

2017-18 BUDGET ESTIMATES

PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS

POLICE AND EMERGENCY SERVICES

QUESTIONS AND ANSWERS

HEARING: Thursday, 31 August 2017

1: STATE CRIME COMMAND FIREARMS SQUAD STRENGTH

The Hon. LYNDA VOLTZ: At the same time as we are dealing with tackling gun crime why has the Government cut the number of authorised staff in the State Crime Command firearms squad—down from 49 to 35?

Mr TROY GRANT: I will have to check your figures. That is not my understanding.

The Hon. LYNDA VOLTZ: I obtained information through the Government Information (Public Access) Act [GIPAA] and you provided us with the figures. Under the figures that were provided by your office, the numbers have dropped from 49 to 35.

Mr TROY GRANT: I will have to take that on notice to check. There may have been a realignment. Some realignments have occurred, and have always occurred, across the NSW Police Force on reporting structures and roles, and functionalities. There has been some misreporting in the media that there has been a drop in police numbers from the frontline which is completely incorrect. The officers were transferred from their highway patrol duties attached to local area commands. They were simply transferred to the traffic and highway commands. They are still doing the same job in the same locations regarding traffic management and road safety. I will take that question on notice to give you a clear and accurate answer.

The Hon. LYNDA VOLTZ: I have a letter from L. Mufale, the team leader at the External Information Access Unit. On 31 December 2010 the number in the State Crime Command firearm squad was 49 for the authorised strength and the actual strength. On 30 June 2017 the authorised strength was 35 and the actual strength was 37. So it is pretty clear that the numbers have been reduced.

ANSWER:

1. The Commissioner determines the allocation of police officers based on operational requirements. These requirements will vary, dependent on a number of factors.

2: FIREARMS - PROFICIENCY TESTING

The Hon. LYNDA VOLTZ: Obviously not every police officer will pass because some of them will not be on active service, but what percentage of officers pass the proficiency test?

Mr FULLER: I would have to take that on notice but if you do not pass the test you have to re-sit it before you get your firearm back.

ANSWER:

2. I am advised:

If a police officer is not assessed as proficient in handling and shooting their NSW Police Force (NSWPF) issue firearm, then remedial training is immediately scheduled for them. A police officer will not be operationally deployed until they are assessed as proficient.

3: TIMEFRAME FOR NEW QUEANBEYAN POLICE STATION

The Hon. SHAOQUETT MOSELMANE: I take you to the \$17 million mystery police station at Queanbeyan. What has happened to that police station?

Mr TROY GRANT: The commitment in relation to the police station at Queanbeyan is a police property that was well overdue for some investment. It has been allocated in the budget—I am just checking my notes for you.

The Hon. SHAOQUETT MOSELMANE: It was announced in 2015.

Mr DAVID SHOEBRIDGE: In 2016 and 2017.

Mr TROY GRANT: The Queanbeyan council—sorry, Queanbeyan-Palerang is the new title of that council—approached the NSW Police Force to examine a joint occupancy project or model, which has been explored, to find out if it was going to be functional, whether it provided for the needs of the NSW Police Force and also what the council was looking for. That project is well and truly underway. That project is progressing. Commissioner, do you wish to add anything?

Mr FULLER: I do not have an exact time frame on where that is at, but I can certainly try to get one for you as soon as possible.

ANSWER:

3. Please refer to the response to Supplementary Questions 94 to 96.

4: FIREARMS - PARDUS LAX12 CLASSIFICATION

A: Mr DAVID SHOEBRIDGE: Whilst we are on that theme, Minister—and probably to you, Commissioner—why was the Pardus LAX12 magazine-fed action 12 gauge shotgun, which has a five shot detachable magazine and has all the appearance of an assault rifle, not similarly placed in the list of prohibited weapons or weapons that cannot be obtained without a prohibited weapons licence?

Mr TROY GRANT: I am not as familiar with that firearm as the previous one. I can take that on notice for you and give you a fulsome answer.

Mr DAVID SHOEBRIDGE: Perhaps the Commissioner is aware of the significant numbers of this extremely dangerous-looking thing, which largely simulates an assault rifle. Are you aware of that and the numbers being imported into New South Wales?

Mr TROY GRANT: Mr Shoebridge, as I answered the previous question regarding what considerations are deemed, I have every confidence that that determination and consideration was given. I will take that on notice to give you a fulsome answer as to why that particular firearm that you have identified was not considered the same as the previous one.

B: Mr DAVID SHOEBRIDGE: How many of these shotguns are there registered in New South Wales?

Mr TROY GRANT: I will have to take that on notice.

ANSWER:

4. I am advised:

A: The Pardus LAX 12 MF is not categorised as a prohibited weapon because it does not fit the description of a prohibited weapon under the *Firearms Act 1996*.

The Pardus LAX 12 MF is currently categorised as a Category A firearm. On 1 November 2017, that categorisation will change to Category B due to the commencement of Part 10 of the *Firearms and Weapons Legislation Amendment Act 2017*, which provides that all lever action shotguns with a magazine capacity of no more than five rounds are categorised as Category B.

B: As at 8 September 2017, there were 662 Pardus LAX 12 firearms registered in NSW.

5: COST OF DEPUTY COMMISSIONERS AND STAFF

Mr DAVID SHOEBRIDGE: How many deputy commissioner positions are there now in the force— substantive positions?

Mr FULLER: There are currently five, and one of those at the moment is a civilian level position. So four sworn deputies and there will soon be one civilian deputy level.

Mr DAVID SHOEBRIDGE: Were there not plans to have six under the prior commissioner?

Mr FULLER: My understanding was, reflecting back on the budget papers, that it was always five— certainly from last year. I am not sure what the previous commissioner had in mind, however.

Mr DAVID SHOEBRIDGE: So if you are anxious about getting more frontline staff, how does expanding the number of extremely expensive deputy commissioner positions with all of their attendant staff marry with the reduction of senior staff at a more grassroots local area command?

Mr TROY GRANT: The construct of the executive was done in consultation with world's best practice for the way that the executive is structured. Previous to the chain you had deputy commissioner for field operations; he had direct reports of approximately 12,000 out of the 16,000 police in New South Wales, which was not the most effective way to provide that direct reporting to realise best outcomes for policing. When you talk about the add-on staff for the executive, it is a perception that they have a lot of staff but they do not—that is a fallacy; they do not have a big office of—

Mr DAVID SHOEBRIDGE: You might give us the cost of all those Deputy Commissioner officers and staff.

Mr TROY GRANT: Absolutely; happy to take that on notice. Each deputy does not have a Chief of Staff, executive officer?

Mr FULLER: And a personal assistant.

Mr TROY GRANT: So three.

Mr FULLER: A number of those positions have been downgraded.

Mr TROY GRANT: They have three.

ANSWER:

5. I am advised:

The total number of positions across the five Deputy Commissioner offices under the new executive structure is 23.

The total employee related expenses of the five Deputy Commissioner offices is \$5.23m (2017-18).

6: ANIMAL CRUELTY - DELFORCE INVESTIGATION

A: The Hon. MARK PEARSON: In a recent case, the Police v Delforce, which was struck out last week, police conducted a two- to three-year investigation into alleged uses of surveillance cameras and publication of animal cruelty footage that was obtained. The investigation included obtaining much telephone metadata, many bank records, an interstate search warrant, and submitting evidence for forensic analysis by private experts, among other things. How many investigations into animal cruelty have been so thorough and involved the elements just mentioned?

Mr TROY GRANT: I will have to take that question on notice, Mr Pearson, I do not have that information at hand.

B: The Hon. MARK PEARSON: Why did the police not investigate and prosecute the animal cruelty offences that were exposed and documented by the surveillance in their own brief of evidence against Delforce, just as the Queensland police did with evidence that was gathered in a similar way, that is, without permission regarding live baiting.

Mr TROY GRANT: Again, that specific matter is not familiar to me. I will take that part of the question on notice.

ANSWER:

6. I am advised:

A: The process of gathering evidence depends on the individual investigations. The NSWPF is not able to provide a record of the detailed evidence for each investigation.

B: Police did not identify any evidence of animal cruelty or that the pig owners were acting outside industry standards. The investigation identified that the surveillance footage was obtained unlawfully.

7: ANIMAL CRUELTY - POLICE ACADEMY TRAINING

The Hon. MARK PEARSON: Research in psychology and criminology shows that many people who commit acts of cruelty to animals, then move on to fellow humans. For example, Robert Ressler said, "Murderers ... very often start out by killing and torturing animals as kids." Clearly, this is a marker for what is called the "cycle of violence". There are often situations where police have been called or officials have been called to a property in regard to cruelty to animals and yet later it is divulged that crimes against children and women occurred in the same dwelling.

Given the proven strong links between animal abuse, child abuse, domestic violence and homicides, including serial killing, what education and awareness training is provided to police at the Police Academy in relation to this?

Mr TROY GRANT: In general terms, to answer the first part of your question, the NSW Police Force works with a range of agencies—Fire and Rescue, and the Rural Fire Service [RFS] in relation to arsonists, for example. The RSPCA is the lead agency in the investigation and prosecution of animal cruelty matters, but it does have a strong relationship with the NSW Police Force and that is continuing. If there is intelligence and/or facts that become known by the police prosecutors who usually take these matters before the court, there is already a relationship for that intelligence to be shared and for it to be factored into police intelligence and any relevant criminal investigations and public safety issues.

The second part of your question regarding the training component, I am happy to take that on notice and provide you with a fulsome answer.

ANSWER:

7. I am advised:

The NSWPF has provided a lecture on this issue to every class of students in the Associate Degree in Policing Practice since 2005. The topic specifically covers the links between animal cruelty and interpersonal violence, including related crimes of younger offenders such as bullying, malicious damage and other antisocial behavior. It is regularly updated consistent with emerging literature.

The NSWPF also has a number of relevant articles in policing journals, which are available to all police online, along with other material on animal cruelty.

8: QUEANBEYAN POLICE STATION COMPLETION DATE

The Hon. SHAOQUETT MOSELMANE: I will ask a question for clarity regarding Queanbeyan. Minister, you indicated that there is a discussion with the local council to house the police in the local council building. When will the people of Queanbeyan know whether they will get the police station in the council building or a separate police station in Queanbeyan?

Mr TROY GRANT: I will clarify. In relation to Queanbeyan, a non-binding heads of agreement has been signed for the location of 50 Lowe Street, a multistorey development. Council will be responsible for the construction. That is the surety. NSW Police Force has agreed to lease the two lower floors of the building and fund the specialist fit-outs associated with the police station. An architect has been appointed to review and communicate base building requirements regarding that project.

The Hon. SHAOQUETT MOSELMANE: Is there a completion date?

Mr TROY GRANT: As soon as possible.

The Hon. SHAOQUETT MOSELMANE: A year, two years?

Mr TROY GRANT: I will take that on notice and get back to you when I have specific advice.

The Hon. SHAOQUETT MOSELMANE: Initially there was \$15 million followed by a further \$2 million allocated. Why was the extra \$2 million needed?

Mr TROY GRANT: I will get a full answer. It is my understanding that it is in relation to the scope. We get an indicative figure of what is required, then assessment is made, there is consultation with the officers, future consideration of office space is factored in and the request comes back when the detailed discussions are understood, and an additional \$2 million was required. I will take that on notice and submit a full answer.

ANSWER:

8. Please refer to the response to Supplementary Questions 94 to 96.

9: ALSTONVILLE POLICE STATION STAFFING

The Hon. SHAOQUETT MOSELMANE: Alstonville police station has no permanent police officer. When are they going to get that permanent police officer?

Mr TROY GRANT: I do not have that information. The Commissioner has indicated he will take that on notice and provide you with a fulsome answer.

The Hon. SHAOQUETT MOSELMANE: It has been going on for some time.

The Hon. CATHERINE CUSACK: Well before 2011.

Mr TROY GRANT: I will take that on notice, I do not have full details today. It has been a long- running issue, as pointed out by the Committee member.

ANSWER:

9. I am advised:

An officer previously on long term sick leave returned to full operational duties at Alstonville on 31 August 2017. Recruitment is underway for a second officer at Alstonville.

10: FIRE SAFETY - BUILDINGS WITH FLAMMABLE CLADDING

The Hon. LYNDA VOLTZ: Minister, how many high-rise buildings in New South Wales have been identified to contain flammable cladding?

Mr TROY GRANT: I do not have those specific figures with me. Fire and Rescue NSW are represented by a task force in relation to the cladding issue. Commissioner, do you have those figures?

Mr HAMILTON: At this point in time we have been working very closely with the parliamentary task force to deal with this. We have been given a list of 1,041 locations across New South Wales which potentially have cladding located on them. That is not to say that they do have cladding, and that is not to say that if they do have cladding they are at risk.

The Hon. LYNDA VOLTZ: Of that 1,041, how many have been audited?

Mr HAMILTON: We are approaching it through a risk-based model, so through the Australasian Fire and Emergency Service Authorities Council, which has provided a priorities listing. For us, the priority listing that we are looking at is class two and class three buildings under 25 metres. Those are residential buildings, so residential occupancy and under 25 metres. The concern is that they do not have sprinklers or there is no mandatory requirement for sprinklers in those locations.

The Hon. LYNDA VOLTZ: How many of those have been audited?

Mr HAMILTON: We are ground-truthing the locations. I have not got an approximate figure for you, so I will have to take that on notice.

ANSWER:

10. I am advised:

Fire & Rescue NSW is not conducting audits; rather is undertaking 'ground-truthing' site visits. As at 22 September 2017, FRNSW has visited 562 sites.

11: NSW RFS - RESOURCES TO DEAL WITH UPCOMING FIRE SEASON

Mr DAVID SHOEBRIDGE: Commissioner Fitzsimmons, the Central West, particularly around Bathurst, has some of the driest soil and driest vegetation conditions on record. The fire season is commencing again at a record early point, on 1 September. What additional resources have been allocated to that region and across the State more generally to deal with what might be a catastrophic fire season? I hope not, but it may be.

Mr FITZSIMMONS: Thank you, Deputy Chair. We are looking at very dry conditions across New South Wales at the moment. As you say, we have had one of the driest Julys. We have had a very dry winter. The landscape conditions are particularly dry. The Central West is not alone. We are looking at a fairly widespread geographic nature of that risk. Dynamically, as you know, we assess seasonally where the risks are and we start targeting, preparing the strategies and the ongoing investment statewide around things like improving capital infrastructure, mobile infrastructure and communications infrastructure, and technological advances have continued. There are a number of contracting arrangements, particularly in relation to high capacity aircraft that have been brought on early.

As a matter of point, we will be identifying the arrival of one of the large air tankers this week, coming online at the end of this week—tomorrow—which is indicative of the investment we have been able to have with the funding going forward. Again, this year we have got another \$20 million-odd going into buildings and over \$30 million going into new and refurbished firefighting appliances around New South Wales. In particular, beneficiaries in the Central West include a big investment in relation to appliances and infrastructure projects and, going to the heart of the appliances in the Region West area, we are looking at least 27 new appliances at a value of more than \$6.5 million. There are an additional four vehicles. We have 28 used and/or refurbished appliances going into Region West this year. More than \$4 million worth of building programs are going on across 19 projects. Some of the particular areas include 12 new brigade stations, toilet facilities, upgrades, and all sorts of things.

Mr DAVID SHOEBRIDGE: Commissioner, I am happy for that sort of list to be provided on notice.

ANSWER:

11. I am advised:

The total expense budget allocation for the NSW RFS in 2017-18 is \$385.8 million, an increase of almost \$13.4 million (3.6 per cent) over the previous year's allocation. The 2017-18 budget ensures our rural fire fighters are appropriately equipped and vital hazard reduction is undertaken.

Some key features of the total expense budget allocation across the State:

- \$9.4 million has been allocated to enhance the State's bush fire fighting capability by engaging a Very Large Air Tanker and a Large Air Tanker in fire season. This

program follows a successful two year trial of Large and Very Large Air Tankers across NSW.

- \$37.9 million has been allocated for hazard reduction works. The maintenance of a consistent level of funding will assist agencies meet the hazard reduction targets this Government has committed to and protect life and property from bush fire.
- over \$32 million for new and refurbished fire fighting appliances for use by Rural Fire Brigades.
- \$11.7 million as part of the NSW Government's four year \$46.3 million commitment for local government grants to support RFS infrastructure, bringing the total 2017-18 allocation for infrastructure to over \$20.0 million.

Additionally, the NSW RFS will be funding a total of 19 infrastructure projects, 27 new appliances, four other vehicles and 28 used appliances in Region West.

For the NSW RFS Chifley Lithgow Rural Fire District, which incorporates Bathurst, Lithgow and Oberon Local Government Areas, a total of \$3,967,148.88 has been allocated for stations and appliances. Of this, \$1,839,715.04 has been allocated for the Bathurst Local Government Area.

12: FATAL POLICE SHOOTINGS - NUMBER

Mr DAVID SHOEBRIDGE: Minister, there was a tragic shooting death in the last 24 hours out of Kelso, which is the third fatal police shooting in just the last month. How many fatal shootings have there been in the last 12 months, and have you spoken with the Commissioner about what strategies and reviews are in place to ensure that these deaths are minimised?

.....

Mr DAVID SHOEBRIDGE: I did not ask you to comment specifically on them, but I did ask you how many fatal shootings there have been in the last 12 months.

Mr TROY GRANT: I will have to take that on notice.

ANSWER:

12. Please refer to the response to Supplementary Question 6.

13: FATAL POLICE SHOOTINGS - MENTAL HEALTH TRAINING

Mr DAVID SHOEBRIDGE: Given the fact that the Central Station shooting was almost 20 years to the day after the fatal shooting of Roni Levi on Bondi Beach, and given that, at least at first appearance, it looks like mental illness was a factor in the Central Station shooting, with a mentally ill man in not totally dissimilar circumstances to Roni Levi, what additional training has there been and what additional attention has there been amongst the NSW Police to ensure that mentally-ill people are not tragically shot by police in similar circumstances to Roni Levi?

.....

Mr TROY GRANT: In relation to the training, since February 2014 the NSW Police Force has been rolling out mental health intervention workshops for all front-line police. As of 30 June 2017, 15,960 officers have completed this training package. The course will continue to be delivered to every subsequent new recruit class that goes through the police academy, so as to maintain 100 per cent training capability. The workshop is in addition to a more intensive, specialised mental health training package that police have pioneered and have been delivering now for some years. Over 2,100 officers have completed the course, in which police are educated to identify behaviours in the field indicative of mental health, and provides them with additional tools and understanding, and, in particular, communication strategies, which, in my experience, is the key component. The course also has elements of risk assessments and teaches skills to de-escalate, and intervention techniques.

.....

Mr DAVID SHOEBRIDGE: The concern that has been raised is that the workshop, which you said some 15,000 police have done, is a very narrow, summary process; but the four-day intensive course, which only some 2,100 police have done, is the critical resource. What proportion of frontline police have done the four-day intensive course?

Mr TROY GRANT: I will take that on notice and give you a fulsome answer.

ANSWER:

13. Please refer to the response to Supplementary Question 8.

14: FIREARMS REGISTRY - APPEAL OF NCAT MATTERS

Mr BORSAK: Are you aware of the New South Wales Government's model litigant policy? Why does the New South Wales Firearms Registry not comply but maliciously appeals decisions made in favour of firearms owners by the New South Wales Civil and Administrative Tribunal and keeps going until it wins?

Mr TROY GRANT: I am aware of that grievance and as I move across regional New South Wales I have had that grievance conveyed to me. I will take that question on notice and give you a fulsome reply.

ANSWER:

14. I am advised:

The NSWPF is aware of, and complies with, the Model Litigant Policy for civil litigation. The NSWPF only commences appeal proceedings when necessary and on the basis of advice that there are reasonable prospects for success.

15: FIREARMS REGISTRY - AMMUNITION PURCHASE INFORMATION

Mr BORSAK: Since the Liberal-Nationals Government introduced the infamous ammo bill in mid-2012, it has been widely and justifiably criticised not only by firearms owners but also by the Privacy Commissioner in 2015. Has the information collected on ammunition purchases ever assisted NSW Police in leading to a conviction for a firearms crime?

Mr TROY GRANT: I will have to take that question on notice. We did make some recent changes to the Firearms and Weapons Legislation Amendment Bill in relation to the details concerning the purchaser's address.

The CHAIR: That only related to removing the address of the person off the register.

Mr TROY GRANT: Of the purchaser, that is correct. As I said, I will take the rest of the question on notice.

ANSWER:

15. I am advised:

The provisions were enacted as one mechanism to address firearms related crime. The proposal that certain records be made and maintained by firearms dealers regarding ammunition sales was designed to provide a powerful disincentive for a criminal to stockpile ammunition from a legitimate dealer. This deterrence effect was, and remains, the prime consideration.

16: BOWRAVILLE MURDERS - INQUIRY RECOMMENDATIONS

Mr DAVID SHOEBRIDGE: The New South Wales Government accepted all the recommendations of the parliamentary inquiry into the Bowraville murders, and that acceptance was in June 2015. Has Recommendation 1 been implemented? That recommendation was:

That the NSW Police Force review all of its policies, procedures and training programs that relate to Aboriginal people, and update them where necessary to ensure they are consistent with best cultural practice. This should be done in consultation with Aboriginal people and those with relevant expertise, such as Detective Inspector Jubelin, Dr Diana Eades and Dr Tracey Westerman.

Mr TROY GRANT: I will ask the Commissioner to assist with this answer.

Mr FULLER: The information I have indicates that many are underway and some have been completed, but if I could perhaps come back at a later date with a more detailed response?

Mr DAVID SHOEBRIDGE: I am happy for that, and could it also address Recommendation 2, which was the case study for training?

Mr FULLER: Yes.

ANSWER:

16. I am advised:

The Recommendations for which the NSW Police Force had responsibility for implementing – Recommendations 1 and 2 – have been completed.

17: ATTENDEES: AUST-NZ COUNTER TERRORISM COMMITTEE

The Hon. LYNDA VOLTZ: Who represents New South Wales on the Australia-New Zealand Counter-Terrorism Committee?

Mr TROY GRANT: Deputy Commissioner Dave Hudson.

The Hon. LYNDA VOLTZ: The Deputy Secretary of the Department of Premier and Cabinet no longer goes?

Mr TROY GRANT: Sorry, I thought you meant from the ministry.

The Hon. LYNDA VOLTZ: The deputy commissioner of special operations attends, yes?

Mr TROY GRANT: Deputy Commissioner Hudson from Investigations and Counter Terrorism from the NSW Police Force attends. I can give you a fulsome list of other attendees, but Department of Premier and Cabinet representation is there, yes.

ANSWER:

17. I am advised:

NSW members and senior advisors to the Australia-New Zealand Counter Terrorism Committee are:

Members:

- Deputy Commissioner David Hudson APM, Investigations and Counter Terrorism, NSW Police Force
- Ms Mary Ann O'Loughlin, Deputy Secretary, Social Policy, Department of Premier and Cabinet

Senior Advisors:

- Assistant Commissioner Mark Murdoch APM, Counter Terrorism and Special Tactics Command, NSW Police Force
- Mr Paul Daniell Director Countering Violent Extremism Policy and Programs, Department of Premier and Cabinet
- Mr Scott Corrigan, Director Counter Terrorism, Office for Police, NSW Department of Justice

18: MEETINGS WITH MINISTER FOR COUNTER TERRORISM

The Hon. LYNDA VOLTZ: How often do you meet with the Minister for Counter Terrorism in your capacity as the Minister for Police?

Mr TROY GRANT: Regularly. I will take that on notice to give you some exact figures, but I see him at least weekly.

ANSWER:

18. The frequency, format and length of meetings I have with the Minister for Counter Terrorism varies according to present issues, concerns and operations. As I said in the hearing, I see him at least once a week.

19: COUNTER TERRORISM - LIAISON WITH LOCAL COUNCILS

The Hon. LYNDA VOLTZ: What other local councils (*besides Sydney City Council*) are you discussing the installation of bollards with?

Mr TROY GRANT: I will have to take that on notice and ask the counter-terrorism command, which performs that role.

ANSWER:

19. I am advised:

The NSWPF Counter Terrorism Command engages with a number of 'crowded places' land owners and managers, including local councils, to provide protective security from acts of terrorism. It would be inappropriate to discuss the specifics of any advice provided to crowded places stakeholders.

20: COUNTER TERRORISM - COORDINATION

The Hon. SHAOQUETT MOSELMANE: For my own clarification, the Hon. Lynda Voltz asked a question about who coordinates in instances of potential terrorism. Who initiates the coordination of those agencies?

Mr TROY GRANT: I will take that on notice and provide you the documentation that clearly articulates that for you.

ANSWER:

20. I am advised:

The NSW Counter Terrorism Plan, available on secure.nsw.gov.au, is the primary whole of government plan for countering terrorism in NSW. The NSW Commissioner of Police is responsible for the response to, and management of, a terrorism incident within NSW.

21: FIREARMS - ADLER SHOTGUN 'NEW TECHNOLOGY'

Mr BORSAK: Recently we discovered, through an answer received to a Government Information (Public Access)—GIPA—Act application, that the New South Wales Firearms Registry gave advice that the Adler shotgun was "new technology". Can the Minister provide the empirical evidence upon which this opinion was based?

Mr TROY GRANT: I will take that question on notice.

ANSWER:

21. I am advised:

The NSWPF Firearms Registry briefing released in response to the GIPA application refers to a "new lever action shotgun", not "new technology".

22: FIREARMS - LEGALISATION OF AIRSOFT

Mr BORSAK: Minister, will you authorise and allow the sport of airsoft to be played in New South Wales?

Mr TROY GRANT: I am not familiar with that sport. I will take the question on notice.

ANSWER:

22. I have no such plans.

23: BODY WORN VIDEO: LAWS REGARDING RECORDINGS

Mr DAVID SHOEBRIDGE: Minister, I agree with you that when a body camera video is on it improves accountability and compliance. Why is the policy in New South Wales that the police choose when to turn it on? Why do you not adopt the same strict policy that they have adopted in Minneapolis, which requires the cameras to be on at any time officers are dispatched to a call or when undertaking any self-initiated activity?

.....

Mr FULLER: The challenge is around letting people know that they are being filmed. Obviously under the Surveillance Devices Act, which is where we get our power to use this, there are some rules around when we use it. That is part of the problem—that is, you let someone know like we do when the Highway Patrol pulls someone over; they let them know that they are being recorded.

.....

The Hon. LYNDA VOLTZ: When police take their tasers out they automatically start to record, do they not?

Mr TROY GRANT: They have got a camera.

The Hon. LYNDA VOLTZ: They have a camera that automatically records; when you take a taser out of its holster it automatically records. So what is the difference?

Mr TROY GRANT: I will clarify that for you.

Mr FULLER: In those situations obviously when you have pulled it out to arm it, it is one of our tactical options so you are already in a dynamic situation. But if you turn up with a body-worn camera on 24/7, 99 per cent of what we do is not confrontational; it is just investigation, peacekeeping.

.....

The Hon. LYNDA VOLTZ: What is the difference in the law? Why is the law allowing you to record under a taser and prohibiting from recording when it is on your body?

Mr TROY GRANT: I am happy to take that on notice to give you a fulsome answer, but one is used in normal operations and for additional use in the recording of events. In the use of a taser, the primary role is not to record evidence; it is a tactical option to defuse a situation and that encounter is recorded.

ANSWER:

23. I am advised:

Both devices are regulated under the *Surveillance Devices Act 2007* as they are recording devices but the intent, purpose and use are very different.

The Taser camera is to record the operation of the Taser and the circumstances surrounding its operation. The use of a Taser and the accompanying recording will always be rare and of brief duration.

Body Worn Video (BWV) use must be completely overt, and the officer identifiable as a police officer. BWV is designed primarily to record police exercising their powers or otherwise interacting with members of the public. It was never intended to record the entire duration of an officer's shift.

24: POLICE OFFICER TRAINING - SEXUAL ASSAULT

A: Mr DAVID SHOEBRIDGE: Minister, what is the current program for training New South Wales police officers for responding to reports of sexual assault?

Mr TROY GRANT: I will have to take that on notice.

.....

B: Mr DAVID SHOEBRIDGE: And could it include how many of the current serving police have had the training?

Mr TROY GRANT: Sure.

ANSWER:

24. I am advised:

All policing students in New South Wales receive mandatory training in a range of sexual assault related issues. There is also ongoing annual training, some aimed at all NSWPF officers and some targeted at specialist officers such as State Crime Command staff involved in sex crime and child abuse investigations. Other forms of training provided include intensive training sessions and self-guided learning.

25: POLICE OFFICER TRAINING - DOMESTIC VIOLENCE

Mr DAVID SHOEBRIDGE: What is the current program for training to respond to reports of domestic violence?

Mr FULLER: I was the corporate spokesperson for domestic and family violence, so I am fairly confident in answering this one. From the time that you start as a probationary constable through to those officers that become domestic violence liaison officers there are some 11 courses that you will do. We run more courses in domestic and family violence than we do for any other single crime type.

Mr DAVID SHOEBRIDGE: Commissioner, I do not expect you to have the numbers at your fingertips but could you get back with what proportion of the current serving police have undertaken the most current training program?

Mr FULLER: Absolutely.

ANSWER:

25. Please refer to the response to Supplementary Questions 30-37

26: NSWPF AUDITS OF COPS DATABASE

Mr DAVID SHOEBRIDGE: Through the Minister to the Commissioner, does the NSW Police Force conduct random audits of the COPS database access by NSW Police Force members?

Mr FULLER: Yes, we do.

Mr DAVID SHOEBRIDGE: How many random audits were conducted in 2016-17?

Mr FULLER: I will have to take it on notice, but we do set a strict minimum percentage of the workforce that has to be done.

Mr DAVID SHOEBRIDGE: I will also ask you, probably on notice, about how many targeted audits there were in the same period and has the NSW Police Force considered the use of risk assessment algorithms to assist in auditing the database access?

Mr FULLER: Yes, we have. It is very difficult to say that just because an officer has a poor sick leave history then they have a greater propensity for corruption. It is something we are continually looking at. It is a very difficult thing to nail down—you are almost predicting what the next corrupt officer will be. There are many challenges in that, but I am not closing my mind in the future to systems that may help us pinpoint potential areas of corruption.

Mr DAVID SHOEBRIDGE: And, particularly in relation to access to the COPS database, could you advise how many disciplinary actions have resulted from either random or targeted audits regarding access to the COPS database in 2016-17?

Mr FULLER: I could also let you know what legal action has also been taken.

ANSWER:

26. Please refer to the responses provided on this matter in my Supplementary Answers

27: BARWON INVESTIGATION - SLED INFILTRATION OF PROTEST CAMP

Mr DAVID SHOEBRIDGE: Thank you. Minister, there have been a series of questions on notice regarding the investigation by the NSW Police Security Licensing and Enforcement Directorate—I think SLED—into the unlicensed intelligence officers from C5 Management Solutions who were contracted to Boggabri coal security and infiltrated a non-violent protest camp at Maules Creek. This was the subject of an ongoing investigation by the Barwon LAC and a review by the Barwon LAC. What has happened in relation to that review and when will any charges be laid, if at all?

Mr TROY GRANT: I do not have that information. We will have to take that on notice for you.

ANSWER:

27. Please refer to the response on this matter provided in my Supplementary Answers.

28: NSW SES - FLOOD MARKERS

The Hon. LYNDA VOLTZ: Minister, who sets the markers for floods and who is responsible for their maintenance? Who sets them and whose job is it to maintain them?

Mr TROY GRANT: I will ask the Commissioner of the NSW State Emergency Service to help.

Mr SMETHURST: It depends certainly what the markers are, and the bureau would be best placed to provide an accurate answer. But certainly there are some gauges that are the responsibility of councils and those that are the responsibility of a broader network managed by the bureau.

Mr TROY GRANT: I will take that on notice to give a more fulsome answer. Do you mean flood markers at causeways and on roadsides?

The Hon. LYNDA VOLTZ: Who is responsible for maintaining them? If it is a patchwork, that is fine. We would like to know.

Mr TROY GRANT: I imagine it is a patchwork, given the different waterways across New South Wales. But I will give a fulsome answer on notice.

ANSWER:

28. I am advised:

Historic flood markers are installed and maintained by local Councils or the owner of the infrastructure. Locations are identified by Council or the community following a flood.

Flood depth indicators on roads and causeways are identified, installed and maintained by local Councils or Roads and Maritime Services, depending on who owns the road.

29: FIREARMS REGISTRY - STAFF TRAINING

Mr BORSAK: As part of our extensive submissions in relation to the firearms regulation review, we strongly urged the New South Wales Department of Justice to require all staff in the New South Wales Firearms Registry, including police officers, managers and administrative staff, to undertake ongoing structured training in firearms knowledge, legislation and their responsibilities under the Police Act. Can you advise me whether that particular recommendation was picked up anywhere?

Mr TROY GRANT: I will have to take that on notice.

ANSWER:

29. I am advised:

All Firearms Registry staff, upon induction, are required to undertake training on firearm and weapon legislation and identification. Additional training is provided in relation to Licensing.

Extensive resources are available to staff through a variety of channels and any new legislative or regulatory change is accompanied by training and reference materials.

30: FIREARMS REGULATION REVIEW - CONSULTATION

Mr DAVID SHOEBRIDGE: In relation to the firearms regulation review, can you take on notice which organisations and which individuals have been consulted in relation to the review and whether that includes Gun Control Australia?

Mr TROY GRANT: I can answer that for you now and take anything in addition on notice. It was an open process. As required under the terminology of the Subordinate Legislation Act 1989—which recommends under that law 21 days for consultation—we opened the period for 24 days. We extended that period of consultation but it was an open process. It was not a closed consultation process.

Mr DAVID SHOEBRIDGE: Which organisations did you specifically reach out to?

.....

Mr DAVID SHOEBRIDGE: Who did you end up consulting with and speaking to and getting submissions from?

Mr TROY GRANT: We had 400 submissions.

Mr DAVID SHOEBRIDGE: Will you provide details to us?

Mr TROY GRANT: I will provide that.

ANSWER:

30. I am advised:

The permission of submitters to have their names made public had not been sought, however the following summary is provided.

We received:

- 21 submissions from firearms associations and clubs;
- 4 submissions from firearm control lobby groups;
- 2 submissions from political parties;
- 7 submissions from firearms ranges and other organisations or businesses;
- 5 submissions from Government agencies;
- 344 submissions from individuals.
- Other submissions not related to the regulation.

31: POLICE PSYCHOLOGICAL INJURY TASKFORCE

Mr DAVID SHOEBRIDGE: Minister, what is the current status of the task force looking into police psychological injuries, set up by the previous police Minister? Is it continuing or has it been disbanded?

Mr TROY GRANT: It is a continuing effort.

Mr DAVID SHOEBRIDGE: The task force?

Mr TROY GRANT: In relation to the issue and the investment. I will take that on notice for you.

ANSWER:

31. I am advised:

The Self-Harm Prevention Partnership is examining strategies to prevent self-harm by members of the NSW Police Force. The group meets on a regular basis.

32: NSWPF DRUG DOG OPERATIONS

A: Mr DAVID SHOEBRIDGE: Why is there not a database of the actual drugs seized during general drug dog operations as opposed to drug dog operations that are conducted using a warrant? Why is there no cumulative record kept?

Mr TROY GRANT: We will take that on notice for you.

B: Mr DAVID SHOEBRIDGE: How many drug dealing charges have been laid as a result of drug dog operations in the last 12 months?

Mr TROY GRANT: I will take that on notice.

C: Mr DAVID SHOEBRIDGE: When you give us the answer on notice about how many drug dealers have been caught using drug dog operations, can you indicate what proportion of searches resulted in people being charged with drug dealing offences and how many drugs were seized as a result of drug dog operations not involving a warrant?

Mr TROY GRANT: The definition frame in your question may be difficult to answer.

.....

D: Mr DAVID SHOEBRIDGE: I am asking about the offences. The job is to apparently find people in breach of the law. I am asking about the breaches of the law that have been identified using drug dog operations and what you are charging people with.

Mr TROY GRANT: We will take that question on notice.

ANSWER:

32. I am advised:

A: The NSWPF Computerised Operational Policing System (COPS) holds a record of all drug detections and seizures. These include those involving a drug dog operation, with or without a warrant, and operations that do not involve drug dogs.

B: A total of 378 drug dealing charges (as defined by the ANZSOC subdivision 'Deal or Traffic in Illicit Drugs') have been laid as a result of drug dog operations in the 12 months to 31 August 2017.

C: A total of 9,380 people were searched as part of drug dog operations in the 12 months to 31 August 2017. Of these, 162 people were charged with drug dealing as part of drug dog operations that did not involve a search warrant.

D: A total of 4,007 legal actions of all types, including 2,378 charges, were taken out as a result of drug dog operations in the 12 months to 31 August 2017.

33: DRUG DOG OPERATIONS - COST PER HOUR

A: Mr DAVID SHOEBRIDGE: What is the cost per hour of a drug dog operation when they are accompanied by 12 police officers in accordance with the standard operating procedure?

Mr FULLER: I can give you an estimate of that on notice.

B: Mr DAVID SHOEBRIDGE: Indeed, in all other instances, the standard operating procedures say something in the order of eight general duties police are required—as a minimum. Can you also give the average cost of a one-hour operation in those circumstances of the dog, its handler, and eight general duties police?

Mr TROY GRANT: We will take that on notice and in our fulsome answer we will also provide the details of the contribution they make to harm minimisation and deterrence of crime.

ANSWER:

33. I am advised:

A: There are many factors that may impact the cost of such an operation, including the ranks of officers involved; the length and time of day of the operation; and other expenses such as travel.

B: The number of police officers deployed with assistance from drug dogs varies and is dependent on the type and duration of deployment and available resources.

The NSWPF Drug Dog Program is a valuable and effective resource that supports the fight against the impact of illicit drugs. In August 2017 alone, police seized over 3.5 kilograms of illicit drugs as a result of drug dog operations and 87% of indications resulted in either a seizure or admitted recent possession or administration across all deployment types (ie. people screening, warrants and related searches).

34: DRUGS - AMNESTY BINS AT MUSIC FESTIVALS

Mr DAVID SHOEBRIDGE: If you are interested in harm minimisation, Minister, why do you not have amnesty bins at the front of music festivals so that if people are frightened and concerned about the presence of a drug dog operation, rather than ingest the drugs in a panic they can put them in an amnesty bin? If you are interested in harm minimisation, why do you not adopt what most European police forces and the United Kingdom police force do and put in place amnesty bins?

Mr TROY GRANT: I will take that question on notice and give you a fulsome answer.

ANSWER:

34. The NSW Government has no plans to introduce amnesty bins at the front of music festivals.

The NSW Government and NSW Police will continue to monitor the experience of other jurisdictions in relation to initiatives of this sort.

I am further advised that NSW Health funds initiatives that deliver training, education and first aid support to reduce the harms of drug and alcohol misuse at music festivals, primarily through the Australian Red Cross and the NSW Users and AIDS Association.

More broadly, the NSW Government supports a broad range of responses to address illicit drug use, such as preventative and harm minimisation measures which involve a collaborative effort from health, law enforcement and community agencies.

35: DRUGS - PILL TESTING AT MUSIC FESTIVALS

Mr DAVID SHOEBRIDGE: What, if any advice, have you got on the efficacy of pill testing relating to harm minimisation, and who have you sought advice from on the efficacy of pill testing at music festivals to address harm minimisation?

Mr TROY GRANT: I have made public statements in relation to my view of pill testing, which I stand by. I will take that question on notice and provide you with a fulsome answer.

ANSWER:

35. I am advised:

While pill testing tests for the presence of particular compounds in a pill it does not reduce the risk of possible overdose or the harmful impact of other chemicals that may also be present.

There is no conclusive evidence yet which demonstrates that pill testing reduces illicit drug use or drug overdoses at music festivals.

I am further advised that NSW Health funds initiatives that deliver training, education and first aid support to reduce the harms of drug and alcohol misuse at music festivals, primarily through the Australian Red Cross and the NSW Users and AIDS Association.

More broadly, the NSW Government supports a broad range of responses to address illicit drug use, such as preventative and harm minimisation measures which involve a collaborative effort from health, law enforcement and community agencies.

36: ANIMAL CRUELTY - NSWPF REFERRAL OF CORRESPONDENCE

The Hon. MARK PEARSON: I have sent correspondence to the NSW Police Force on a number of occasions raising concerns and requesting investigations of alleged criminal activities regarding animal cruelty. I have been advised that my correspondence regarding these operational police matters are being forwarded to your office as a matter of course. I also note that after nine months I still have not received certain responses from the Minister.

My first question is—and I will provide the remaining questions on notice—given that the NSW Police Force is an independent statutory body established under the Police Act 1990, defining the legislative responsibility to provide services for the prevention and detection of crime, can you please explain on what basis the NSW Police Force are directing operational correspondence to your office?

Mr TROY GRANT: I will take that question on notice.

ANSWER:

36. I am advised:

The NSW Police Force complies with Department of Premier and Cabinet Circular C2006-46 which gives direction on providing information to Members of Parliament.