

# VERIFIED VERSION

## PUBLIC ACCOUNTS AND ESTIMATES COMMITTEE

### Inquiry into Budget Estimates 2017–18

Melbourne — 17 May 2017

#### Members

Mr Danny Pearson — Chair

Mr David Morris — Deputy Chair

Mr Steve Dimopoulos

Mr Danny O'Brien

Ms Fiona Patten

Ms Sue Pennicuik

Ms Harriet Shing

Mr Tim Smith

Ms Vicki Ward

#### Witnesses

Ms Gayle Tierney, Minister for Corrections,

Mr Greg Wilson, Secretary, and

Ms Jan Shuard, Commissioner, Corrections Victoria.

**The CHAIR** — I declare open the public hearings for the Public Accounts and Estimates Committee inquiry into the 2017–18 budget estimates. All mobile telephones should now be turned to silent.

I would like to welcome the Minister for Corrections, the Honourable Gayle Tierney; the Secretary of Department of Justice and Regulation, Mr Greg Wilson; and Ms Jan Shuard, Commissioner of Corrections Victoria.

All evidence is taken by the committee under the provisions of the Parliamentary Committees Act, attracts parliamentary privilege and is protected from judicial review. Comments made outside the hearing, including on social media, are not afforded such privilege. Witnesses will not be sworn, but are requested to answer all questions succinctly, accurately and truthfully. Witnesses 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 by Hansard, and you will be provided with proof versions of the transcript for verification as soon as available. Verified transcripts, presentations and handouts will be placed on the committee's website as soon as possible.

All written communication to witnesses must be provided via officers of the PAEC secretariat. Members of the public gallery cannot participate in the committee's proceedings in any way and cannot photograph, audio record or videorecord any part of these proceedings.

Members of the media must remain focused only on the persons speaking. Any filming and recording must cease immediately at the completion of the hearing.

I invite the witness to make a very brief opening statement of no more than 5 minutes. This will be followed by questions from the committee.

### **Visual presentation**

**Ms TIERNEY** — Thank you, Chair, and thank you committee members. Can I also begin by thanking those who are not with us today, the dedicated women and men who work at the coalface of the corrections system day in, day out in very difficult and complex working environments.

This government is addressing unprecedented growth in Victoria's prison and community corrections system. In the previous two budgets the Andrews government has invested \$747 million, and that has brought about better infrastructure, expanding and reforming community corrections system, strengthening the management of serious sex offenders in the community and rehabilitation to reduce reoffending.

The dividends to date: the prisoner recidivism rate has reduced from its peak of 44.1 per cent in 2014–15 to 42.8 in 15–16. Successful completion of parole orders has increased, with an expected outcome of 74.8 per cent in 2016–17, up from 54.9 per cent in 2015–16.

Turning to the growth and taking a closer look at forecast demand, there are now more than 2300 remand prisoners, compared to less than 1000 in 2013. A number of factors have driven this growth: an increase in police numbers and arrest rates; further apparent changes in bail practice following the Bourke Street Mall incident; changes to the Bail Act and ice-related offending; and family violence.

Corrections Victoria undertakes continuous modelling to underpin planning for growth in the corrections system, and is currently considering the impacts of the Coghlan bail review to inform growth projections for 2018 and beyond. Continued growth in prisoner numbers, both sentenced and remand, over the next 10 years is expected as a result of population growth, increased arrest rates and rates of remand and changes to sentencing. We are planning for this expansion by funding and developing a modern integrated corrections system and facilities, growing a skilled and engaged workforce and providing evidence-based programs to address rehabilitation needs and reducing reoffending.

This budget builds on previous budgets and previous investment in the corrections system to continue to improve community safety through strengthening the management of serious offenders, strengthening the response to offenders with mental health issues, continuing work to modernise the prison system, better responding to remand prisoners and improving rehabilitation and ultimately driving down recidivism. We will invest \$510 million over the next four years in these initiatives, and a further \$10 million will be allocated over four years as part of the government's \$1.9 billion investment to end family violence in this state.

If we turn our minds now to the management of serious offenders, this government is investing \$308 million in this budget to implement the remaining recommendations of the Harper review. We will deliver a safer community through strengthened post-sentence management of serious offenders, including expansion of the post-sentence scheme to include serious violent offenders, the establishment of a more robust governance model, the creation of multi-agency panels to ensure coordinated service delivery to offenders, implementation of a new assessment and treatment model to help rehabilitate offenders and the development of a range of facilities and options for serious offenders who cannot be safely managed in the community.

If we look at the critical activities to the end of 2017, it outlines four overlapping elements of reform involved in the implementation of the recommendations of the Harper review and notes key activities under each element. We can come back to this at another point.

The following slide deals with the major milestones that we have in front of us next year that again go to the stronger management and governance expansion of the scheme, reforms to service and specialist facilities.

In conclusion, Chair, can I say that, as you will appreciate, the next 18 months will see a number of significant milestones achieved in the corrections portfolio. We have an extremely busy agenda, one that is practical, one that will keep the community safe, drive down recidivism, deal with the challenges of prison population growth and divert resources to targeted areas where improvements can be made in a meaningful way. Thank you.

**Ms SHING** — What a shame the opposition members missed that presentation, Minister.

**The CHAIR** — Thank you, Minister. I have got a series of questions I will ask you, so if you could just briefly answer the questions, that would be great. In relation to the presentation, 'Corrections overview: managing future growth', can you briefly outline to the committee what is being done in the short term to manage the continued growth in the system?

**Ms TIERNEY** — First of all, what the slide did not show was that there has actually been a 67 per cent increase in prison population over the last 10 years and there is a significant increase in remand. So what we have been doing in recent times is the following: the government funded Karreenga medium security annex at the Marngoneet Correctional Centre, opened in September 2016. Of course the Ravenhall prison will come online later this year. And we have also been re-profiling the prison system so that it allows for unsentenced prisoners to be located at Barwon, Fulham, Hopkins and Marngoneet.

We have also had prisoners from Barwon and Marngoneet being transferred directly for court appearances and returned to their location, so that has freed up beds in the front end of the prison system. We have also reopened 30 beds at the MRC in early April. And of course Corrections Victoria is actively planning for the prison system to have capacity to meet future demand over the next five years. And we will be looking at all security classifications for both male and female prisoners.

**The CHAIR** — The budget paper reference is budget paper 3, page 275, and my question relates to the utilisation rate. Can you outline to the committee what caused the utilisation rate to tip over the 95th percentile, please?

**Ms TIERNEY** — Yes, I will. The utilisation target was between 90 and 95. The expected outcome is 93.6, and some of those factors I indicated in my presentation were to do with bail changes, ice-affected offences, family violence as such.

**The CHAIR** — In relation to maximum security beds, can you outline where the beds have been added to the system to help it to deal with this?

**Ms TIERNEY** — Of the five maximum prisons, three, the MAP — that is, the Melbourne Assessment Prison — Port Phillip and the Dame Phyllis Frost Centre, currently have the same number or more beds than when the Andrews government was elected on 29 November 2014. Dame Phyllis Frost has 76 more beds now than it had then. Barwon currently has 13 fewer beds than in November 2014.

The Walshe review into the riot at the Metropolitan Remand Centre on 30 June found that overcrowding in part brought about by the double-bunking was a significant contributing factor. The government accepted the recommendations of the Walshe review and we have reduced the use of double-bunks at the MRC. Work is

continuing, Chair, to replace and strengthen infrastructure following that riot, with the beds scheduled to reopen being progressively returned to operation this year.

**The CHAIR** — Fantastic. I am just conscious of time, Minister. I might ask just one last question. Can you outline to the committee whether there has been an increase or a decrease in maximum security beds in the system since 2014? Obviously, given the increase in the prison population, it has been quite a topical area and there have been obviously some significant investments.

**Ms TIERNEY** — Sorry, we are having difficulties hearing.

**The CHAIR** — My question was just whether there has been an increase or a decrease in the number of maximum security beds in the system since 2014, Minister.

**Ms TIERNEY** — There has been an increase, Chair.

**Ms WARD** — Thanks, Minister. Thanks, everyone. It is great to see you here today. It has been interesting. You referred to I think in your presentation — and as well we have it within the budget papers — to the Harper reforms. If I could get you to have a look at budget paper 3, pages 94 and 95, where we have got paragraphs ‘Responding to the increasing demand in the criminal justice system’ as well as some line items on page 94. It refers to the increased operating costs for the serious offender scheme and it references the scheme being expanded. Can you please explain what this involves?

**Ms TIERNEY** — The scheme will be expanded to include violent offenders, and so that in itself will increase costs in terms of the support and rehabilitation programs that will be delivered, but also of course it will increase costs in relation to accommodation arrangements that would need to be put in place. But in terms of the location of offenders, that will be obviously determined by the courts.

It also will go to the fact that we have substantially increased the number of staff to case manage in an intensive way particularly those offenders that provide a risk to the community. So there will be obviously costs associated with that as well. And of course there will be support services in the courts to make sure that there is greater integration, coordination and facilitation amongst the agencies.

**Ms WARD** — In your presentation you also spoke about new facilities. Can you explain what these new facilities are, what they are for, and are they different from anything that we have currently got?

**Ms TIERNEY** — Earlier this year I announced a 20-bed facility next to Hopkins, outside of Ararat, and then earlier today I also announced that there will be a 10-bed facility that will be within the Barwon Prison. The 20-bed secure facility in Ararat is for both sex and violent offenders subject to the legislation obviously needing to go before the Parliament, and the 10-bed detention unit in Barwon Prison is a detention facility where violent offenders, subject to the legislation that may go through the Parliament, Ms Pennicuik. There will also be a new eight-bed disability residential facility for sex offenders, and again that is subject to legislation.

**Ms WARD** — That is interesting. You have spoken about violent offenders and a scheme involving violent offenders from next year. How will these violent offenders be determined? What is going to be the benchmark or the category? How are you going to determine them?

**Ms TIERNEY** — So again this is subject to legislation going through the Parliament, but what is envisaged at this point in time is that the process would be to place serious violent offenders into the expanded scheme to be consistent with the existing processes for serious sex offenders. It is proposed that the scheme’s eligibility will be expanded to include the violent offenders who are sentenced to a term of imprisonment in the higher courts of for offences that result in fatal or serious interpersonal harm — for example, murder and intentionally causing serious injury in circumstances of gross violence. The precise eligibility criteria again obviously need to go to cabinet and absolutely need to go through the Parliament. And it is the courts that will decide, based on expert risk assessments, which offenders will require post-sentence supervision.

**Mr T. SMITH** — Welcome, Minister. I refer you to budget paper 3, page 277, community hours worked by offenders on a CCO.

**Ms WARD** — I am sorry, Mr Smith, can you please slow down? I cannot hear a word.

**Mr T. SMITH** — Stop interrupting. I mean honestly, Chair. These figures reveal that the number of hours worked on average per offender in 2015–16 has dropped from 82.7 hours to 75 hours in 2016–17, or in total figures from 806 700 hours in 2015–16 to an expected 782 000 hours this financial year. However, hours worked are then expected to miraculously increase back to a forecast 850 000 hours in 2017–18. One of the explanations provided in the commentary is that there are challenges securing suitable work locations. Melbourne is strewn with graffiti on virtually every bridge, freeway overpass and railway line easement at the moment. In fact graffiti is so prevalent that our police stations have been attacked, including Burwood and Heidelberg West. Is the real problem, as revealed on Channel 9 several months ago, not that offenders are poorly supervised, they play with their phones, talk and do basically anything except the work they are supposed to do? Minister, I refer you to these graphics of various police stations and the like.

**Ms PENNICUIK** — Are we allowed to use props in here?

**Members interjecting.**

**The CHAIR** — Thank you, Ms Pennicuik. That is enough, Mr Smith.

**Members interjecting.**

**The CHAIR** — Order! Minister.

**Ms TIERNEY** — This is not a new issue that the opposition has canvassed. It is an operational issue, and I will ask the commissioner to make some comments.

**Mr T. SMITH** — Minister, the question was to you, actually.

**Ms WARD** — A point of order. It is common practice at these hearings that if the minister wishes to defer an answer to a member of her department — —

**Mr T. SMITH** — If the minister cannot answer the question, she should say so.

**Ms WARD** — No, please do not verbal me. Please let me continue with my point of order instead of dragging this out even further. Mr Smith, do you want to hear my point of order, or do you want to keep interrupting?

**Mr T. SMITH** — I do not want to keep being interrupted myself.

**Ms WARD** — So then how about you let me continue.

**Mr T. SMITH** — I do not want the minister to defer this; I want her to answer the question.

**Members interjecting.**

**The CHAIR** — Order! The minister can — —

**Mr MORRIS** — Chair, on the point of order, the explanation provided in the budget papers and as the Secretary of the Department of Treasury and Finance stated clearly last Friday, it is the government's document, not the public service's document. It is the government's document. The government says 'challenges securing suitable ... work' locations. I suggest to you it would be highly improper for the minister to wave off this question to the staff when it is the government's document we are asking about.

**Ms SHING** — Further to the point of order, this is not a question of whether it is proper or improper. I would say that in fact the minister has the discretion when there are operational matters at hand to refer the matter — as you have done in previous hearings in relation to the budget estimates process, Mr Morris — and to ask the commissioner of Corrections Victoria to respond in relation to that question.

**Mr T. SMITH** — And if I had wanted her to respond, I would have asked her.

**Mr DIMOPOULOS** — Also further to the point of order, Chair, my understanding is a government document is also a public service document; it is the same thing. If Mr Morris is talking about a Labor Party

document, there is no document created by taxpayers funding the public service. It is not a government document. They do not do it on their own time; they do it for the government.

**Mr MORRIS** — The secretary made it clear that it is.

**The CHAIR** — Order! The minister started to answer the question, and she provided some background and context. She offered for the commissioner to provide further information; that is entirely appropriate, and that is a matter for the minister. So I would ask Ms Shuard to respond to Mr Smith's question.

**Comm. SHUARD** — There are two areas in which community work is conducted from an operational perspective. One is individual placement at agencies, and we have over 870 partnerships with agencies, not-for-profit partnerships, government and community agencies across the state, and we place offenders there to do their community work on a contract. We also have what we call work teams that are taken out by our field officers to perform community work. That is the graffiti removal program. And we have about 40 teams each week go out on the graffiti removal program. One of the benefits of this is that the difficult-to-place offenders will go on teams — and when I say 'difficult to place' it is sometimes difficult to place, obviously, those with offences against children or those with violent offences, so they are better to be in supervised teams. As of March 2017, 220 104 square metres of graffiti have been removed. The comment in the paper about the increasing difficulty in finding community worksites is about the growth in the combined community correction to imprisonment order. There are 1700 people on that order, bringing about a different profile that causes us to be more cautious about where they might be placed.

**Mr T. SMITH** — Well, I have certainly provided you with some new ideas. So Heidelberg West police station hopefully will have its graffiti removed very soon. Minister, having regard to the provided commentary regarding the challenges securing suitable work locations, how on earth can the 2017–18 budget target ever hope to be met?

**Ms TIERNEY** — Well, indeed we are committed to making sure that community work does continue. We will not waver from that. It is a very important part of the corrections system, and we will contact various organisations in our partnership agreement to ensure that we do secure the work that is necessary in the community as we see fit.

**Mr MORRIS** — 'Trust us, we're the government'. Minister, budget paper 3, page 97:

The management of serious offenders, and the safety of the Victorian community, will be strengthened ...

Just last week on 11 May, serious sex offender Justin Fraser literally just walked out of Corella Place and escaped. How is that possible?

**Ms SHING** — Point of order, are you asking the minister to comment on a specific individual case —

**Mr MORRIS** — Yes, I am.

**Ms SHING** — rather than the budget?

**Mr MORRIS** — She is the minister responsible. Chair, I have asked a question. I am not going to engage with commentary over there.

**The CHAIR** — Look, I am happy for the question to stand. The only thing I would say is that if this is a matter that could go before the courts, she may be constrained in what she can or cannot say.

**Mr MORRIS** — Oh, come on. A prisoner walks out of Corella Place and we are not supposed to ask about it?

**The CHAIR** — I did not say that.

**Mr MORRIS** — Seriously?

**Members interjecting.**

**Mr MORRIS** — We have got this tremendous time-wasting effort going on from over there.

**The CHAIR** — I was merely trying to be helpful, Mr Morris.

**Mr MORRIS** — You are not.

**Members interjecting.**

**Ms TIERNEY** — Can I say first off that there is a fact here that seems to be getting in the way, and that is that Corella Place is a supervised residential facility. It is not a prison.

**Mr MORRIS** — Apparently badly supervised.

**Ms TIERNEY** — You do not escape from there; you abscond. It is for serious sex offenders who have completed their prison sentences but are subject to strict supervision and movement restrictions, as ordered by the court.

**Mr MORRIS** — Yeah, and apparently not.

**Ms WARD** — Do not let the facts get in the way of a good story, Mr Morris.

**Mr MORRIS** — He walked out. We know what it is; we asked why it happened. I have been there. I know what it is like.

**Ms Ward interjected.**

**The CHAIR** — Order, Ms Ward.

**Ms TIERNEY** — Without facilities such as Corella Place and Emu Creek and the strict supervision regime they provide, these offenders would be living in the general community. The Department of Justice and Regulation manages these court orders, with community safety as the paramount consideration at all times.

**Mr MORRIS** — Minister, clearly it is not working. This guy just walked out.

**Ms TIERNEY** — Residents are community members —

**Mr MORRIS** — How can the community possibly have any faith in your capacity?

**Ms TIERNEY** — and within the parameters of their orders, they are encouraged to lead independent lives as much as is possible and appropriate to do so.

**Members interjecting.**

**The CHAIR** — Order! The opposition asked a question; I would assume they would want to hear an answer from the minister.

**Mr MORRIS** — We are getting a description of Corella Place. I said I have been there.

**Ms Ward interjected.**

**The CHAIR** — Order, Ms Ward.

**Mr MORRIS** — We asked why it happened.

**Ms TIERNEY** — The movements of Corella Place residents are monitored through curfews, restrictions and electronic monitoring devices.

**Mr MORRIS** — So what went wrong?

**Ms TIERNEY** — When a resident tampers with their electronic monitoring, or absconds, staff immediately respond to alerts.

**The CHAIR** — Order! Ms Pennicuik until 3.01 p.m.

**Mr MORRIS** — What happened?

**Members interjecting.**

**Ms PENNICUIK** — Thank you, Mr Morris. You are eating into my time. If you do not mind. Thank you, Minister. Good afternoon, Mr Wilson, Commissioner and the other staff. Thanks for coming. I would like to talk about rehabilitation and recidivism, which I usually do take up in some way or another with the corrections portfolio, because I think rehabilitation is the way to make the community safer. Budget paper 3, page 97, says about halfway down:

Prisoner rehabilitation will be improved by expanding alcohol and drug treatment programs and post-release support services, and continuing an anti-radicalisation program.

My question is: what is the overall increase in spending in these programs, because we have raised before both in Parliament and here that prisoners can wait a long time to actually get onto these programs. So will the access to those be sooner? Also, if I could just get this in at the same time, on page 275, for the ratio of prisoner participation in education, for example, the target is staying at only 36 per cent; and the rate of return of prisoners — so recidivism within two years — the target there is 41, so it is quite a high target. It was 42.8 last year. If we are going to be spending more on rehabilitation, should we not have a lower recidivism target? So if you can unpack all that, Minister.

**Ms TIERNEY** — Sure. A couple of things, just in terms of the rehabilitation aspects and programs that are part of this budget. With alcohol and drug programs, there will be a significant increase of 240 per cent. That is an increase of 856 places, and that is in relation to those prisoners that are most at risk of reoffending in terms of alcohol and drugs. Then there are the low-intensity program for remand and short-term sentenced prisoners, and that will expand, an increase of 263 places. So that is an increase of 11 per cent. So there has been an injection of funds in relation to that. There are also of course a range of other rehabilitation projects that you would be familiar with. But there are also those programs that are to assist people in actually merging back into the community, which I am sure you are also aware of.

In terms of the stats with those employed in prison industries, we have got one of the highest in the country. In fact I think it is the highest. In terms of those involved in education in our prisons, we are in the top across the country, although that is not where I want us to be; I want our participation rate to be much higher. But I think in terms of having a high remand population with people not having personal investment in their particular prison or indeed having — —

**Ms PENNICUIK** — Minister, I am loath to stop you, because I am interested in what you are saying, but I am going to get cut off soon, so if there is any more information on that, particularly just about the recidivism rate and why the target is not higher — sorry, lower — —

**The CHAIR** — Order! Mr Dimopoulos until 3.06 p.m.

**Ms TIERNEY** — Happy to provide that.

**Mr DIMOPOULOS** — Thank you, Minister. I will take the first half of this and Ms Shing will continue. Ms Pennicuik was talking about the recidivism rate amongst the prison population, if I heard correctly. I just wanted to bring you to the recidivism rate within the community corrections scheme and particularly mental health as one of the contributing factors to that. Budget paper 3, page 277, under the ‘Quality’ measure talks about the rate of return going from 28 per cent as the 16–17 target — I understand that the expected outcome is higher — and that we are projecting 33 for next year. Can you just give us a sense of what contributes to that and what element of mental health issues impact on what we are doing — in probably about a minute and a half to 2 minutes?

**Ms PENNICUIK** — Good question, Mr Dimopoulos.

**Ms TIERNEY** — It is a good question. The government has also provided over a four-year period a total of 85.1 million in the budget across the courts and corrections and community services and youth justice and police services to expand mental health support for those who are in or at risk of entering the criminal justice system. We also in the budget have refurbishment moneys allocated to mental health at the MAP. There is also



money allocated in respect to the Thomas Embling Hospital. I think what you could say is that this is the first time that there has been an implementation of a mental health plan for prisoners in this state that is looking at facilities and support mechanisms throughout the corrections and the health system. This is a project that has been largely driven by Minister Foley, but Corrections Victoria has been heavily involved in the corrections side of making sure that we do meet the needs of those that have mental illness in the prison system. We do have a significant over-representation of people in corrections who do have mental illnesses.

**Mr DIMOPOULOS** — Thanks very much, Minister.

**Ms SHING** — Minister, I might pick up from here, and I will take you to, I think, slide 6, ‘Management of serious offenders’, and your presentation, which refers to the commitment of \$308 million to strengthen the management of serious offenders and implement the Harper review recommendations. The funding is intended, as I understand it, to operate alongside legislative reform to strengthen the system overall by the end of 2018. I take you to budget paper 3, pages 94 to 96, and the operating costs of the serious offenders scheme. Could I ask you, perhaps with assistance from the commissioner, what that will actually involve in relation to the expansion and the costs as associated with the new facility?

**Ms TIERNEY** — Thank you for that question, Ms Shing. The total funding for the 20-bed facility is 52.78 million asset, and then there is 32.06 million in output. The average cost per bed per year is 32.06 million output over four years divided by 20 beds, which works out to 400 750. This is because the scheme is very comprehensive. It has a range of accommodation options and provides intensive support programs to rehabilitate those serious offenders and reduce their risk. This is an investment, after all, in community safety.

**Ms SHING** — How many prisoners would fall into the category of serious offender at the moment, then?

**Comm. SHUARD** — Yes, I can answer that. There are a couple of definitions, certainly, so it is difficult to describe. We have a serious violent offender category in the Corrections Act that applies to parole, but that is very broad, and serious violent and sex offenders are probably about 40 per cent of our prisoner population. However, remember Justice Harper’s report said it should be focused on only those that cause the most serious interpersonal harm. So as yet the definition of how that is categorised will be up to the Parliament.

**Ms SHING** — If I could get that information on notice in relation to those definitions, that would be great. Thank you.

**Mr MORRIS** — Ms Shuard, perhaps on notice, could we have a cost, the annual cost per bed per annum, of Corella Place, please?

**Comm. SHUARD** — For Corella Place?

**Mr MORRIS** — Yes.

**Comm. SHUARD** — Yes, I will take it on notice.

**Mr MORRIS** — Thank you. Sticking with Ms Shuard, can I just ask some questions following up from the MRC riot? There is a section of the budget referring to existing capital projects for the department, including the specific project of ‘Corrections Remand upgrades’ detailing a further 44.4 million to be expended in 2017–18. That is BP4, page 61. That includes project expenditure on the MRC as a result of the riots of 30 June and 1 July 2015. Back in February this committee was told that as a result of the riot a total of 26 prison officer WorkCover claims had been approved, of which 19 were ongoing. Can you advise the committee, since we are now nearly two years on from the riot, how many officers are still currently on leave through WorkCover because of physical or psychological injuries?

**Comm. SHUARD** — Yes, I can. If you just give me a minute, I will find that for you. As at the end of April 2017 there were 16 active WorkCover claims arising out of the riot on 30 June 2015.

**Mr MORRIS** — On the same subject, I am wondering if you can advise the committee of the following: the cost of the police investigation, court costs for those who have been charged with offences from the riot, legal aid for prisoner defence, cost of the Walshe review, the ongoing WorkSafe court case and the charges being brought against the department?

**Comm. SHUARD** — I would not have the cost of the police investigation. That would be a Victoria Police cost.

**Mr MORRIS** — Can Mr Wilson provide that information for us?

**Mr WILSON** — Well, Victoria Police would have to. We would have to ask them, Deputy Chair. Similarly, did you mention courts? I mean, we can comment on our costs —

**Mr MORRIS** — The courts do not appear, of course.

**Mr WILSON** — and the Kieran Walshe review and so on. I mean, when I say courts, I can approach them on behalf of the committee, as I can with VicPol as well.

**Mr MORRIS** — Okay. Well, I have read the list into the transcript for the items that you can provide and perhaps you can advise those that you cannot and why.

**Mr WILSON** — Yes, I am happy to chase those costs up with those other parties.

**Comm. SHUARD** — The WorkSafe charges, however, are ongoing, so there would not be a final cost to those — —

**Mr MORRIS** — To-date costs.

**Comm. SHUARD** — To-date costs.

**Mr WILSON** — Sorry, which costs?

**Ms SHING** — Legal costs?

**Comm. SHUARD** — Are you talking WorkSafe or WorkCover, sorry?

**Mr MORRIS** — The WorkSafe court case.

**Mr WILSON** — That is still ongoing.

**Comm. SHUARD** — WorkSafe, that is ongoing. That does not appear. The matter is not to go to court until the end of this year.

**Mr MORRIS** — What has been expended on it so far? We can follow it through.

**Ms SHING** — On legal fees or more generally?

**Mr MORRIS** — On all costs.

**Mr WILSON** — Yes, I can get that for you.

**Mr T. SMITH** — Commissioner, you said before that child sex offenders are currently serving CCOs — that is, living in the Victorian community. What is the current number of child sex offenders on a CCO?

**Comm. SHUARD** — I do not have that number with me. I would have to take it on notice.

**Mr T. SMITH** — Can you take in a notice? Thank you very much.

Minister, I refer you to the Victorian budget, BP3, ‘Service Delivery’, chapter 1, page 94, which details department output funding of 1.6 million in 2017–18 and 2018–19 for the ‘Fast track remand court’ initiative for youth justice offenders. Minister, currently a staggering 2300 adult prisoners, or approximately one in three, are on remand in Victoria. Much of this due to backlog in the courts and the ridiculous blowout in the hearing times. Minister, with the serious problem of increasing adult prisoners on remand, why is there no similar fast track remand initiative funded in the 17–18 budget for the adult system to reduce the number of prisoners on remand?

**The CHAIR** — Maybe take that on notice. Order! Ms Patten until 3.15 p.m.

**Ms PATTEN** — Thank you very much, Chair and Minister and Ms Shuard and Mr Wilson. Obviously I am interested in another \$186.3 million invested to bolster the broader prison system and, like Ms Pennicuik, I am interested in the recidivism rates and rehabilitation and in particular the role that drugs play in both of those. I certainly saw firsthand some of the great drug treatment programs at Dame Phyllis Frost last year. You said they were being expanded to 856 places. I am wondering how many of those will be available to remand prisoners, knowing that it is somewhat more difficult for them to access.

On top of that, also looking at the performance measures around the hepatitis C treatments that are being rolled out, I know that one-third of male prisoners and two-thirds of female prisoners come into the prisons with hep C. Are there any performance measures for the rollout of that treatment to see if we are going to see a reduction in that?

Finally, just a quick question about community-based orders. Your performance measures for recidivism there have gone from a target of 28.9 per cent in 15–16 to 33 per cent in 17–18. I am just wondering why you are less hopeful.

**Comm. SHUARD** — Thank you for that. We are always hopeful. That is our job — to provide programs for people in the community. There has been a changing profile. As I said before, there are 1700 people now on a combined imprisonment/community correction order. Those people would have previously, I think, got an imprisonment with a parole order. So that is one part of it. They are a different group of people on an order.

But we have our new model. We got the significant investment last year in community corrections, and that new model should do the work that we are wanting to do with individualised case management. There is also the effect of the abolition of suspended sentences, so if you do not get through your community correction order, indeed your rate of return will be generally to another community correction order or imprisonment. There is not the intermediate sanction that previously was available to go to a suspended sentence, so therefore they are coming back to us and not getting that in the middle. So that affects the number as well, but we will work harder.

**Ms TIERNEY** — And in going to the drug and alcohol problem — —

**Ms PATTEN** — Yes, the remand and hep C, if I can get that.

**Ms TIERNEY** — The commissioner is going to deal with hep C. In relation to drug and alcohol, in my response to Ms Pennicuik's question I highlighted that there is a stream that is directly for those that are on remand or on short sentences, and the whole reason for that of course is that they will be going back potentially into the community fairly soon.

**Ms PATTEN** — Did you give a number in that point? I only caught the 856.

**Ms TIERNEY** — Yes, I did give a number. I do not have it right in front of me at the moment —

**Ms PATTEN** — No, but if I can take it on notice.

**Ms TIERNEY** — but there is a number on *Hansard*. The reason that we have decided to allocate 7.68 million to drug and alcohol programs in this budget is because we do understand that there is a reasonable — —

**The CHAIR** — Order! I would like to thank the witnesses for their attendance, the Minister for Corrections, the Honourable Gayle Tierney — —

**Ms PENNICUIK** — Can we have that information on notice, please, Chair?

**Ms PATTEN** — If we can get the hep C on notice.

**Ms TIERNEY** — Sure.

**Comm. SHUARD** — Yes, I have got that list.

**The CHAIR** — Sure. Mr Wilson, Ms Shuard. The committee will follow up on any questions taken on notice in writing. I believe there were seven questions on notice. The response answering the questions in full

should be provided within 10 working days of the committee's request. All broadcasting and recording equipment must now be turned off.

**Witnesses withdrew.**