets purchased throughout the pandemic is \$309,777. In total 591 tablets have been purchased to support remote visits, remote service delivery and access to lawyers, as Court processes have dominated access to audio-visual links (AVL).

**[5] \$10 prisoner phone allowance – total costs to date and whether still ongoing**

Portfolio:	Corrections
Witness:	Ms Larissa Strong
Committee member:	Mr Danny O'Brien
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**Relevant text:**

**Mr D O'BRIEN:** ... Likewise, Minister, you referenced the \$10 phone allowance a moment ago. Is that ongoing, and what is the total cost of that? Sorry, for clarity, that is the additional \$10 provided to—

**Ms HUTCHINS:** I know what you are talking about.

**Mr D O'BRIEN:** I am more saying it for the rest of the committee's benefit.

**Ms HUTCHINS:** My understanding is that it was a one-off during that time but not all prisoners that were allocated that money would have exhausted the money that has been allocated to them, so I cannot say that it is not going to continue to be utilised. At this point my understanding is we are not planning on more investment in this space.

**Mr D O'BRIEN:** According to the reports, if it was not used for phone calls it could be credited effectively as cash when a prisoner leaves prison. Is that the case?

**Ms STRONG:** Yes, I think that is the case. It can be in their withheld account to support their return to the community. Phone credits are very much linked to the fact that we had no face-to-face visits. People were having to make more calls. They will go out as part of the COVID normal when we get to go to COVID normal in the prison system.

**Mr D O'BRIEN:** Okay. So that program is ongoing at the moment. They are still getting \$10 a week?

**Ms STRONG:** At the moment I think so, but I will have to confirm.

**Mr D O'BRIEN:** Can I get the total cost of that thus far as well, if I could, Acting Commissioner?

**Ms STRONG:** Yes.

**Answer:**

Increased phone and video calls, emails for prisoners and letters were introduced in Victorian prisons to help maintain links with families following the suspension of face-to-face visits in March 2020.

Given the suspension of face to face visits, from the start of the pandemic to 15 December, \$2.488 million has been issued to prisoners in telephone credit, which has mostly all been spent on calls to families and loved ones. Of the amount quoted, \$1.08 million relates to the 2019-20 financial year.

The allowance is currently still being issued to prisoners as face to face visitation rights are still impacted by COVID-19.