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BUDGET ESTIMATES 2023-2024

Portfolio Committee No. 5 – Justice and Communities

The Hon. Yasmin Catley MP

Minister for Police and Counter-terrorism and

Minister for the Hunter

Hearing: Friday 23 February 2024

RESPONSES TO QUESTIONS TAKEN ON NOTICE

Answers due by: 21 March 2024

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The Hon. SUSAN CARTER: Taking into account the size difference in Education and Police, pro rata aren't there more vacancies in Police than teachers when you compare numbers across the workforces?

Ms YASMIN CATLEY: Again, I haven't had those figures presented to me so I'm unsure.

The Hon. SUSAN CARTER: Perhaps you could take that on notice, could you, Minister? Ms

YASMIN CATLEY: No. As I've just described to you, though, we know that there are more than 1,500 vacancies in the Police Force. It's no secret. That's another thing that I have been saying since I have become—

I am advised:

As of 3 March 2024, there are 18,371 Authorised Police Positions with a total 16,527 Police Officer Headcount.

The NSW Police Force does not have teacher vacancies figures and as such, cannot calculate a pro-rata comparison against teachers.

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The Hon. SARAH MITCHELL: When did you become aware that he was going to be up there yesterday?

Ms YASMIN CATLEY: I can't remember if it was yesterday or the day before, now.

The Hon. SARAH MITCHELL: Could you take that on notice and let us know?

Ms YASMIN CATLEY: The answer is going to be the same.

The Hon. SARAH MITCHELL: Can't you check when you spoke to his chief of staff and come back to us? You could probably do that in the morning tea break.

Ms YASMIN CATLEY: Okay, I'll come back to you then.

Answer:

I am unable to recall the exact timing.

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The Hon. SUSAN CARTER: Minister, how many notifications of intent to protest do we see being applied for officially each year?

Ms YASMIN CATLEY: I will have to get you that figure. I can get it for you.

The Hon. SUSAN CARTER: I'm happy for you to take it on notice.

Ms YASMIN CATLEY: It's around 1,500, just in metropolitan Sydney.

I am advised:

Total protests where a Form 1 was received per Calendar Year since 2020 to YTD. Police also attend protests where no Form 1 has been submitted.

YTD 2024:	259 (Metro 216; Rural 43)
2023:	985 (Metro 936; Rural 49)
2022:	875 (Metro 798; Rural 77)
2021:	667 (Metro 619; Rural 48)
2020:	257 (Metro 249; Rural 8)

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The Hon. SUSAN CARTER: Minister, is it correct that the pro-Palestinian protests cost around \$220,000 or close to a quarter of a million of taxpayers' dollars each time they are conducted?

Ms YASMIN CATLEY: I don't think you would be able to use that figure because it depends on how many police are attending, I suspect. I don't think that that would be a correct figure.

The Hon. SUSAN CARTER: Perhaps you could get me a closer figure; if you could take that on notice?

Ms YASMIN CATLEY: Can we do that?

The Hon. MARK LATHAM: I think that's the overtime bill.

The Hon. SUSAN CARTER: Is that the overtime bill, is it? It would be interesting—Minister, I'm happy for you to take that on notice.

Ms YASMIN CATLEY: I won't take it on notice. We'll get the figure to you.

The Hon. SUSAN CARTER: That would be great. Thank you.

Ms YASMIN CATLEY: It depends, though, on how many are there. For instance—

The Hon. SUSAN CARTER: Minister, I understand you don't have it in front of you.

Ms YASMIN CATLEY: I just want to explain to you—

The Hon. SUSAN CARTER: I'm very happy for you to get the figure to us later today or on notice, just as long as we get the information.

Ms YASMIN CATLEY: I'll get it to you later, but I just want you be clear, though, it depends on, obviously—it is a risk assessment that is used, and the number.

I am advised:

An accurate total cost is not available.

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The Hon. SUSAN CARTER: Hence the cost because of the overtime bill. Minister, how many police are on sick leave? Would it be over a thousand?

Ms YASMIN CATLEY: I want to give you the right figure. Just leave that with me and I'll give you the right figure.

The Hon. SUSAN CARTER: Perhaps you could also get me the figures of the numbers of police on long service leave. You've already told us the figure by which we're under strength of about 1,500. Given under strength, sick leave, long service leave, needing to use overtime, have you considered any other policies to deal with these very regular protests. If so, what are they?

Ms YASMIN CATLEY: We do, as I've said to you, just in the city alone, have 1,500 a year and the police have been, and are used to, dealing with protests in this city on a regular basis.

I am advised:

As at 31 January 2024, there are 1,487 Police Officers and 89 administrative officers on long-term sick leave.

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The CHAIR: You raised the issue of the Firearms Registry conducting reviews. Having said that, can you detail the qualifications of the staff members—for example, Max Doogood—who ratify and control ranges across the State? What was the criteria for their employment in the past? What sort of professional learning do these employees regularly complete to ensure that they are at the forefront of civilian range design and compliance standards?

I am advised:

Professional learning employees of the NSWPF's Firearms Registry regularly complete:

- Annual Range Inspection Information Seminar conducted by the Department of Defence, Environment and Engineering Branch, Infrastructure Division, Security and Estate Group covering Civilian Arm of Defence
- Ammunition Planning Factors and Template Specification
 - Range Danger Area Safety Trace Construction
 - Limited Danger Area Methodology and Construction
 - No Danger Area Methodology and Mitigation Measures
 - Indoor Live Fire Facility Safety Critical Features
 - Muzzle Elevation and Projectile Baffle Ranges
 - Technical and Regulatory Resources and Functions
 - Live Fire Range Safety Auditing and Certification Process
 - Planning and Conduct of a Live Fire Range Inspection

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The CHAIR: Are they subject to the same code of conduct as police and governmental jobs when interacting with clubs and stakeholders in the course of their employment?

DAVID HUDSON: I'll take that question on notice, sir. The individual—I'm not totally sure. I didn't recruit the individual or individuals. The registry goes through that process. I'm not privy to their CVs. I can do that.

I am advised:

Yes, as full-time unsworn employees of the NSW Police Force and NSW Public Sector.

The CHAIR: Thank you. When a range is restricted for one reason or another—and, believe me, it happens every day of the week—what sort of technical report is provided to the club management committee? Does this include the ballistic and technical mapping measures necessary to overcome the reasons for the restrictions? And in what time frame does the committee receive the report after restrictions are handed down?

DAVID HUDSON: Again, you're speaking, I assume, in relation to individual reports that you have access to, which I don't. I would take that on notice and get back to you, as a general principle.

The CHAIR: Mr Hudson, the reality is no such reports are ever issued. It's just the whim of Mr Doogood, or whoever happens to be the inspector at the time. One day he comes along and does an assessment and says, "This is what you've got to do." He says, "I'll come back in a certain amount of time." He comes back and suddenly "Oh no, that's not what I said. You have to do this, this and this." No written reports are ever issued, Mr Hudson. It's totally unprofessional and, frankly, it's unacceptable. It's been going on for decades and decades and decades. Prior to him it was Mr Oakley and others. It always goes on. This is a process of oppression of clubs and committees. It's extremely expensive and extremely costly and it's, frankly, unnecessary. Would you agree with that?

DAVID HUDSON: I don't agree, sir, without—it's not an issue that's been raised with me through the firearms consultative committee. You say it's gone on for decades and I'm surprised I haven't heard of that. I'll certainly have a look at it, and we'll take it on notice. The

CHAIR: I don't know what goes on in the firearms consultative committee but I would be surprised if these discussions around range management haven't occurred in the past. I would be very surprised by that. If the Firearms Registry does not hire range compliance officers with technical qualifications—and that's my assertion—that allow them to give data-informed design decisions suited to civilian shooting ranges to the Commissioner, is the Commissioner aware of the significant liability threat that these unqualified positions leave

the taxpayer in? Commissioner, would you be aware of that? It's your delegated authority that this is being done under.

KAREN WEBB: As Mr Hudson said, I'll take that on notice. It's the first time I've become aware of that being a concern. We'll get the information for you.

The CHAIR: Why does the New South Wales Firearms Registry—again, perhaps this is through to you, Mr Hudson—continue to strenuously resist accepting industry-based, professional risk assessment-derived range decisions from companies who specialise in this area of expertise internationally and instead hand this huge responsibility to unqualified employees?

DAVID HUDSON: I think I said earlier, sir, I'll take the question of the qualifications of the employees on notice. I didn't recruit them, but I'll certainly get back to you.

I am advised:

Range Inspection Reports completed after on-site visits were previously provided to range approval holders. However, the Firearms Registry completed a review of previous practices to ensure compliance with Review Standards. As a result, the Firearms Registry Ranges Unit have developed a new compliance review standard inspection report to be considered for implementation.

All templating is completed by using the relevant and publicly available Military and Civilian publications, which include Range Danger Areas for the Ammunition being used.

The timeframe of when the Committee receive the report after restrictions are handed down is varied, dependent upon the complexity of the individual range and issues identified.

It is proposed that the new Range Inspection Report will be completed on-site with a committee member present and provide immediate live response and submission to the committee member with their signature upon completion of the site inspection. This will enhance interaction between the approval holder (committee member) and Firearms Registry to ensure mitigation and risk aspects are understood in real time and documented.

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Ms SUE HIGGINSON: Sorry, Deputy Commissioner, but are you aware that the demand in the threat was that the individual, the victim, take down a Palestinian flag? Does that not suggest some form of significant political motivation in the threat, both material and existential, that was posed to this victim?

DAVID HUDSON: Potentially. As I said, I was briefed by my assistant commissioner. Between the attending police, there are levels of senior officers that make those decisions, by agreement, including the superintendents in charge of the terrorism investigation squad.

Ms SUE HIGGINSON: Deputy Commissioner, would you take it on notice—that this is a matter that you really should look some more at?

DAVID HUDSON: I will ensure that the commander of counterterrorism reviews it and I'll take advice from him.

I am advised:

South Sydney Detectives have had carriage of the investigation, with assistance and oversight being provided by Counter Terrorism Security Investigation Unit (CTSIU). The investigation was thorough, with exhaustive enquiries conducted into nominated suspects, extensive CCTV canvassing, forensic examination, and numerous telecommunication and financial records being obtained.

Subsequent investigations identified the offender, and on 7 March 2024, the person was arrested without incident and charged with:

- Send Article to Cause Alarm, s93R Crime Act
- 2 x Stalk/intimidate intend fear physical etc harm (personal), s.13 Crimes (Domestic and Personal Violence) Act 2007
- Use carriage service to menace/harass/offend, s. 474.17 Criminal Code (Commonwealth)
- Enter inclosed land, s.4 Inclosed Lands Protection Act

These offences were based on Legal advice.

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The Hon. MARK LATHAM: Minister, in November the Premier said that policing the Palestinian protests costs a million dollars per time. Is that an accurate figure?

Ms YASMIN CATLEY: I would have to check. I wouldn't want to mislead you. I'd have to check if that's correct.

The Hon. MARK LATHAM: Okay. In answer to a question on notice earlier this month, you said that an accurate total cost is not available. So where did the Premier get that very precise million-dollar figure from? Perhaps you could take that on notice as well.

Ms YASMIN CATLEY: You might need to ask the Premier that.

The Hon. MARK LATHAM: If your office or any of the police notified him of that, that would be useful, to take that on notice.

Ms YASMIN CATLEY: I'm unaware of that.

I am advised:

An accurate total cost is not available.

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The Hon. SARAH MITCHELL: Thank you. Do you have regular meetings with the Premier?

Ms YASMIN CATLEY: What's your definition of "regular"?

The Hon. SARAH MITCHELL: Do you go in and have a one-on-one meeting with him? You and the Premier?

Ms YASMIN CATLEY: Yes, sure, I've had a number of them.

The Hon. SARAH MITCHELL: How many?

Ms YASMIN CATLEY: I don't know.

The Hon. SARAH MITCHELL: Could you take that on notice?

Ms YASMIN CATLEY: No, I won't take it on notice. They're meetings that I had with my colleagues—

The Hon. SARAH MITCHELL: Well, I'd like an answer.

I am advised:

I speak, and meet, with the Premier regularly to discuss matters related to the Police and Counter-terrorism portfolio.

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The Hon. RACHEL MERTON: Minister, do you know how many metropolitan police stations are not manned 24/7?

Ms YASMIN CATLEY: I'll get that for you—because I don't want to mislead you—to give you the accurate figure. I'll get that to you.

I am advised:

There are 10 police stations in the metropolitan area which are not manned 24/7.

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The Hon. RACHEL MERTON: If I could just be reminded, how many police stations have we got in New South Wales?

Ms YASMIN CATLEY: I will have to ask the Commissioner, if she wouldn't mind.

The Hon. RACHEL MERTON: You're the Minister and you don't know?

Ms YASMIN CATLEY: Commissioner, could you give me the exact numbers?

KAREN WEBB: I will get the exact numbers, but we talk about separate police stations versus other places that we may rent. It is certainly a significant number, and we can provide you the exact number.

I am advised:

There are a total of 400 police stations across NSW.

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The Hon. RACHEL MERTON: Minister, is it true that there are a number of metropolitan police stations in south-western Sydney that are in a permanent state of temporary closure?

Ms YASMIN CATLEY: I will have to get back to you on that. My apologies—I'll come back to you on that. You are asking me the number?

I am advised:

In the South West Metropolitan Region, there are a number of non-24 hours police stations including:

- Five Dock Police Station (Burwood PAC) – This is a shopfront, which is open 7am-5pm daily.
- Picton Police Station (Camden PAC) – The car crew operating in the southern sector of the command utilises Picton Police Station 24/7. The station is manned when Picton Local Court is operating.
- The Oaks Police Station (Camden PAC) – This is a combined residence with an officer residing at the station.
- Wetherill Park Police Station (Fairfield City PAC) – This is a shopfront, which is closed between 6pm and 6am daily. The suburb of Wetherill Park is serviced by a car crew that is tasked to Wetherill Park each night.

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The Hon. SARAH MITCHELL: How many briefings for the Hunter in the last three months, say, would you have received in your office?

Ms YASMIN CATLEY: I go into Bull Street. We have a Regional NSW office in Bull Street in Newcastle, so I actually go in there and have my briefings, generally.

The Hon. SARAH MITCHELL: How often do you do that?

Ms YASMIN CATLEY: At least monthly. It depends, though, what the need is. I do it on, obviously, a needs basis, but it's probably at least easily monthly. I always try to make sure I'm in there meeting with the staff, having a conversation, checking that they're okay, if they need me for anything, at least once a month. But I obviously am a member in the Hunter, as well, so I deal with a lot of matters. I go and meet stakeholders all around the region.

The Hon. SARAH MITCHELL: Would you be able to take on notice—or Mr Wheaton might be able to provide some advice—the number of briefs that you received for sign-off or approval as Minister for the Hunter, say, in the last three months? Is there any data you could provide about that?

I am advised:

In my capacity as the Minister for the Hunter my office receives briefs as required on a range of matters relevant to the Hunter.

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The Hon. MARK LATHAM: Commissioner, if you're funded for 200,000 random drug tests per annum, why, in the last completed financial year, did you only do 114,000? You're still 86,000 short.

KAREN WEBB: I'll have to take that on notice, but I can assure you that for the year to date this year, our testing is on track to complete 200,000.

The Hon. MARK LATHAM: In the last full financial year—2022-23—the data I've got is that you're 86,000 short, so hopefully that won't be repeated. In regard to all those figures I've quoted, can I get an update on them for the last eight months, since 1 July 2023?

Ms YASMIN CATLEY: Of course.

I am advised:

Between 1 July 2023 and 29 February 2024, the NSW Police Force has conducted 132,842 roadside drug tests.

The NSW Police Force is on target to complete 200,000 tests in 2023-24.

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The Hon. MARK LATHAM: Overall, are we losing more officers than we're recruiting?

Ms YASMIN CATLEY: Yes, we are.

The Hon. MARK LATHAM: Can I get the latest figures on that?

Ms YASMIN CATLEY: Well, maybe no. I say, "Yes, we were." But we do have a very large number—

The Hon. MARK LATHAM: If I could get the latest data on that, that would be appreciated.

I am advised:

In 2023 calendar year, there were 1,445 police officers separating from the NSW Police Force and 658 police officers recruited.

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Ms SUE HIGGINSON: We might take it up later because it was a specific question. What concerns me, though, was the response literally is, "There is no central record held by the Police Force to be able to conduct that inquiry across all police operations." Perhaps we can explore later on how we are storing data. In relation to another question, Minister, that was provided on notice about restraints, it was just seeking information about how often these restraints are used and some other detail. It was in relation to leg cuffs, belly chain and restraint belts, combination cuffs that restrain both hands and feet, thumb cuffs et cetera. Basically, the response given, other than for handcuffs, was that this material is subject to a

public interest immunity. Why is that? Why is it that this information can't be provided to the public when the same information for handcuffs could?

Ms YASMIN CATLEY: I might ask Mr Hudson if he might be able to answer that question.

DAVID HUDSON: Thank you, Minister. You can ask me, but I don't know the answer, Ms Higginson. Some of those forms of restraint I've never heard of.

Ms SUE HIGGINSON: Okay, so it would be—

The CHAIR: Help us.

Ms SUE HIGGINSON: Yes, these are questions on notice, Minister. You sign off on these. It would be really good, I think, if you could check. If I can ask you to go back and check these specific questions—

Ms YASMIN CATLEY: Sure, I'd be happy to do that for you.

I am advised:

The answer to the previous related Question on Notice 1677 is the subject of public interest immunity in order to protect police methodology.

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The Hon. SARAH MITCHELL: Is it correct that one of the detainees didn't turn up to Parramatta court to answer to serious drug charges? I've just been given that advice and I'm wondering if there's any information on that. I'm happy for you take it on notice if you don't have it.

DAVID HUDSON: I'll take that on notice, thank you.

I am advised:

On 4 December 2023, one of the released detainees failed to appear at Parramatta Local Court for a charge of possessing 2 grams of cannabis. They were convicted and fined \$300. This is the only occurrence that can be identified where a NSW releasee failed to appear at court.

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The Hon. SUSAN CARTER: Thank you, Minister. I'm curious about 93Z of the Crimes Act and the briefs of evidence prepared by the police for authorisation by the DPP or the AG. Can you tell me how many prior to 7 October had been prepared for authorisation?

Ms YASMIN CATLEY: I would have to ask the police to answer that question.

The Hon. SUSAN CARTER: I'm happy for you to take that on notice unless you have a—

DAVID HUDSON: The exact number, I could probably find out, but it was 10 or 12 from my recollections.

The Hon. SUSAN CARTER: If you could find the exact number. Thank you.

I am advised:

Eleven (11) briefs of evidence were forwarded to the Office of the Director of Public Prosecutions prior to 7 October 2023. Of those, two (2) were approved for prosecution.

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The CHAIR: I know the Firearms Act is very rigorous. I also know it's very rigorous in other States and probably more rigorous in Western Australia. Maybe you would like the Western Australian model, but the reality is that this is not Western Australia; this is New South Wales. There's larger discretion to deal with, especially visually impaired shooters who only

compete with air rifles at .177 calibre and shoot at 10 metres range. A lot of them are trying to get themselves set up for the Olympics. Yet when representations are made for these people to make it a little easier for them to be able to conform when their club is shut down, basically, Commissioner, they're getting the run-around.

DAVID HUDSON: That's not the information I get, sir. I've been told we are doing everything within the Act and our capabilities to try and accommodate them, as you would expect.

The CHAIR: Well, my office was told that the registry doesn't care what other conditions are done in other States—New South Wales is going to be tougher.

DAVID HUDSON: That's not my briefing, sir. I think we'll agree to disagree on that. I'll take it on notice and I'll have a look at it, but that's not the information—

I am advised:

The NSW Police Force Firearms Registry continues to progress its engagement and consultation with vision impaired community members to reach a resolution within the committed timeframe of three months.

Following the official closure of Exsight Tandems Shooting Club, the Firearms Registry has agreed to measures to ensure vision impaired licence holders can continue to participate in target shooting activities with no change or increase in their current requirements, pending the outcome of this consultation.

The Firearms Registry is committed to supporting the small number of impacted licence holders to ensure they continue to participate safely in the sport.

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Ms ABIGAIL BOYD: And then we come to sexual violence offences, which I also asked about in August. I was told that, of the currently serving officers, 19 had been charged and one convicted—a senior constable—for sexually touching without consent. Are those figures still correct?

Ms YASMIN CATLEY: We might have to get that, sorry.

I am advised:

Please refer to answer to Supplementary Question on Notice 151.

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Ms ABIGAIL BOYD: Back before the contract was pulled, we did have IPOS being on track to deliver that functionality for domestic and family violence cases by 2027. That was before everything was pulled. When will we now get that in New South Wales?

Ms YASMIN CATLEY: I know forensics is imminent. When is that? Have you got a date for domestic violence as well?

DEAN SMITH: Minister, I'll have to take that on notice. If I can answer that this afternoon, I'm sure we'll be able to have that at that point in time.

I am advised:

The system of processing DV cases has been targeted for accelerated delivery under the IPOS program, allowing for the management of DV cases in the field to significantly improve functionality. This system of operation driven by technology is due to be released in the first half of 2024, bringing forward expected benefits. The Domestic and Family Violence Registry team is validating changes from an operational policing perspective.

Page 46 of Transcript – DFV Registry

Ms ABIGAIL BOYD: Thank you. The DV policy for the New South Wales police—there was an article on this recently. It was supposed to be reviewed in 2021. It hasn't been, despite all the recommendations in the LECC report as well. Why is that?

Ms YASMIN CATLEY: We've done the DV reform project, and part of that is the DV registry. Obviously, you are—

Ms ABIGAIL BOYD: Which is great. I'm not criticising that. But what about the policy update?

Ms YASMIN CATLEY: We will continue to work on that. I'll have to check with Mr Lanyon on a date on that. But the New South Wales police are doing an extraordinary amount of work in relation to domestic violence.

I am advised:

The Domestic and Family Violence Code of Practice is being revised under the DV Reform Project and will incorporate elements of the Domestic and Family Violence Policy, the Domestic and Family Violence Standard Operating Procedures and the Domestic and Family Violence Code of Practice.

The Code of Practice will be a public facing document that will inform the community of the NSW Police Force's response to Domestic and Family Violence. An internal working party has been established to review the Code of Practice. Once the feedback is collated, the Code of Practice will be disseminated to external agencies for stakeholder feedback. The anticipated delivery of the Code of Practice is in quarter 3, 2024.

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The Hon. SARAH MITCHELL: I will begin with questions relating to the Firearms Registry, which I think will go to Deputy Commissioner Hudson. Possibly this will go to the Commissioner to begin with. The review conducted by Geoff McKechnie, which was obviously prior to this Minister—my understanding is that was handed down days before caretaker mode. Is that something that you can confirm?

KAREN WEBB: I can't actually confirm that. I am not even sure that—

The Hon. SARAH MITCHELL: I'm happy for someone to take it on notice.

DAVID HUDSON: To my recollection, it was sometime before caretaker—a little bit before.

I am advised:

The report was handed down before caretaker. The report was commissioned by the former Government and not accepted or subsequently released by the former Minister for Police.

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KAREN WEBB: So there's a lot of work being done to show the community, not just in the prevention, diversion and intervention space, that we're responding and investigating these matters. I'll hand to Mr Pisanos to say we stood up in Operation Mongoose. We've got an equivalent operation in the metropolitan area called Sweetenham—dedicated resources, offline targeting, and repeat offenders who we know are prolific and causing the most harm in the communities—and having very successful results. But I'll hand to Mr Pisanos.

The Hon. SARAH MITCHELL: I would like to hear from Mr Pisanos. But, just in terms of that data, Commissioner, I'm happy for you to take it on notice. How does that compare to, say, the previous 12-month period? If you—

KAREN WEBB: I'll take that on notice.

The Hon. SARAH MITCHELL: That would be great.

I am advised:

Q2 2022 - Q1 - 2023		
Region	Individuals With Charges	Charges
Northern	1,313	3,143
Southern	647	1,431
Western	725	2,305
Grand Total	2,596	6,848

Please note:

- Data current to: 07/03/2024
- Date range = 01/04/2022 - 31/03/2023
- Region = Incident Responsible Region
- Incident Responsible Regions included = Northern, Southern, and Western
- Age at time of charge = 10 - 17
- “Grand Total” does not equal the sum of the rows “Individuals with CANs” and “CANs” as individuals could be issued CANs across different regions.

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The Hon. SARAH MITCHELL: Again, obviously, particularly interested in the regional aspect, response times and how that's going. And I appreciate exactly what you're saying in terms of there can often be large distances, and you've only got as many officers as you have in a particular sort of area command. Is there any advice or information you could provide in terms of how the response time to emergency issues in those communities is tracking?

PAUL PISANOS: Certainly, if I can take that away. I'm not sure if it's here, but I can tell you that I've heard nothing. Certainly nothing has been raised, in terms of us, that there's been an impact on our P1 or P2 jobs. I might be corrected on that, but the police are working—Mongoose is not monopolising all the police time. Police are working hard in terms of their normal calls for service and first response work. I have not been informed of any issues around response times or difficulties. They're just working extra hard to keep it all going. That is probably the way I'd respond to it.

The Hon. SARAH MITCHELL: Commissioner, did you have any data?

KAREN WEBB: Yes, I do. I've got the statistics for the last three financial years in terms of the six regions, so three regional areas and the three metropolitan areas, in terms of the average response times. As you'd expect, the further out you go, the larger the response time. I'm happy to talk to that or provide that. For example, in the 2022-23 year in Central Metropolitan Region, it was 6.56 minutes. In Western Region it was 14.27, which is pretty good considering the distances and the geography out there, and the others vary in between.

The Hon. SARAH MITCHELL: Could you provide that, either on notice or if there's a version you could—

KAREN WEBB: Yes, we'll take that on notice. I can give you the history there.

The Hon. SARAH MITCHELL: That would be great. I want to pick up on something that you just said, Mr Pisanos, about the cultural element in some of the western communities with

members of the Aboriginal community, and ensuring that you've got that trust and that it's a culturally sensitive approach to policing. Are there any new initiatives or work that the police are doing in that space, particularly in the north-western and western parts of the State?

PAUL PISANOS: I think probably if I could go as soon as yesterday, we were briefed up on a program that's running in Moree where we're actually engaging through our Aboriginal community liaison officers. Forgive me, I can't give you the name of the program at the moment, but I can provide it.

I am advised:

Urgent Responses - By Region - Average Response Times

Region	Financial Year		
	2020-21	2021-22	2022-23
Central Metropolitan	<u>6:34</u>	<u>6:43</u>	<u>6:56</u>
North West Metropolitan	<u>9:10</u>	<u>9:20</u>	<u>9:30</u>
South West Metropolitan	<u>8:19</u>	<u>8:40</u>	<u>8:57</u>
Northern	<u>13:49</u>	<u>14:29</u>	<u>13:54</u>
Southern	<u>13:24</u>	<u>13:08</u>	<u>13:18</u>
Western	<u>14:05</u>	<u>13:49</u>	<u>14:27</u>

The NSW Police Force's Northern Region undertook the following engagements:

- Cabbage Tree Island Community Day - the engagement attracted approximately 60 x YP, with addition 450 x teachers and community members.
- Fight For Success – Kempsey – a boxing focus program which focuses on discipline and fit, active and healthy lifestyles while bringing boxing back into the PCYC. Transport is provided. The engagement attracting between over 500 YP, parents, teachers, and community members.
- Youth Safe – Kempsey - Youth Command provided addition staff to deploy over a 6-week period to provide support and assistance to PD. Duties included Project Community, Home-visit, school engagements and HVP to youth hot-spots. The Australian Literacy and Numeracy Foundation has since partnered with Youth Command to complete further programs and initiatives in local high schools (Kempsey and Melville).
- Outreach/Activation Hubs Commenced in September 2023 occurred in the towns of Ballina and Casino, conducting weekly engagement activities (similar to Fit for Life & Job Ready) with local YPs. During the launch, 20 local YPs completed the Barista Course and First Aid certificate, and ongoingly Fit for Life and Fit Together programs will be delivered.
- With regards to youth programs, the Northern Region delivered 34 RISEUP Programs; held over 2,000 Fit for Life program sessions; attended 609 school visits and presentations; delivered 225 anti-violence presentations at schools to over 700 students; and many more.

The NSW Police Force's Western Region undertook the following engagements:

Operation Mongoose:

- Operation Regional Mongoose was established by Western Region in September 2023 to prevent, disrupt and respond to escalating instances of serious crime being committed by young persons across regional NSW.
- When Police Districts are experiencing heightened offending, Operation Regional Mongoose will coordinate the provision of further resources into areas in a 'surge' model to suppress further offending and provide community reassurance whilst investigations proceed into reported offences. The Commanders intent is to deliver a coordinated approach to combat multiple and/or serious instances of aggravated Break Enter and Steal, robberies and stolen vehicles; utilising all available capabilities to prevent, disrupt and response to youth related offending. Resources include Proactive Crime Team, Region Enforcement Squad, Crime Prevention Unit, Detectives, Western Region High Risk Domestic Violence Team (WRHRDVT) with support from Dog Squad, PolAir, Undercover Branch, Telecommunications Interception Unit, State Technical Investigation Unit, Public Order & Riot Squad, Youth Command, Aboriginal Community Liaison Officers, Forensic Evidence & Technical Services, Prosecutions Command, Police Media and Traffic & Highway Patrol Command.

Intervention and prevention initiatives in the Western region include (and are not limited to):

- **Project Walwaay** is run by the Aboriginal Youth Team (AYT) and engages with identified at-risk youth. The program engages external agencies to provide support and services to at-risk youth and their families. The AYT also run 'Friday Fun Night' each Friday night based at the PCYC. This program provides pick up and drop off, dinner and activities for youth aged 8-17 between 6pm and 11pm. This program attracts between 70-200 youth each Friday night.
- **Bourke PCYC** are running frequently after hours. Police assisted heavily during Christmas and January school holidays, by providing supervision, preparation of meals, picking up and dropping off youth before and after programs and conducting night patrols with PCYC staff. Summer weekends in the past saw 50-75 youths in attendance each night.
- **Fit-for-Life program** (Nunyapurra Boxing) being held twice a week at Armidale PCYC, working and engaging with local youth at risk of being involved in criminal justice system.
- **Guumali Project** – engaging youth in vulnerable communities (Moree, Boggabilla, Mungindi and Tingha) with a 'pop up' cinema. To date, 10 engagements across the Police District ranging from 50 to 200 attendees, supported by the Youth Command and Aboriginal Community Liaison Officers.
- **Youth Action Meetings (YAMs)** meeting being held monthly, focus on mitigating risk to youth and their families in various location across the region.

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Ms SUE HIGGINSON: How is the new Glock different to the existing Glock, other than the—

KAREN WEBB: Calibre?

Ms SUE HIGGINSON: Yes.

DEAN SMITH: I'm not a specific weapons expert, but in terms of the operation there is not much functional difference. It is a better weapon to use in the sense of its ease of operation, but it is very similar to the 40 cal. However, the calibre of this is a nine mil Glock, and it is

just a new generation Glock weapon that is part of the procurement process that we've undertaken in the New South Wales police.

Ms SUE HIGGINSON: Commissioner, did you have the numbers on the—

KAREN WEBB: I'm just getting the most up to date. I had some at the end of January, but I'll get the most up to date.

I am advised:

Differences between the new Glock and the existing Glock:

The new Glock is 9mm calibre. The new 9mm Glock, and associated holster, have a number of benefits, including but not limited to:

- it can better meet the needs of an individual officer, e.g. it can be configured for both left and right handed officers;
- it can meet the needs of individual hand size. The current .4- calibre weapon is set up a right hand only and only has one size grip;
- it has an integrated light that assists at night or in low light conditions;
- it has a high security holster;
- it has an automatic turning on the body worn video camera when the 9mm Glock is drawn from the holster. This is pending implementation and activation of new body worn video cameras;
- the 9mm ammunition has 25-30% less felt recoil than the current .40 calibre ammunition. This enables officers to fire more accurately, with the ammunition having similar or better performance than the current .40 calibre ammunition.

Current rollout numbers: As at 5 March 2024, a total of 1,920 new 9mm Glock pistols have been issued to the NSW Police Force.

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Ms ABIGAIL BOYD: It's just those two categories. Do we have a time line for that? Previously I've been told a time line, and now it's gone back to the drawing board. What's the—

DEAN SMITH: Minister, just in relation to that, in regards to the COPS replacement, we have a multi-vendor approach. And, at this present time, our project team for IPOS is actually speaking with other jurisdictions in relation to the vendors that they use, which may be able to assist in answering the question that you have asked. But also we are currently in the planning, the testing and the pilot phases of looking at those vendors and that multi-vendor approach, outside of the single-source selection under the previous arrangements. We are looking to have that completed towards the end of 2024. In terms of what happens next, we will then move into procurement, the procurement phase. I can't necessarily give you an exact time frame around what that procurement activity might take and what that might look like. However, we are working towards the COPS replacement program, certainly to be working towards delivery towards mid 2027.

Ms ABIGAIL BOYD: Mid 2027?

DEAN SMITH: Correct.

Ms ABIGAIL BOYD: That will include, as well, the point that was noted in the Auditor-General's report from 2022, in relation to police responses to domestic and family violence, where she talks about it being at least—2026 was when she was talking about having the ability. Let me just read this bit to you. It says: However, police advise that connections between events or individuals are not displayed as automated alerts, and they must manually scroll and search for relational aspects or patterns of domestic and family violence behaviours in lengthy narrative summaries. That was the bit that she was told at the time

was four years away. Is that the bit now that you're saying is mid 2027? Just to be clear that that's the same.

DEAN SMITH: I don't want to certainly mislead you. Specifically in relation to that question, if I could please take that on notice and get back to you—

Ms ABIGAIL BOYD: That would be really useful. I just want to make sure that is in the works.

I am advised:

COPS replacement is currently being planned in conjunction with mainframe decommissioning.

COPS replacement will be delivered in two major releases between 2027 and 2029, consistent with Business Case expectations.

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The Hon. SARAH MITCHELL: It might be public, and I'm sorry if it is and I don't know, but is that MOU with the eSafety Commissioner available online—or could you provide a copy, if possible?

KAREN WEBB: I'll take that on notice. We had a public signing.

The Hon. SARAH MITCHELL: It would be good to understand. The eSafety Commissioner does great work, I know, in a range of areas, but if we could understand, again, ways that this work is happening, that would be good. If you can take that on notice, I'd appreciate that.

I am advised:

NOT FOR PUBLICATION

The attached document at **TAB A** is provided for Budget Estimates Portfolio Committee No. 5 – Justice and Communities.

This document is to be treated confidentially and is not to be published without further engagement with the NSW Police Force and e-Safety Commissioner.

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The Hon. SUSAN CARTER: Are you aware how many briefs of evidence for prosecution have been prepared under 91Q?

KAREN WEBB: I'll have to take that on notice. It's not something I've seen in my career or time as the Commissioner, but we'll certainly find out for you.

The Hon. SUSAN CARTER: I recognise it's an issue of child safety. It's also an issue that affects adult women, including Ms Swift, who's visiting our shores at the moment. As I understand the provisions, it's not just a matter of taking it down and finding the ultimate source. It allows the prosecution of anybody who distributes, so I would assume that would include anybody within Australia who's distributing images, no matter where they're created?

KAREN WEBB: That's quite possible and I know we've had investigations where schools—there's been high schools or hopefully not primary schools, but there have been those sorts of occasions. Whether it's 91Q or there are other charges being preferred but those sorts of circumstances. I'll take that on notice.

The Hon. SUSAN CARTER: If you could also take on notice if you think there are any existing barriers to enforcement or prosecution that need to be addressed, I'd be very grateful.

I am advised:

From 2019 to March 2024 YTD, the number of briefs prepared are:

91Q(1) - 90828 - Intentionally distribute intimate image w/o consent etc-T2:	109 briefs
91Q(1) - 90833 - Intentionally distribute intimate image w/o consent (DV)-T2:	250 briefs
91R(2) - 90830 - Threaten to distribute intimate image without consent -T2:	43 briefs
91R(2) - 90835 - Threaten to distribute intimate image w/o consent (DV) -T2:	171 briefs

Total briefs under section 91Q and section 91R is: 573.

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Ms SUE HIGGINSON: Thank you. I'll put some questions in, in terms of supplementaries, but one of the areas that I'm still seeking assistance on is: What is the total number of bail checks without a court-ordered enforcement condition? How do you calculate that? I'll still try and put that in in case there's some kind of record there, of what is happening. Particularly in relation to First Nations people is where the concern is just still coming forward.

I am advised:

The NSW Police Force is unable to answer this question as any enforcement condition related to a person's bail is not currently an extractable field which can be accessed in the COPS database.

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Ms SUE HIGGINSON: Can I just ask you just one quickly. Are you aware of the Cheryl Grimmer matter, the longstanding unsolved matter of Cheryl Grimmer?

MALCOLM LANYON: No, not personally, ma'am.

Ms SUE HIGGINSON: Wollongong, yes. Cheryl Grimmer's family is still looking for justice. In recent months, five informants and one witness have come forward and the family believe that the police are yet to speak to these people and investigate further.

MALCOLM LANYON: I'm personally unaware of it, ma'am, but I'm happy to take some details off you and follow that up.

Ms SUE HIGGINSON: Thank you. That would be great. It's one of those longstanding issues where justice is still being sought. I'll hand over to my colleague.

I am advised:

The \$1 million reward is still active and the NSW Police Force welcomes any information from members of the public that may progress this investigation.

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Ms ABIGAIL BOYD: Just so I'm very clear, I talked about—I can't remember what I said—the COPS-IPOS issue in relation to the discontinuation of sexual violence proceedings, I'm just looking at a question and answer. It's an answer I received to a written question on notice back in June 2021. The answer I got back was:

The functionality to capture data related to the discontinuation of Court proceedings, including sexual violence proceedings, is in scope for the second phase of iPOS. It is expected to be delivered within the next four years.

So by mid next year. It's that functionality that I was asking about. If you need to take that on notice, that's fine. I would like to know when that functionality will be.

DEAN SMITH: Thank you, ma'am. If it's okay, we'll take that on notice and get back.

I am advised:

The discontinuation of court proceedings data is captured by COPs. However, the ability to search that information is currently limited. Phase 2 of IPOS (COPS replacement) is scheduled for delivery commencing in 2027 to 2029, and this functionality will be part of Phase 2.

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Ms ABIGAIL BOYD: Great, thank you—and apologies for messing up the terminology previously. Can I come to another issue I've been banging on about for a bit, which is in relation to training for coercive control. We talked about this last time and then I got some additional information back from you afterwards. I had received information from the domestic and family violence sector that they were unhappy with not being consulted in relation to that training. Deputy Commissioner Lanyon, you came back saying that they had been consulted. I think we maybe have a disagreement on what consultation means. The training, which I understand is now being rolled out, the face-to-face training—

MALCOLM LANYON: Phase two, yes.

Ms ABIGAIL BOYD: Did the domestic and family violence experts see that training before it was rolled out?

MALCOLM LANYON: They certainly participated and they were part of the actual video that accompanies that training.

Ms ABIGAIL BOYD: Did they see the video before it was completed and sent to, or used, for training?

MALCOLM LANYON: Can I take that on notice?

Ms ABIGAIL BOYD: Yes.

MALCOLM LANYON: I'll confirm that for you.

I am advised:

The NSW Police Force accommodated requests from respective members of the expert panel who sought to view the training package. All requests to view the video material were received after the training package was completed.

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Ms ABIGAIL BOYD: The legislation is talking about very complex matters and the whole point of the coercive control reform was to give a better understanding or educate the public on what domestic and family violence was actually about. A huge part of that was understanding what coercive control looks like on the ground. Was it not thought appropriate to involve the experts when designing that training to make sure it would be effective at achieving that goal?

MALCOLM LANYON: I think we are probably at cross-purposes. I believe that the consultation that was undertaken—the involvement of stakeholders in the actual video that forms part of that training—is to inform police of the types of activities, the types of actions that would constitute coercive control.

Ms ABIGAIL BOYD: How long was that forum where these experts were talking?

MALCOLM LANYON: I'd have to take that on notice, sorry.

Ms ABIGAIL BOYD: How long is the video of that forum that has been included in the training package?

MALCOLM LANYON: I will take that on notice. It forms part of a two-hour face-to-face training package.

Ms ABIGAIL BOYD: Is it a big part or a small part of that?

MALCOLM LANYON: I don't know. I'll come back to you, sorry, with an actual accurate time.

I am advised:

The expert panel ran for approximately 2.5 hours and was filmed in its entirety. Key elements of the video of the expert panel have been used to inform specific aspects of the training packages for all NSWPF employees, for Investigators and for Prosecutors.

These elements are cut and interwoven into the training packages. there is no single video component. The recorded expert panel video forms an important part of the training packages. It provides the training recipients with insight on the specific impacts and effects of domestic violence on the expert's constituency.

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Ms ABIGAIL BOYD: Is there any kind of test or examination afterwards to check that the officers have taken any of the information in?

MALCOLM LANYON: If I could take that on notice, I'll come back to you with whether the officers actually perform a proficiency test at the end of that.

I am advised:

There is no test after the face-to-face training.

The training package does include a coercive control scenario. Participants are required to discuss the scenario in small groups and answer questions put to them by the course facilitator. As a number of courses on coercive control have been developed, the NSWPF continues to scope and develop an evaluation process to assess effectiveness of training.

To determine the impact of the implementation of coercive control, including training the following processes have been developed:

- NSWPF, Bureau of Crime Statistics and Research (BoCSAR) and the Department of Communities and Justice have collaborated to create coercive control offence fields in the COPS database to record and monitor the offence.
- BOCSAR has committed to designing a monitoring report for the coercive control legislation to be finalised in the first half of 2024.
- BOCSAR will be reporting quarterly after the legislation and offence commences (with the first report based on data collected from July to September 2024, to be available by December 2024).

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Ms ABIGAIL BOYD: In one of the recommendations or findings from the Auditor-General's report into the police responses to domestic and family violence, she found that the effectiveness of training across the Police Force was not monitored. There was no way of actually working out, in many cases, whether any of training of police is effective, particularly in relation to domestic and family violence. It also showed that in professional development, even for those domestic and family violence specialist police, training was not mandatory. Have things improved since the Auditor-General put together those findings and recommendations?

MALCOLM LANYON: They most certainly have. As part of the domestic and family violence reform program, education and training has been one of the key pillars. I'm more than happy, on notice, to provide the additional training that is now provided to officers, whether they're in a specialist role or a generalist role, so that you can see there has been an ongoing development of that training.

I am advised:

Currently, the following NSWPF education and training courses relate either specifically to, or have a significant component relating to domestic and family violence:

- Domestic and Family Violence Fundamentals Course;
- Phase 1: Coercive Control – all NSWPF Employees;
- Phase 2: Coercive Control Training – all front-line NSW Police Officers
- Phase 2: Coercive Control – Investigators;
- Phase 2: Coercive Control – Prosecutors;
- Mandatory Continuing Police Education (MCPE);
- Domestic Violence Officer Course;
- Desktop Exercise;
- Adult Sexual Violence Investigation Course (ASViC);
- Cultural Safety;
- Unconscious Bias;
- A facilitated Coercive Control 2-day face-to-face Conference to be held in June 2024. The conference will be attended by PAC and PD DV Teams, HRO Teams, Crime Managers, ACLO's, MCLO's, GLLO's and Prosecutors; and
- Bespoke training by the Domestic and Family Violence Registry (including but not limited to PACs and PDs training days, Behind the Blue program and Coercive Control Reference Group meetings).

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Ms ABIGAIL BOYD: Thank you. Commissioner Webb, we spoke last time about the use of section 181D in terms of holding perpetrators of DV to account. You said last time there were two dismissals, I believe, under that section in the 2023-24 financial year.

KAREN WEBB: I'll have to check that.

Ms ABIGAIL BOYD: How many now?

KAREN WEBB: I'll give you the exact numbers. But to the point you raised and, obviously, this morning the discussion around the recommendation—whilst we've got 57 officers currently charged with 180 charges, that doesn't mean they're on the front line serving DV customers and victims. They are probably doing alternative duties or may actually not even be in the workplace while—

Ms ABIGAIL BOYD: Are you able to give data on that?

KAREN WEBB: On notice I will be able to, yes.

I am advised:

For the current financial year, as at 4 March 2024, there are five (5) NSW Police Force officers who have been removed under s181D of the *Police Act 1990* for reasons including, or involving, domestic and family violence.

Of the 57 officers with current charges, two officers are performing frontline duties.

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The Hon. SUSAN CARTER: How many new recruits were sworn in to the Police Force last calendar year?

KAREN WEBB: I'll have to take that on notice, and perhaps if I can make it up to next Friday then I can give you another 170 or something.

I am advised:

In 2023 calendar year, there were 658 police officers recruited.

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Ms ABIGAIL BOYD: In relation again to that STMP report, which has been well ventilated, there's a quote in there saying that the "criminalisation of disability has been well documented. It is also widely recognised that this occurs because of various factors, including the impact of frequent and intense policing." Last year a report was handed down that was scathing about the VERA-2R tool that was being used by the New South Wales Government, which alleged, without basis, that autism was a sign of criminality. There's been a few of these sorts of incidents coming. What consultation has been done with disability stakeholders, following the STMP report, to address—

KAREN WEBB: I'll have to take that on notice. I'll have to get the name of the report that you mentioned. I hadn't heard of it.

I am advised:

The NSW Police Force does not use the VERA-2R tool.

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Ms SUE HIGGINSON: Can I just also ask, in this one minute—it's come to my attention that there is a document named forestry protest quick reference guide, and it is a Coffs-Clarence police document. Is it possible to get a copy of that?

KAREN WEBB: Can I take that on notice? I wasn't aware that that existed either.

I am advised:

This operational document is subject to a claim of public interest immunity in order to protect police methodology.

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The Hon. SARAH MITCHELL: The data of 13 years of service, is that at the higher end of public service? It is my understanding that it is. People stay in the police force potentially longer than some of the other public servants. If you don't know, that's fine.

DEAN SMITH: I don't know specifically. I know that we do compare across public service as a whole, but I would have to get that to you.

The Hon. SARAH MITCHELL: If you could on notice, that's fine.

DEAN SMITH: I could probably find that very quickly, so before the end of the day.

I am advised:

According to the NSW Public Service Commission's State of NSW Public Sector Report 2022 website, median agency tenure is only 7.4 years.

This is compared to an average of 13 Years of Service (YoS) overall in the NSW Police Force (14 YoS for police officers and 10 YoS for administrative officers).

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The Hon. SUSAN CARTER: Perhaps this next question is to you, Mr Smith, or perhaps it's to you, Commissioner Webb. I think you gave us the figure of roughly a 16½ thousand-strong Police Force. How many of those officers are currently available for service? If we take out everyone on sick leave, maternity leave, long service leave or any other form of leave—including anybody who may be suspended from duty—what's the active number?

KAREN WEBB: I'll take it on notice. We do calculate that because that is what we call our operational capacity and those people that can do operational duties. We do hold that data; I'll just have to take it on notice.

I am advised:

Staffing levels across commands fluctuate on a daily basis. Staffing levels and resources are deployed to ensure policing demands are met.

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The Hon. SUSAN CARTER: How many officers have we lost to incentive schemes offered by Queensland Police Service since they were initiated?

KAREN WEBB: We were asked this last estimates, and it was a relatively small number. I've got Operation State of Origin happening here, and most people that wear blue in this State want to stay blue. I think there were some that we lost that probably lived in Queensland, or they were attached to the Tweed-Byron area. They're certainly not big numbers, that I'm aware of, but I can take that on notice.

I am advised:

There is no requirement for employees exiting the NSW Police Force to provide this information and as such, this data is not held.

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The Hon. SUSAN CARTER: Commissioner, perhaps you can walk us through—we've heard today and in other forums that police are relying heavily on overtime to address staffing shortages. How much overtime are police being asked to do?

KAREN WEBB: I'll have to take that on notice because it's not a routine ask of officers. There might be shift changes. There might be time and a half arrangements if it's a user-charges type event, and there's other arrangements that can be made. It's not strictly all overtime, and that might take some time to gather, to quantify.

I am advised:

Overtime can be used to address temporary shortfalls in staffing.

KRONOS Overtime Hours:

2021: 414.4K hours (1.6% of rostered hours)

2022: 447.7K hours (1.8% of rostered hours)

2023: 471.1K hours (1.9% of rostered hours)

There has been around 5.2% increase in overtime hours taken (2022 vs 2023).

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The Hon. SUSAN CARTER: Talking about the local level, are KPIs in place for chief inspectors to meet when keeping stations under budget?

KAREN WEBB: I'll have to take that on notice. They're certainly a key leadership position in the organisation and work as part of the command leadership team. A superintendent and a number of inspectors will form a leadership team at that command level. Each commander is responsible for a budget, but I'd have to further explore the question you've asked.

The Hon. SUSAN CARTER: If you could, I'd appreciate it. Thank you very much.

I am advised:

Please see answer to supplementary question on notice number 72.

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Ms ABIGAIL BOYD: I want to ask some questions about facial recognition. Thank you so much, because after the last estimates hearing there were questions taken on notice, and they came back and they were really fulsome answers. There has been quite a noticeable increase in transparency since the last term of Parliament, which is great. There was quite a notable jump in the instances of the use of facial recognition to generate leads for investigations. We had 316 in the 2022-23 financial year. In the 2023 financial year to date—this is at the end of last year—it was 453. It increased quite a lot. Do you have an up-to-date figure for where we're at now?

KAREN WEBB: I'll have to take that on notice.

I am advised:

The previous figures provided in Budget Estimates Supplementary QONs in 2023 for 2022-23 financial year was 316 and 2023-24 YTD was 453.

When submitting the figures in 2023, there was an error in the calculation parameter set within the Facial Recognition Unit data spreadsheet whereby figures were subtracted or omitted from one financial year and added to the next. The error has been fixed and current figures are now 411 for July 2022 to June 2023 and 408 for July 2023 to February 2024.

Reasons for any increase in facial recognition leads can be the result of the following initiatives, undertaken by the NSW Police Force's Facial Recognition Unit (FRU) to raise awareness of facial recognition services through education and training.

- Proactive promotion of the services provided by FRU through presentations and lectures at Police Area Commands (PAC);
- Advising PAC and Police Districts of what business owners should do to get better CCTV images - Better images increase opportunities to identify a suspect; and
- FRU examiners are better skilled and trained - FRU examiners are required to complete the Diploma of Forensic Identification.

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The Hon. SARAH MITCHELL: Commissioner, I think you mentioned in earlier evidence the PULSE Program. I've got some more specific questions but I'm also happy for any general remarks in terms of how many officers have engaged with that program and I guess the feedback from them in terms of how well it's working for their wellbeing support.

KAREN WEBB: I can ask Mr Smith whether there's any actual data that I can produce today, or we can take it on notice.

The Hon. SARAH MITCHELL: Sure.

I am advised:

- Early Access Treatment Initiative (EATI):
 - In 2023-24 YTD, there were 309 Claimants and 1,170 Claims paid
- eWellCheck - Trial of eWellcheck:
 - In 2023-4, there were 53 participants
- Mental Health Clinician (MHC):
 - 12 MHC rolled out in 2023, further eight (8) MHC recruited in 2024;
 - In 2023-24, there were 3,346 interactions (266 formal interactions, 3080 informal interactions)
- RECON
 - In 2023, there were 220 referrals
 - In 2024, there were 78 referrals

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Ms SUE HIGGINSON: I have one final question on the FPOs. What is the age of the youngest person that is subject to an FPO?

DAVID HUDSON: I'd have to take that on notice.

I am advised:

14 years old at the time of service.

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Ms SUE HIGGINSON: One other thing. Something that I raised in the last estimates, and I think Deputy Commissioner Lanyon may have looked at this, but the false accusations and the retraction matter—I am talking about a very specific case where police continue to prosecute where the only evidence of the false accusation is the retraction, or the only evidence is the retraction. You indicated that you weren't aware that it was a thing or that it was happening, I think—sorry if I am verballing you here.

MALCOLM LANYON: You are, Ma'am.

Ms SUE HIGGINSON: I apologise for that. Could you let me and the Committee know now what you found? Because, again, I have just been made aware, only in the last week, of another really serious case that is taking place, and it is just quite shocking that the police are continuing to prosecute this matter. Again, it is a First Nations woman in a rural, remote region.

MALCOLM LANYON: Ma'am, if I can just go back probably a little bit, what I actually said last time was there had been reports that there were significant numbers of misidentification of primary aggressors and action taken on the basis of retraction, and all of the records we held indicated that there were very few examples of that. There is significant guidance provided to police about when we would look to charge someone on the basis of a retraction. All of that guidance says that a simple retraction on its own is not justification. There would normally need to be other evidence available. Whether it's evidence such as a text message that someone may have—there may be CCTV that completely contradicts a version—that may form basis for it. In relation to the matter you're talking about there, I would appreciate—if you would like to provide the details to me, I'll certainly look at that matter there.

I am advised:

The matter raised is currently with the Domestic and Family Violence Registry for a full review of the investigation and compliance with the NSWPF's Domestic and Family Violence Standard Operating Procedures. The charges have been withdrawn.

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Ms SUE HIGGINSON: Can I ask: What was the expert? What was their expertise? You may have said this publicly and I may have missed it, but just for the record here—

MALCOLM LANYON: I think I would do him an injustice to actually read it out now. He's probably got a page and a half of qualifications going back decades in the field of biometrics and audiology. He's a renowned expert and he's someone—obviously, we could provide his qualifications.

Ms SUE HIGGINSON: Right. Thank you.

I am advised:

Professor Michael Wagner (PhD) at the National Centre for Biometric Studies PTY LTD:

- received his Diplomphysiker degree from Ludwig-Maximilians-Universität in Munich with a thesis on the computer simulation of an elementary-particle spectrometer (1973);
- received his PhD in computer science from the Australian National University with a thesis on the acoustic-phonetic analysis of speaker characteristics (1979);
- is the Managing Director and Chief Scientist of the National Centre for Biometric Studies Pty Ltd, a research and consulting company on biometrics, and has practised forensic speaker recognition since 2012;
- is an Honorary Professor of Biometric Security Systems in the Faculty of Electrical Engineering & Computer Science of Technical University Berlin, Honorary Professor in the Research School of Computer Science of the Australian National University, and Emeritus Professor of the University of Canberra;
- is an Associate Editor of IET Biometrics, Fellow of the Institution of Engineers Australia and former Chartered Professional Engineer of EA, a Life Member of the Australasian Speech Science and Technology Association, and a Life Senior Member of the Institute of Electrical and Electronic Engineers;
- was Professor of Computing of the University of Canberra, including Head of the School of Computing (1996-2001), Head of the Discipline of Software Engineering (2005-2010), Director of the Human-Computer Communication Laboratory (1996-2012), Director of the National Centre for Biometric Studies (2006-2010), Member of the University Academic Board (1996-2003 and 2006-2014), Acting Chair of the University Academic Board (2013), Member of the Academic Board Executive Committee (2001-2003), Chair of the University Student Conduct Committee (2008-2012), and Chair of the University Committee for Ethics in Human Research (1997-2001);
- was Professor of Computing Science at the University of the South Pacific in Suva, Fiji (2019-2020);
- was CEO and Chief Scientist at the Technology for Robust User-Secure Transactions (TRUST) Project, a multimillion-dollar research project at ANUTech, the then commercial arm of the Australian National University, and Associate Professor in the ANU College of Engineering and Computer Science (1993-1996);
- has held other research and teaching positions at Technical University of Munich, National University of Singapore, Nixdorf AG, University of Wollongong, Australian National University and University of New South Wales/Australian Defence Force Academy (1979-1993);
- was the Foundation President of the Australian (now Australasian) Speech Science and Technology Association (ASSTA, 1988-1992), a Board Member for

organisational strategy, industry liaison and treasurer of the International Speech Communication Association (ISCA, 2000-2007), Member of the Subcommittee on Developing Technology of the Australian Law Reform Commission (ALRC, 2007-2008), Member of the IT advisory board to the Chief Minister of the Australian Capital Territory Government's Information Industries Development Board (IIDB, 1999-2001); Member of the Australian Capital Territory Government's Digital Divide Taskforce (2001), Chair of the International Working Group on future directions of the Forum for European-Australian Science and Technology Cooperation (FEAST, 2001), Member of the Board of Management of Software Engineering Australia (ACT) Ltd (SEA, 1999-2001), and Chairperson of the East Timor Foundation (1990-2007);

- has been a visiting researcher/professor at the Universities of Amsterdam, Hong Kong, Duisburg, Karlsruhe and Avignon, Nanyang Technological University, Shandong (山东大学) and Beihang (北京航空航天大学) Universities, TU Berlin, and Siemens Research Laboratories;
- is the author of more than 200 publications in the field of speech science and technology. His Google Scholar statistics as of 12.01.2024 are: 3945 citations (1416 since 2019), h-index=32(19), i10-index=73(28).