

# CORRECTED VERSION

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Inquiry into budget estimates 2011–12

Melbourne — 17 May 2011

#### Members

Mr N. Angus

Mr P. Davis

Ms J. Hennessy

Mr D. Morris

Mr D. O'Brien

Mr M. Pakula

Mr R. Scott

Chair: Mr P. Davis

Deputy Chair: Mr M. Pakula

#### Staff

Executive Officer: Ms V. Cheong

#### Witnesses

Mr A. McIntosh, Minister for Corrections,

Ms P. Armytage, Secretary,

Mr T. Leech, Executive Director, Police, Emergency Services and Corrections, and

Mr R. Hastings, Commissioner, Corrections Victoria, Department of Justice.

**The CHAIR** — I declare open the Public Accounts and Estimates Committee hearing on the 2011–12 budget estimates for the portfolios of corrections, crime prevention and the establishment of an anticorruption commission.

On behalf of the committee I welcome the Honourable Andrew McIntosh, MP, Minister for Corrections, Minister for Crime Prevention and the Minister responsible for the establishment of an anti-corruption commission; Ms Penny Armytage, Secretary of the Department of Justice; Mr Tony Leech, Executive Director, Police, Emergency Services and Corrections, Department of Justice; and Mr Robert Hastings, Commissioner, Corrections Victoria, Department of Justice; as well as Ms Ann Crouch, Manager, Planning, Performance and Projects, Department of Justice, who will be operating the presentation only.

Members of Parliament, departmental officers, members of the public and the media are also welcome.

In accordance with the guidelines for public hearings, I remind members of the public that they cannot participate in any way in the committee's proceedings. Only officers of the PAEC secretariat are to approach PAEC members. Departmental officers, as requested by the minister or his or her chief of staff, can approach the table during the hearing to provide information to the minister, by leave of myself, as Chair. Written communication to witnesses can only be provided via officers of the PAEC secretariat.

Members of the media are also requested to observe the guidelines for filming or recording proceedings in the Legislative Council committee room, and no more than two TV cameras are allowed at any one time in the allocated spaces. May I remind TV camera operators to remain focussed only on the person speaking and that panning of the public gallery, committee members and witnesses is strictly prohibited.

I am also pleased to announce that this series of budget estimates hearings is being audiocast live on the Parliament's website.

All evidence taken by this committee is taken under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. However, any comments made outside the precincts of the hearing are not protected by parliamentary privilege.

This committee had determined that there is no need for evidence to be sworn. However, witnesses are reminded that all questions must be answered in full and with accuracy and truthfulness. Any persons found to be giving false or misleading evidence may be in contempt of Parliament and subject to penalty.

All evidence given today is being recorded. Witnesses will be provided with proof versions of the transcript to be verified and returned within two working days of this hearing. Unverified transcripts and PowerPoint presentations will be placed on the committee's website immediately following receipt, to be replaced by verified transcripts within 48 hours after the hearing.

Following a presentation by the minister, committee members will ask questions relating to the budget estimates. Generally, the procedure followed will be that relating to questions in the Legislative Assembly.

I ask that all mobile telephones now be turned off or at least to silent.

I call on the minister to give a brief presentation of no more than 5 minutes on the more complex financial and performance information that relates to the budget estimates for the portfolio of corrections. Before we actually start, minister, there has been a query just to clarify that FOI matters would come under your portfolio dealing with establishing the IBAC.

**Mr McINTOSH** — Certainly I have responsibility for the Freedom of Information Act, yes.

**The CHAIR** — So that is where we will deal with it — in IBAC. Thank you. Minister, your presentation.

**Overheads shown.**

**Mr McINTOSH** — I will take you to the first slide. The most important thing to note here is that this year's budget allocation and next year's budget allocation is over \$700 million, which represents over 16 per cent of the total justice budget.

The portfolio priorities are: providing a safe and secure correctional system; enforcing sentences of the court; reducing reoffending through offender rehabilitation and community integration; and promoting opportunities for offenders to repay the community.

In relation to our election commitments, the principal one was, of course, the 500 new prison beds. There was also implementing new community corrections orders; GPS monitoring for serious sex offenders, convicted arsonists and suspects on bail; and the abolition of home detention.

Moving to system capacity enhancement, obviously the 500 additional beds is certainly something that is important. The first stage — and I emphasise, the first stage — of the implementation of our policy is a commitment of \$35 million in the next financial year to deliver 54 beds at Langi Kal Kal and 54 at Dhurringile — a total of 108 beds. Both of those prisons are minimum security prisons. On top of that commitment to the 500 beds and the rollout of the 108 beds, we have \$2 million in extra funding to go towards developing a business case for the development of a new male prison. The business case will develop long-term solutions to growing prisoner numbers by investigating and delivering the best building options to ensure a safe and secure prison environment to meet increased demands on the system into the future.

Work on the business case has been prioritised, planning has commenced in the last week or so, and certainly I am being briefed as to its progress. The government will closely monitor the impact of sentencing reforms and consider what further investment is required in relation to those matters. The extra beds will also help address the increased prison population as a result of the coalition government's sentencing and bail reforms.

In terms of system capacity enhancement, 40 additional beds are already on stream at Beechworth; they have already come online, because I have officially opened them. There are 88 additional beds at the Marnongneet Correctional Centre. There will be 350 additional beds at Ararat by December 2012; 84 additional beds at Dame Phyllis Frost Correctional Centre by March 2012; and the two 54-bed facilities at Langi Kal Kal and Dhurringile.

Importantly, I highlight the Ararat Prison, that 350-bed expansion at Ararat. A couple of things to highlight there are that this will bring the total at Ararat to over 700. It will also provide new health, education, kitchen, administrative and program support building. As I said, construction is scheduled to end by 2012. Stage 1 will be completed early next year, 2012.

I also highlight that I was up at Ararat very recently and I met with members of the community advisory group. I congratulate Corrections on establishing that advisory group. It certainly had significant input from the local community in relation to that prison. I also highlight one of the pieces of feedback I did get from the members of the community advisory group and that was the importance to the local economy of such a massive increase in bed numbers. It will add something in the order of 150 new jobs, many of whom will be living in Ararat or certainly in the surrounds, and that will have significant multiplier effects through the community.

Current offender numbers: there are 4307 male, 311 female, making a total of 4618 prisoners. There are 1638 currently on parole. Importantly, our 5863 male and 1658 females, representing a total of 8972, community corrections offenders are actually on parole. I also highlight that, as a result of these numbers, currently in Corrections there are 2841 full-time equivalent staff positions employed across the corrections system, including operational staff and in community corrections. I also highlight that that means we are adding to the stock of existing prisons, prison beds and also the staffing numbers. Overall the whole budget is spent on some 13 prisons — 11 public and two privately owned prisons. There are 11 male prisons and 2 female prisons. There is also the Judy Lazarus Transition Centre down here at the other end of the city which houses up to 25 low security prisoners who are about to be released, prior to completion of their sentences.

I go to the Community Corrections Service. The Community Corrections Service effectively manages offenders under supervision as a cost-efficient alternative to imprisonment where, most importantly, the daily cost of people who are undertaking community correctional orders is only some \$16.20 a day.

I had the opportunity last week of visiting the Wangaratta CCS office, as well as Wodonga. The thing that has struck me since taking over the portfolio is the high degree of morale. They all understand they are undertaking a very important task for the community. It is managed very efficiently and effectively. They do good works in the community in a range of different areas. I had the opportunity of visiting Parklands Albury Wodonga where a whole tree planting program is being undertaken in Albury Wodonga, on the Wodonga side. It is a body with

which Corrections Victoria is in partnership, and the morale there was very high and people were very grateful for the support they are getting from people who are on these corrections orders.

I move now to highlight the fact that corrections is not just about jail, it is also about delivery of those services in the community. And that, Chair, completes my presentation.

**The CHAIR** — We now have approximately 35 minutes for questions on corrections, and I will lead in with something that is absolutely relevant to the portfolio, and that is: how have predictions concerning population growth shaped the budget for 2011–12 and the out years for this charge of the corrections portfolio?

**Mr McINTOSH** — Certainly there is a strong correlation between population growth and the number of people in our correctional system. The only thing I hasten to add is that in the last few years the increase in people either in prison or undertaking community corrections orders has been outstripping population growth. One of the major drivers of growth in our prison system has been population. There are other ones in relation to policing and our court system as well. I think it is important to also note that while population growth is due to fall down to 1.5 in future years, increasing population is going to have an impact.

Corrections has two models that they operate under to determine the level of facilities that are required to meet an increase in prisoner numbers in relation to people undertaking community orders. Firstly, their own Walker model, and that was used as the sole tool up until last year. Recently the Australian Institute of Criminology has also produced a model. Both of those, I am told, are extremely accurate. The Australian Institute of Criminology model is more long term, from a 5 to 10 period, where the Walker model is pretty up to date immediately. Those models have been driving a greater interest in providing an outcome for prisoners in relation to the facilities that we have got. As I said, in the next five years population growth will drop. With a number of our reforms, which, as I said, we will be monitoring very closely, one would expect the prison population to increase fairly steadily in future years.

I take you to a slide. As you can see there, over a period from 2001 to April 2011 the prisoner numbers have been steadily rising. There are sharp changes in the increases as well but there has been a steady rise over the last 10 years, and certainly one would expect that to continue into the forthcoming estimates periods.

**Ms HENNESSY** — Thank you, Minister, for your presentation. I would like to ask a question in respect of the proposed GPS technology bracelets. I refer you to budget paper 3, pages 54 and 57, and I also make reference to your media release in respect of this as an election commitment on 18 October 2010. In respect of the government's plan to have registered sex offenders and convicted arsonists fitted with GPS technology bracelets, I was wanting you to confirm what date that will take effect and, secondly, whether or not you commit to informing the public when someone is in breach of a condition, particularly where that breach constitutes a potential risk to public or individual safety.

**Mr McINTOSH** — Can I just say that the GPS implementation process is currently being trialled. There are a number of people who have expressed an interest in that, and that is currently being trialled as we speak. I do not particularly want to go into that any further; it is obviously a matter of some commercial in confidence. But certainly those trials have commenced.

It is expected that we will roll the first stage out next year. I should say that there are the static monitors that we have had in relation to home detention. They are not going to be scrapped; they will be rolled into the same project. GPS is something a little bit different of course, but in the forthcoming financial year we expect to spend \$680 000 on the first stage of that.

In relation to the last part of your question, which was would information be provided in relation to community safety — yes, I am aware of the last incident that occurred under the former government when a prisoner, who was a serious sex offender, had a monitor on. Of course it was not a GPS; it was just a static monitor. The critical thing there is that there was an issue about whether the name should be released, and of course the concern is that people who are subject to continuing supervision are not prisoners, and there was an issue there. But certainly I think the community has an expectation that when someone does not conform to their conditions for continuing detention or indeed is subject to a corrections order, be it a prisoner or otherwise, then that should be made public as a matter of some public safety.

**Ms HENNESSY** — Thank you. I will take that as a commitment to inform the public. Can you just tell us a little bit about how the monitoring will actually occur? Are you satisfied that there are adequate resources for that to be done?

**Mr McINTOSH** — I am satisfied there are adequate resources in relation to that. The monitoring — I have seen the current trial, if you like, and I have certainly seen the facilities up at Ararat in relation to this. The GPS monitoring provides a greater degree of certainty as to the whereabouts of the offender. Of course if the offender does cut it off or take it off, that will then trigger the alarm and with GPS you get an immediate location as to where they are. These things are an advancing technology, and I think the community expects us to use appropriate technology. I think in this day and age it is an appropriate level of monitoring of these people, and indeed as I said, whether or not it is a prisoner, whether or not it is someone under a supervision order, on bail or otherwise, I think it is important to adopt that new technology where you can actually have real-time knowledge as to the whereabouts of a particular person.

**Mr MORRIS** — Minister, if I can take you to page 54 of BP3, about halfway down the page there is item there ‘Additional prison beds’, which provides some \$31.5 million over the period of the forward estimates —

**Mr McINTOSH** — Sorry, where was that?

**Mr MORRIS** — Page 54.

**Mr McINTOSH** — Yes.

**Mr MORRIS** — Under the output initiatives, about halfway down the page — \$31.5 million over the forward estimates period. Can you indicate to the committee what is being done in the context of the budget to improve the long-term management of the male prison system?

**Mr McINTOSH** — As I said, the additional beds in our prison system is \$35 million — 54 beds at Dhurringile and 54 at Langi Kal Kal — and is the first stage of the rollout of our 500 beds. Certainly I think our prisons are somewhat under stress, and there are a large number of double bunks that were provided under the former government. There is a place for double bunks in certain circumstances, but they should not be used simply as a cheap way of housing prisoners. But certainly, as I said, in some circumstances it may be appropriate.

As I said, importantly, this is the first stage of the rolling out of our commitment to an additional 500 beds. Associated with this is a \$2 million commitment to develop a business case to establish a new male prison. That new male prison is still the subject of discussion, but certainly through that and our other commitments we will meet our commitment to roll out 500 additional beds. As I said, we are expecting prisoner numbers to increase. There always needs to be some capacity in the system to provide for surge. We saw increases last year with the female population out at Dame Phyllis Frost and it was somewhat under stress, so you need to have that surge capacity. You need to be ahead of the ballgame, and as I said, that is a commitment that we have made and we will adhere to that commitment.

**Mr PAKULA** — I refer you to budget paper 3, page 254, and the output measures under ‘Prisoner supervision and support’. It says:

A key component of this output is to ensure prisoners are safely and securely contained ...

It then goes on to talk about a bunch of other things.

**Mr McINTOSH** — Sorry, can I just interrupt you? What were you reading from?

**Mr PAKULA** — Page 254, ‘Prisoner supervision and support’, where it states:

A key component of this output is to ensure prisoners are safely and securely contained ...

And under the quality measures you have benchmarks in the prison services agreement, which benchmark is 90 per cent. Minister, on Monday a prisoner in a medium security prison, the Fulham Correctional Centre, died after he was bashed by another inmate. Are you satisfied that a review by the OCSR and the coroner is an

adequate form of review for this kind of incident, obviously along with a homicide investigation? I do not know if you can enlighten the committee about how the incident occurred.

**The CHAIR** — Minister, you may need to choose your words carefully.

**Mr McINTOSH** — Indeed. Can I just say, Mr Pakula, that obviously there is a police investigation under way at the moment and I do not want to make any comments about that. As I said, this is the subject of a police investigation and, as you correctly identified, the coroner will more than likely hold an inquest into the death of this prisoner. It is also the subject of a review by OCSR, which amongst other things deals with all deaths in prison. Certainly it is a matter of some concern. I have been briefed by the commissioner about this matter, but I think it is very important that there is a criminal investigation under way. It could lead to very serious charges and I just do not think I should deal with the detail of the matter. Having spoken to the commissioner, I think what Corrections did and how it has all unfolded is a matter on which I am satisfied I have been given all the information as far as it is known at this stage, but of course that will be the subject of a criminal investigation.

**Mr PAKULA** — In the generality then, Minister, I hope you would agree with me when I say that in the past you have been a critic of the use of OCSR in these kinds of incidents. Should I now take it that you are perfectly satisfied that OCSR plus coroner equals an appropriate review mechanism for these kinds of events?

**Mr McINTOSH** — In relation to your supplementary question, Mr Pakula, I have in opposition made some comments about the OCSR.

**Mr PAKULA** — Yes, you have.

**Ms HENNESSY** — Quite passionate.

**Mr McINTOSH** — But I cannot recall that I have ever said they were deficient. I said in relation to at least one notable death in custody that it was something that should be treated a little bit more seriously. The criminal charges aside, obviously Corrections want to know if anything went wrong, how to improve their systems and all these things. As I said, I am satisfied with the information that I have, and I am sure that OCSR will carry out their function, as they always do, very effectively. As I said, in previous statements I was not critical of OCSR; it is important to note I was not critical of OCSR. I just said that given other circumstances in relation to matters I may have commented on, one in particular was a very serious matter and I thought it warranted a further and more important investigation.

**Mr ANGUS** — Minister, I refer you to budget paper 3, page 56, again in relation to the additional prison beds and following on from Mr Morris's previous question. In relation to the detailed business case for the new male prison that is mentioned there, can you provide the committee with some more detail about what the business case will explore?

**Mr McINTOSH** — An additional prison is required to assist in managing prisoner population growth resulting from the full abolition of suspended sentences and from the general population increase in Victoria. Certainly in making our commitment in relation to 500 beds that was something that we thought was appropriate given the fact that we were abolishing suspended sentences. It is important to note that since coming to government we have, as we said at the time of the announcement of our policy we would, work with Corrections Victoria to implement that policy. A critical factor here is that we will spend \$2 million in developing a business case for the construction of a new male prison.

In many respects it is important that we have a cross-section of beds available from minimum security, medium security to maximum security. The thinking at this stage is that it is more than likely to be a medium security prison, but that will be something that the business case will be exploring. I do not want to prejudge the outcome of that business case because it may turn out to be something else, but we want to build a new prison. As I said, that case has been made to the government by our officers and that is something we will put up. As I said, we have committed \$2 million to develop that business case, and hopefully we will be able to make further announcements in relation to that in the forthcoming estimates periods. I have to say that Corrections are working very hard in relation to this matter. It is an important initiative. It develops significantly the policy we announced last year. It is something we hope to be proud of when we implement the policy.

**Mr SCOTT** — Minister, could I refer you to budget paper 3, pages 54 and 56, where reference is made on both pages to additional prison beds. I would like to ask you about a related matter which I understand you made some comment on prior to the election, which was the use of police cells for holding prisoners. Could I ask what is an acceptable number of prisoners who can be held in police cells at any time, and what is an acceptable number of days that a prisoner can be held in a police cell?

**Mr McINTOSH** — As I understand it, there is an agreement between Victoria Police and Corrections Victoria that the number of prisoners held in police cells will be kept below 100. That figure is being adhered to, and by my recollection certainly has over the time I have been the minister. The agreement also says that the maximum time a prisoner can be held in a police cell is 14 days, save and except in the case of Mildura where the agreement is that they can be held for 30 days. That is the absolute limit.

At the present time, I understand the daily average number of prisoners held in police cells in 2009–10 was some 79, an increase of 9 from 2008–09. As at 30 April 2011, which is the last level of data I have, the average daily number was 71 prisoners. I think everybody accepts that being held in a police cell is perhaps not the best way to go about it, but sometimes it is somewhat necessary. As we say, we are trying to keep it to the bare minimum.

Importantly, there are facilities to hold prisoners in remand or otherwise, and certainly police cells are not an acceptable way of going about it. That is why Corrections Victoria has entered into the agreement with police. Certainly Corrections seem to have been adhering to that process over the last few years.

**Mr O'BRIEN** — Minister, I would like to take you to enforcement correction orders performance measures in budget paper 3 on page 254, which you touched on earlier, and specifically the rate of return to prison within two years that is listed there, and I ask you: how will the government achieve this measure?

**Mr McINTOSH** — I think we have a slide about this. Yes, we have it up. As you will see, recidivism rates have declined over the eight successive years, and Victoria is the only state or territory with such an unbroken trend. In 2009–2010 some 33.7 per cent of released prisoners returned to prison under sentence within two years. In 2001–02 the Victorian prisoner recidivism rate was 42.5, 2.4 per cent above the national average. In 04–05 it fell below the national average, and in 2009–10 it was 3.9 per cent below the national average.

The national recidivism rate increased from 37.5 per cent in 06–07 to 39.3 per cent in 08–09 but decreased again to 37.6 in 09–10. In 09–10 Victoria had the lowest rate of offenders returning to community corrections within two years after discharge from a previous community-based order. Respective rates were 13.6 per cent in Victoria and 15.6 per cent nationally. In 09–10 South Australia, Tasmania and Queensland reported lower prisoner recidivism rates than Victoria, but longer term trend lines are more variable in those states than in Victoria.

Can I just say that because recidivism rates relate to orders or sentences completed two years previously, it is likely that the recent upturn in CCS return rates is linked to the rapid rise in the number of offenders under supervision in the past three years. On 30 June 2007 there were 7591 offenders under community-based supervision. This number had increased to 9081 on 30 March 2011. For several years the Community Corrections Service has been funded to manage 7500 offenders, and the rapid growth in offender numbers has placed supervision capacity somewhat under pressure.

The rate of return to prison will progressively be influenced by the phased abolition of suspended sentences. Offenders or prisoners returning to the criminal justice system and placed on suspended sentences would not previously come to the notice of Corrections Victoria. As these sentences are abolished and more offenders are expected to re-enter Corrections Victoria, these things will be a matter of concern. Whilst this will raise reportable recidivism rates, it will give a truer measure of the real level of recidivism.

**The CHAIR** — Thank you, Minister. You have used a couple of slides, in responding to questions, which are not part of your presentation pack.

**Mr McINTOSH** — I am sorry.

**The CHAIR** — That is fine, but could we have copies later?

**Mr McINTOSH** — Certainly. I will make those available, Chair.

**Ms HENNESSY** — Minister, I just wanted to refer to your previous answer in respect of the \$2 million allocated for the business case plan for a new prison. The evidence you gave today was for me the first time I have heard you say we need a new prison in Victoria. That was not a commitment you made before the previous state election, was it?

**Mr McINTOSH** — Certainly we identified a number of prisons that we would intend to expand. As I said at the time of the announcement, we are going to be working with Corrections Victoria to get the best possible outcome. Now, as I said, one of the things that was made very clear to me by Corrections was that just expanding a prison and putting in more beds does not necessarily address the issue of overcrowding because it does not maintain the service levels. The kitchen facilities, the industry facilities and all of these sorts of matters are not being enhanced.

As I said, the proposition put to me by Corrections was that rather than adding on piecemeal to prisons — which has certainly been going on, and the additional beds that would have come on from the former government were really just being tacked on to existing prisons — certainly the case was made out to me that what we do need is a new male prison. What it will do, where it will be, how many, what size it will be — all those matters — will be taken into account in this business case that we will develop.

As I said, that business case will inform the government as to what we will do, and certainly it is a matter that I think is very important to get absolutely right, not put strain on an already stressed system. I think what we need to do is ensure that we actually deliver a positive outcome for the community. That is why we have pursued the idea of a new prison. As I said, that additional prison will meet our commitments in the forthcoming years, the next four years of the life of this government of 500 additional beds.

**Ms HENNESSY** — On a matter of clarification, I suppose I just wanted to get further and better particulars from you in respect of just roughly how big and just roughly how much. You must have a sense of that, given that the forward estimates fund only 108 of your promised 500 beds.

**Mr McINTOSH** — That is in the forward estimates for next financial year.

**Ms HENNESSY** — Yes, correct.

**Mr McINTOSH** — But as there is \$2 million — —

**Ms HENNESSY** — There is not another dollar —

**Mr McINTOSH** — No, but — —

**Ms HENNESSY** — for a prison bed in the forward estimates?

**Mr O'BRIEN** — Let the minister answer. You have asked a question; let the minister answer.

**Ms HENNESSY** — Thank you, Denny Crane.

**Mr O'BRIEN** — What was that? Further and better particulars of what that interjection was, please.

**The CHAIR** — The Minister, through the Chair, please.

**Mr McINTOSH** — Chair, if I can just say that where, how and what will be part of the case that we will be developing through this business case. It may well be that we will exceed our election commitment of 500 beds over four years; it may well be that we exceed that. The actual location of this matter is all up for grabs, and the point about it is that the bottom line is that business case will develop an outcome: we will deliver 500 additional beds — if I can just add the rider, in brackets — at least.

**Ms HENNESSY** — At what cost?

**The CHAIR** — Thank you.

**Ms HENNESSY** — That was the nub of my question.



**The CHAIR** — You have asked several questions, and I think we will give some other members of the committee an opportunity. Minister, I refer you to BP3, page 254, which talks about return to prison within two years. I ask: in relation to that performance measure how will the government achieve this outcome? It is at 254. It is the rate of return to prison within two years, a performance measure toward the bottom of that page.

**Mr McINTOSH** — Can I just say that obviously reducing the rate of reoffending is a core objective of the correctional systems and the government, and its key performance measurement, of course, is the rate of recidivism. For prisoners the principal recidivism measure is the rate of return to prison within two years of release from custody. That is why there is a lag period of some two years. Importantly, what I have been very impressed with in our corrections system is the magnitude of supervision. Our prisoners are not just locked in their cells; there are education programs provided, there are also work programs. Corrections will also work with prisoners, either on parole or otherwise. Obviously the parole board releases prior to the maximum term, and indeed it is Corrections that will then supervise those parolees. Likewise, prisoners who do serve their maximum term will be perhaps invited to continue their relationship with Corrections. There are a whole range of issues. Indeed I highlight in previous years the Adult Parole Board, in relation —

**Mr PAKULA** — That was quite Orwellian — ‘their relationship with Corrections’.

**The CHAIR** — Let the minister continue. Thank you, Minister.

**Mr McINTOSH** — If I could just deal with the interruption there, Chair.

**The CHAIR** — I would rather you actually broaden the point.

**Mr McINTOSH** — What I was actually trying to say was, I think the important thing about it is that —

**Ms HENNESSY** — Do not mention the reoffending?

**Mr McINTOSH** — once a prisoner is released, once they have served their maximum term, they are out; there can be no continuing supervision, save and except the sex offenders continuing monitoring. But some do continue to have a relationship with Corrections, because Corrections provides a myriad of services for some of those prisoners. Indeed I was down at HomeGround down here at Elizabeth Street, and Corrections maintains some 15 units there that not just provide accommodation services but also deal with complex needs of individual prisoners, whether it be educational, whether it be medical treatment or otherwise. Certainly if they have finished their term, they have no obligation at all, but Corrections takes the view that there has to be continuing engagement with those prisoners that want to be engaged once they are released. As I said, it becomes a little bit easy once someone is released on parole, because they would be released on all sorts of conditions.

I just highlight that the Adult Parole Board, in its recent annual report, said that there are significant issues about releasing prisoners, and there are three factors: there are continuing issues in relation to substance abuse; there are continuing issues with a lack of sustainable accommodation; and certainly there is a continuing issue with mental illness. It does not matter what order you put those in, they are significant drivers in our criminal justice system. They are certainly overrepresented; people with those sorts of conditions are certainly overrepresented in our corrections system.

Corrections, as I said, does not necessarily just dump people on the outside; it tries to have a continuing engagement if it thinks it can be of assistance. It may not be adequate, but these things certainly have a dollar bottom line, and certainly Corrections does do that at the end of the term. All of those things, hopefully, will deal with the issue of high rates of recidivism — you get those right, then hopefully you will be able to reduce your recidivism rate.

**Mr PAKULA** — Could we just get that slide back up? My question regards it as well. Minister, my question is basically about the relationship between that slide and the performance measure that the Chair just asked you about. If you look at that slide you can see that basically the recidivism rate has been coming down consistently since 01–02 to 09–10 — from 42.5 to 33.7. The budget paper measure the Chair just referred to says that you are predicting a recidivism rate of 37. My simple question is: why are you predicting that recidivism will rise by 10 per cent?

**Mr McINTOSH** — Certainly, as I said, there is a lag period because of the two-year factor. What you are looking at that there is, although that is the rate at the present time, of course it relates to prisoners who were released some two years ago. The second thing in relation to the performance measure here is that this is a new performance measure, and 37 per cent is the national average. You will see there from the budget papers that of course what is indicated is they would like to keep it below 37, which has been a matter of some pride —

**Ms HENNESSY** — It is now 33.

**Mr McINTOSH** — that it has been below the national average.

**Ms HENNESSY** — At 33.

**Mr PAKULA** — It is 33.7 now. Why wouldn't you set the performance measure at what it is?

**Mr McINTOSH** — As I said, it is a new performance measure and it has identified the national average on that page there.

**Ms HENNESSY** — Because crime is going to increase?

**Mr MORRIS** — Thank you, Chair. Minister, I go to page 255 of BP3 and the community-based offender supervision measure. Can you indicate to the committee how the budget is ensuring that offenders make suitable reparation to the community?

**Mr McINTOSH** — Certainly the output measure this year indicates that Corrections is spending a considerable amount of money in relation to the supervision of people who are subject to a community corrections order — or certainly the idea of rolling out community corrections orders.

One of the things that is important is that what I have certainly become very clearly aware of is that community-based orders, and indeed when we ultimately roll out community corrections orders, are not soft options. In many cases the number of hours that people are required to work can be long and onerous. As I said, I was up in Wodonga last week and I saw the rollout of community corrections orders — people on work orders doing work in relation to the planting of trees. Certainly in recent experience we have seen in relation to floods that there were, I think, something like 11 gangs going out assisting with flood recovery. We certainly saw the same in relation to bushfire recovery as well.

When I was in opposition we went down to Sale, and there were people from Fulham prison assisting. This was some two years ago, Chair — I am sure you are very familiar with it — when they had the floods down — —

**The CHAIR** — Not intimately familiar.

**Mr McINTOSH** — No, indeed. However, I attended there with the Premier, and there was a reception at the local government offices overlooking the river. There were prisoners there working. They were from Fulham, but they were actually working in flood recovery as we were speaking. Work programs are a very important part of ensuring that people do repay their debts to the community, and certainly in my experience they do incredibly valuable work and are anything but a soft option.

**The CHAIR** — Thank you, Minister. Regrettably that brings us to the conclusion of the time allocated for the portfolio of corrections. I would like to thank Mr Hastings for his attendance.

**Witness withdrew.**