LEGISLATIVE COUNCIL

QUESTIONS

AND

ANSWERS

No. 41

THURSDAY 26 FEBRUARY 2004

(The Questions and Answers Paper published for the first sitting day in each week will contain, by number and title, all unanswered questions, together with questions to which answers have been received on the previous sitting and any new questions. On subsequent days, new questions are printed, as are questions to which answers were received the previous day. Consequently the full text of any question will be printed only twice: when notice is given; and, when answered.)

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HEALTH—CAMDEN HOSPITAL SURGICAL SERVICES—Dr Chesterfield-Evans to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast representing the Minister for Health—

(1) Was the Campbelltown Department of Surgery only given enough money for 12 hours per weekend coverage of Camden by registrars under the “One hospital, two sites” policy?

(2) Were surgical registrars expected to cover both Camden and Campbelltown Hospitals?

(3) Was there an attempt to get Visiting Medical Officers (VMOs) to sleep at hospitals, as VMOs are cheaper to employ for extra hours at night than registrars?

(4) Were patients at Camden Emergency Department not transferred to Campbelltown in a timely fashion for surgery that could not be done at Camden, because ambulances have inter-hospital transfer as a low priority?

(5) Are there any plans for inter-hospital transfers for people needing surgery to have a higher priority?

EDUCATION—CONSTRUCTION OF NEW PUBLIC SCHOOLS—Mrs Pavey to ask the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth representing the Minister for Education and Training and Minister for Aboriginal Affairs—

Will the Carr Government receive the Department of Education review into the need for construction of a new public school at Lake Cathie in time for consideration in this year’s capital works program in the May State Budget?

ENVIRONMENT—KOSCIUSZKO NATIONAL PARK—Mrs Pavey to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Attorney General and Minister for the Environment—

(1) Do you support a policy of different requirements for various recreational groups seeking to visit Kosciuszko National Park?

(2) Is it fair that there are proposals to see a permit system for horse riders to enter Kosciuszko National Park yet bushwalkers will be free to come and go at their pleasure?

(3) How much has been budgeted to cover administrative costs in the production of the Kosciuszko National Park Draft Plan of Management?

(4) (a) How much does the Chairman Ric Farley receive to chair the POM process?

(b) What reimbursement has he received for travel, accommodation and other associated expenses?

(5) How much do the other community representatives on the Kosciuszko Nationals Park Plan of Management Committee receive?

LOCAL GOVERNMENT—EASTERN CAPITAL CITY REGIONAL COUNCIL—Mrs Pavey to ask the Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands)—

What guarantee can you provide to the people of the Monaro Electorate that the new Eastern Capital City Regional Council will not be forcibly abolished to create a super council following the council elections?
LOCAL GOVERNMENT—LOCAL GOVERNMENT AMALGAMATIONS—Mrs Pavey to ask the Minister for Rural Affairs, Minister for Local Government, Minister for Emergency Services, and Minister Assisting the Minister for Natural Resources (Lands)—

How much has the political consultancy firm Polmark received from the State Government in the past financial year to assist in the Local Government amalgamations and other issues?

ROADS—M4 EAST SHORT TUNNEL ROUTE—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests) representing the Minister for Roads and Minister for Housing—

(1) Why does the longer tunnel option for the M4 East proceed under Parramatta Road and unoccupied land, whilst the short tunnel goes under heritage-listed houses?

(2) (a) Has the Roads and Traffic Authority (RTA) studied the potential damage to heritage properties in Northcote Street as a result of the short tunnel option?

(b) If not, will it conduct such a study?

(3) What study has there been on extra traffic in Northcote Street (or any other Haberfield Street) due to “rat run” toll evaders?

(4) How will the short tunnel option stop “rat run” traffic or create less traffic on local streets?

(5) What guarantee does the RTA give that the tunnels will not affect surface properties?

(6) Why has there been no consultation with residents of this street regarding the planned digging of tunnels beneath their houses?

(7) Where will the ventilation towers be placed?

ROADS—M4 EAST IMPACT ON HABERFIELD—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests) representing the Minister for Roads and Minister for Housing—

(1) Does the M4 East extension project, in particular the ‘short tunnel option’, represent a retreat from the Government’s policy of preserving the unique heritage of Haberfield?

(2) (a) Has the department of Infrastructure and Planning and Natural Resources studied the impact of the M4 East ‘short tunnel’ on the heritage suburb of Haberfield?

(b) If so, what were the findings?

(c) Did this study look at the effect of the tunnel’s heavy vehicle traffic on the historic houses?

(d) If so, what were the findings?

(e) If no such study has been done, will such research occur and when?

(3) (a) Has your department studied the impact of the Eastern Distributor on Darlinghurst’s historic houses?

(b) If so, what were the findings?

(4) (a) What research has been done on the potential damage to properties in Northcote Street as a result of the short tunnel option?

(b) What were the findings of this research?
(c) If no research has been done on the potential damage to properties in Northcote Street, will such research be undertaken?

909 POLICE—LAKE COWAL PROJECT—Ms Rhiannon to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Minister for Police—

(1) (a) On 12 February 2004, did the NSW Police Service and NSW Rural Fire Service visit the site of the Lake Cowal protest and put out a fire that was being used for a traditional and sacred indigenous ritual?

(b) If so, who gave the order to put the fire out?

(2) Were the local police aware that the fire was carefully monitored, was only smouldering ashes, and was in a well-cleared buffer zone?

(3) Was the police action in breach of section 116 of the Australian Constitution?

(4) Have West Wyalong officers been educated on indigenous cultural issues, in particular the significance of the sacred fire?

(5) (a) Did the NSW Police officers fail to follow the NSW Police Code of Conduct and Ethics in this case?

(b) If so, why didn’t the police officers involved act to prevent individuals from harm?

(c) If so, why didn’t the police attempt to offer medical or other logistical assistance to individuals injured as a result of the incident?

910 ROADS—MOTORWAY ALTERNATIVES—Ms Rhiannon to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests) representing the Minister for Roads and Minister for Housing—

(1) (a) Did the Roads and Traffic Authority (RTA) spokesman Paul Willoughby state at a public meeting at Leichhardt on 16 February that the only alternative to a motorway of some sort was the “do nothing” option that would necessarily lead to further congestion?

(b) If so:

(i) Does his statement reflect the RTA’s position on this matter?

(ii) Why does the RTA refuse as a matter of policy to consider enhanced public transport options to reduce vehicle numbers on our roads?

(d) If not, what action will the RTA take to correct the misleading information put about by Mr Willoughby at that meeting?

911 POLICE—INVESTIGATIONS CONCERNING DEATH OF TJ HICKEY—Ms Rhiannon to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Minister for Police—

(1) (a) Will the officers involved in the alleged incident resulting in the death of TJ Hickey be stood down from active duty pending the outcome of all enquiries, given that witnesses have now come forward to say that TJ was being chased by Redfern Police at the time of the incident?

(b) If not, why not?

(2) (a) Will there be an independent forensic examination of the site of the incident?
(b) If not, why not?

(3) (a) Will all four vehicles involved in the police search for a suspected bag snatcher also be examined forensically by independent experts?
(b) If not, why not?

(4) Will an inquiry examine why Redfern Police did not follow normal procedure in relation to impaled victims with serious injuries, in particular:
(a) Why officers moved TJ from the fence without calling the appropriate Emergency Rescue Services or Ambulance?
(b) Why police officers involved made their first radio call for back-up, rather than to the Emergency Rescue Services or Ambulance?

(5) (a) Will all inquiries into this incident have access to the log books, radio transcripts and staffing rosters of the four vehicles involved in the incident, so that the whereabouts of each vehicle can be corroborated?
(b) If not, why not?

(6) (a) Will an independent coroner monitor and assist the State Coroner during the coronial inquiry?
(b) If not, why not?

(7) (a) Will all inquiries into this incident have access to the Ambulance reports related to this incident?
(b) If not, why not?

(8) (a) Will all inquiries into this incident have an independent Aboriginal observer and/or participant?
(b) If not, why not?

(9) (a) Will the State of New South Wales pay for the legal representatives of the Hickey family in all inquiries?
(b) If not, why not?

(10) (a) Will the evidence collected for all inquiries, including in draft or progress reports, be made available to the Hickey family’s legal representatives?
(b) If not, why not?

(11) (a) Will there be an independent forensic examination of TJ’s bike?
(b) If not, why not?

(12) (a) Will all inquiries examined the logbooks and radio transcripts of all Redfern Police vehicles at the time of the incident?
(b) If not, why not?

(13) (a) Will sufficient funds and resources be made available to the police to investigate whether there was police involvement in the incident that led to TJ’s death on 14 February 2004?

(14) (a) Who did the Redfern Police Area Commander inform, liaise with and take instructions from in relation to the build-up of police in Lawson Street on the afternoon of Sunday 15 February 2004?
(15) At what time on Sunday 15 February 2004 did Redfern Police decide to hold a press conference to deny reports that TJ was being chased by police officers at the time of the incident?

(16) (a) Will the inquiries examine the history of prior incidents involving police chases which resulted in serious injuries to Aboriginal children?

(b) If not, why not?

912 INFRASTRUCTURE AND PLANNING—LEE WHARF AND HONEYSUCKLE DEVELOPMENTS IN NEWCASTLE—Dr Chesterfield-Evans to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests) representing the Minister for Infrastructure and Planning and Minister for Natural Resources—

(1) In relation to the Lee Wharf development in Newcastle has there been:

(a) A failure to respect the heritage significance of the precinct?

(b) A failure to provide detailed social and economic impact assessment by Newcastle City Council?

(c) A failure to provide detailed public consultation, awareness and transparency process?

(2) Has a recent study conducted by the Hunter Valley research Foundation indicated that 70% of Newcastle residents surveyed felt there should be a four storey height limit on developments in Lee Wharf area and that more than three quarters of those surveyed opposed the development in its current form?

913 POLICE—PIC INVESTIGATION INTO EDDIE MURRAY’S DEATH—Ms Rhiannon to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Minister for Police—

(1) Did letters between the Police Integrity Commission (PIC) Commissioner and the PIC Inspector relating to Operation Colorado dated 3 February 2003, 21 July 2003, 19 August 2003, and a letter from Andy Nattress to Karen Wells of the Newcastle Legal Centre dated 11 September 2003 contain any of the following:

(a) One small section that reports on an in-camera session held by the Royal Commission into Aboriginal Deaths in Custody and which is incidental to the material as a whole?

(b) Managerial details of Operation Colorado?

(c) ‘Dot point’ notes as records of interviews held with police and civilians in conversation with PIC Investigators, which do not impugn the reputation of police any more or less than implications which may or may not be drawn from material already publicly available on the case?

(d) Conclusions regarding Operation Colorado as drawn by the PIC?

(2) (a) Did the PIC Commissioner, in a letter to the PIC Inspector dated 21 July 2003, accept that former Sgt Moseley has no recollection of a death in custody in his police station?

(b) If so, what evidence was this based on?

(3) (a) Did the PIC question the record of interview of Kevin Parker, one of the then serving officers on duty on the day Eddie Murray died, given an ICAC finding of corruption against him in 1994?

(b) If not, why not?

(4) (a) Did the PIC question the testimony of former officer Gary Page, one of the then serving officers on duty on the day Eddie Murray died, considering that he now claims not to remember specific details of the incident clearly?
(b) If not, why not?

(5) (a) Did the PIC Commissioner on page 3 of a letter to the PIC Inspector dated 19 August 2003, draw the conclusion that “given the death occurred 22 years ago and (as) Page already had 21 years experience as a police officer at that time, his lack of precise recollection of this incident, in a lifetime of policing, is probably understandable”?

(b) If so, is this conclusion satisfactory?

(6) Does the PIC accept that Rodney Fitzgerald, the only officer still serving in the NSW Police of the four police on duty in Wee Waa on the day Eddie Murray died, does not remember whether an investigator interviewed him immediately after the death or if there was a resuscitation attempt made on Eddie Murray?

(7) Does the PIC accept Constable Fitzgerald’s assertion, reported on page 10 of a letter from the PIC Commissioner to PIC Inspector dated 21 July 2003, that after at least 20 years of policing he was “not aware of any police officer prone to episodes of violence or (to) suffer short tempers in relation to people they arrested”?

(8) (a) Does the PIC accept that the four police officers on duty at the time of Eddie Murray’s death cannot recall the incident clearly, given that the two investigating officers, Lamey and Callaghan, have a clear recollection of their visit to Wee Waa following the death of Eddie Murray?

(b) If so, on what basis?

(9) (a) Did the PIC re-interview any of the officers involved, or review any of their evidence following the exhumation of Eddie Murray’s body, which revealed that he had a broken sternum?

(b) If not, why not?

(10) Does the Minister consider that PIC’s investigations in the Eddie Murray case meet the objectives of the Act to investigate and prevent police corruption and to protect the public interest by preventing and dealing with police misconduct?

(11) (a) Did the then NSW Attorney-General, Terry Sheahan in a letter dated 1 June 1987 to the then Member for Pittwater state “if any fresh information or evidence came to light in relation to the death of Edward Murray it would be acted upon”?

(b) If so, is the Minister satisfied that this commitment has been met?

914 INFRASTRUCTURE AND PLANNING—SANDON POINT—Ms Hale to ask the Minister for Transport Services, Minister for the Hunter, and Minister Assisting the Minister for Natural Resources (Forests) representing the Minister for Infrastructure and Planning and Minister for Natural Resources—

(1) What meetings, discussions or correspondence have been entered into between the Minister and representatives of Stockland Trust Group regarding the recommendations of the Commission of Inquiry into the Future Uses of Certain Land at Sandon Point?

(2) (a) Has the Minister refused to meet with community members involved in the proposed development?

(b) If so, why?

(3) (a) Does the Minister anticipate that Wollongong will be incorporated into the provisions of the Coastal Protection Amendment Act 2002 (and the SEPP 71 – Coastal Protection)? If so, when does the Minister anticipate that this will occur?

(b) If not, why not?
When will the areas of the Illawarra Escarpment be transferred to the NPWS, as announced by the Carr Government prior to the 2003 election?

Why is Wollongong listed in Schedule 1, exemptions, of the Natural Resources Act, when the Minister had already agreed to the recommendations of the Commission of Inquiry into the Long-term Management of the Illawarra Escarpment that Wollongong be removed from Schedule 1 of the Native Vegetation Conservation Act?

915 HEALTH—BATHURST BASE HOSPITAL—Ms Hale to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast representing the Minister for Health—

(1)  (a) Does the Government have any plans to have a radiology unit based at Bathurst Base hospital?
    (b) If not why not?

(2)  (a) What is the agreed level of health care for the community of Bathurst?
    (b) What services are currently available to that community?

(3)  (a) Has there been any increase in the number of infections of Staphylococcus aureus (Golden Staph) at Bathurst Base Hospital over the last three years?
    (b) How many Golden Staph infections were recorded at the hospital in the calendar years:
        (i) 2000?
        (ii) 2001?
        (iii) 2002?

(4)  (a) Does Bathurst Base Hospital have a currently functioning medical retrieval team?
    (b) If not why not?

(5)  (a) Does Mid West Area Health Service supply the doctors for the Careflight helicopter which is based in Orange?
    (b) From what budget is the payment for these doctors sourced?

(6)  Under the new plans for Bathurst Base Hospital, will there be an increase in the number of beds compared to those currently existing at Bathurst Base Hospital?

(7)  (a) Does Bathurst Base Hospital own an ultrasound machine?
    (b) If so, how old is this machine?
    (c) If the machine is out of date when will it be upgraded?

(8)  (a) What proportion of the Mid West Area Health Service budget expenditure is required for treatment of road accident victims?
    (b) Has this proportion increased in the last three years?
    (c) Will it increase?

(9)  How many patients have been turned away from Bathurst Base Hospital in the last three years?

(10) (a) Have patients been allocated beds at Bathurst Base Hospital who may otherwise have been relocated to the Rehabilitation Unit?
(b) What is the hospital’s policy in relation to relocation of patients between the hospital and the rehabilitation unit?

(11) (a) What is the current agreement between Bathurst Base Hospital and St Vincents Hospital at Bathurst regarding the allocation of public beds?

(b) What is the cost of the beds per day to the public system?

(12) What plans does the Government have regarding the future of Macquarie homes in Bathurst?

(13) What plans does the Government have regarding the future of the Rehabilitation Unit at Bathurst Base Hospital?

(14) What plans does Mid West Area Health Service have for the Daffodil Cottage?

(15) Does the Government have any plans to upgrade Bathurst Base Hospital Accident and Emergency services?

(16) When will building works commence on the new Bathurst Base Hospital?

916 ATTORNEY GENERAL—LEGAL FEE FEES INCURRED BY THE CROWN SOLICITOR—Dr Chesterfield-Evans to ask the Minister for Justice, and Minister Assisting the Premier on Citizenship representing the Attorney General and Minister for the Environment—

(1) What are the total legal fees incurred by the NSW Crown Solicitor to date to each department, client and/or Central Sydney Area Health Service in all proceedings involving the following parties:

(a) Ms Lesley Jane Killen v MAAS aka Powerhouse Museum and Ministry of Arts. (Industrial relations Commission CIM and Appeal Branch)

(b) Mr Gerard Crewson v Department of Ageing, Disability and HomeCare, Central Sydney Area Health Services (CSAHA), Department of Health – Medical Appeals Panel (MAP). (Industrial Relations Commission and Appeal Bench, Equal Opportunity Tribunal, Administrative Decisions Tribunal—Equal Opportunity General and Appeal Divisions, NSW Supreme Court – Court of Appeal)

(c) Ms Val Kerrison v TAFE Commission, CSAHS and Department of Health – Medical Appeals Panel (MAP). (Industrial Relations Commission and Appeal Bench, Equal Opportunity Tribunal, Administrative Decisions Tribunal – equal Opportunity Divisions)

(d) Ms Pascale Bourot v Department of Public Works and Services and Central Sydney Area Health Service (CSAHS). (Industrial Relations Commission and Appeal Bench).

(e) Ms Maggie du Pille v Department of Community Services (DOCs) (Industrial Relations Commission, Administrative Decisions tribunal – Equal Opportunity Division)?

917 HEALTH—DR HELIA GAPPER—Dr Chesterfield-Evans to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast representing the Minister for Health—

(1) Was the termination of employment in the year 2000 of Dr Helia Gapper, as the NSW Government Medical Officer and Director HealthQuest officially classified as:

(a) (i) Resignation?

(ii) If so, was the resignation voluntary?
(b) (i) Dismissal?
(ii) If so, on what grounds was the dismissal based?
(c) (i) Retirement on medical grounds?
(ii) If so, what were the grounds of the medical discharge?
(2) (a) Was Dr Gapper’s termination of employment proceeded by a period or periods of stress leave?
(b) If so, what were the periods of that leave?
(3) Did the Health Care Complaints Commission (HCCC) at p 72 of their Annual Report 2000 state that a report commissioned by the Department of Health confirmed the concerns raised by 12 complaints to HCCC about the practices of HealthQuest and the Department of Health Medical Appeals?
(a) If so:
(i) Did any of the HCCC complainants allege that they had been directed to undergo psychiatric examinations by HealthQuest after they had spoken up about or reported some form of maladministration or corrupt conduct in their workplace?
(ii) Did any of the HCCC complainants allege that assessments were made by HealthQuest psychiatrists and the Director or Deputy-Director of HealthQuest based on false and misleading information supplied to HealthQuest by their departments?
(iii) Did any of the HCCC complainants allege that they had not given their informed consent to be examined or assessed by HealthQuest?
(iv) Did any of the HealthQuest complainants allege that they had never been given an opportunity to hear and answer the serious and damaging allegations made against them in material supplied to HealthQuest by their departments?
(v) Did any of the HealthQuest complainants allege secretly supplied to HealthQuest by their department had been written by or had originated from the very officers whose misconduct they had tried to report or expose?
(vi) Did any of the HCCC complainants allege that the Director or Deputy Director of HealthQuest had declared or certified them to be “unfit to perform their duties” when they were at the time successfully performing those duties?
(vii) Did any of the HCCC complainants allege that the “Retirement Certificates” issued by HealthQuest were fraudulent?
(viii) Subsequent to the publication of the Department of Health Lowe report did HealthQuest ceasing issuing “Retirement Certificates” and if so on what grounds?
(ix) Did any of the HealthQuest complainants allege that they had not been provided with a genuine or fair right of appeal against the HealthQuest decision?
(4) Was Dr Jagger, Deputy Director, HealthQuest called to attend ICAC on 27 August 1998 to answer allegations made by New South Wales public service whistleblowers about practices of HealthQuest?
(5) Was Dr Jagger’s subsequent transfer to the position of Medical Director Canterbury Hospital caused by or related to the allegations made by New South Wales public service whistleblowers about the practices of HealthQuest?
(6) Was Dr Gapper’s termination of employment as GMO and Director HealthQuest in 2000 caused by or related to the allegations made by New South Wales public service whistleblowers about the practices of HealthQuest?

(7) If the HCCC complainants allegations against HealthQuest were confirmed by the Department of Health’s Lower Report in 2000, what has been undertaken since then to redress the damage done to each of those complainants to their reputations and careers?

(8) (a) Is the Minister aware of other similar complaints made by New South Wales public service whistleblowers against HealthQuest in addition to the 12 complaints to HCCC?

(b) If so, what action has been undertaken to investigate their complaints and provide redress?

(9) (a) Was Mr Bob McGregor, Deputy-Director General Department of Health adversely named in the 1983 Slattery Royal Commission Final Report into the Chelmsford Deep Sleep Therapy scandal for his failure to act upon or investigate complaints at Chelmsford?

(b) (i) Was Mr McGregor in late 1999 put in charge of a Department of Health review into the practices of HealthQuest and the Medical Appeals Panel?

(ii) Who made that decision and on what basis was the decision made?

PREMIER—MS LESLEY KILLEN—Dr Chesterfield-Evans to ask the Treasurer, Minister for State Development, and Vice-President of the Executive Council representing the Premier, Minister for the Arts and Minister for Citizenship—

(1) (a) Did Ms Lesley Killen report any breaches of the Occupational Health and Safety Act including acts of workplace violence or any other unlawful or improper conduct by officers and management at the Power House Museum prior to being directed to attend HealthQuest?

(b) If so, was there any inquiry or investigation ever conducted into any of her allegations prior to her being directed to attend HealthQuest?

(c) If so, what were the results?

(2) (a) Did Ms Lesley Killen also lodge a workers’ compensation claim against the Ministry of the Arts prior to being direct to attend HealthQuest?

(b) If so,

(i) What was the nature of that claim?

(ii) What was the outcome of the claim?

(iii) What were the total costs incurred to the MAAS/Ministry for the Arts arising from the workers’ compensation claim of Ms Lesley Killen and what is the breakdown of those costs into legal fees and expenses, administrative costs, Websters’ investigation for surveillance and settlement monies including spotter’s fees?

(iv) What were the total legal expenses/fees paid by the Department to Crown Solicitor – Ms McOnie for representing an officer of MAAS, Ms Jennifer Bulkeley in AVO proceedings commenced April 1996 in Downing Centre District Court? (Case withdrawn 5 June 1996 – on production of mutually agreed Letter of Undertaking). If so, who signed the authorisation?

(v) Have MAAS/Ministry for the Arts and/or Mr Des Beechey reimbursed Victim’s Compensation for the costs and compensation for the costs and compensation awarded to
Ms Killen 14 May 1998, for the act(s) of violence resulting in injury reported to workers’ compensation claim?

(vi) Is HealthQuest accredited by WorkCover Authority to carry out medical assessments or fitness for rehabilitation assessments?

(vii) Why did MAAS cease payment of their employers’ contribution to superannuation funds and at the same time withdraw their contribution to funds back-dated November 1995 prior to Ms Killen’s HealthQuest appointment 19 June 1996?

(viii) Why did MAAS require Ms Killen to claim wages via Letter of demand for the 19 months pre-secondment organised by ODEOPE in lieu of paid rehabilitation due to this injured worker, when Ms Killen, a permanent employee, was regularly sending in signed flexi-sheets as required under *NSW Archives Act* and *State Records Act*?

919 COMMUNITY SERVICES—MR GERARD CREWDSON—Dr Chesterfield-Evans to ask the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth—

(1) (a) Did Mr Gerard Crewdson report any unlawful or improper conduct by officers of the department including neglect/mistreatment of disabled clients of the department or workplace harassment prior to being directed to attend Health Quest?

(b) If so, was any inquiry or investigation undertaken into his allegations by the department prior to his being directed to attend HealthQuest and with what result?

(2) What were the total legal expenses/fees paid by the department to solicitor Mr Valarezo for representing an officer of the department, Mr Damian Lutvey, in AVO proceedings commenced September 1999 in Newtown Local Court against Mr Gerard Crewdson and withdrawn in February 2000 at Downing Centre District Court?

(3) (a) Was the payment of fees to Mr Valarezo authorised?

(b) If so, who signed the authorisation?

(4) (a) Did Ms Maggie du Pille report any unlawful or improper conduct by officers of the department including neglect/mistreatment of disabled clients of the department or management harassment prior to being directed to attend HealthQuest?

(b) If so, was any inquiry or investigation undertaken by the department or any other body into her allegations prior to her being directed to attend HealthQuest?

(c) What were the results?

(5) (a) Did Ms Maggie du Pille lodge a workers’ compensation claim against the Department of Community Services prior to her being directed to attend HealthQuest?

(b) If so:

(i) What was the nature of the claim?

(ii) What was the outcome of that claim?

(iii) What were the total costs incurred to the department arising from the workers’ compensation claim of Ms Maggie du Pille and what is the breakdown of those costs into legal fees and expenses, administrative costs and settlement monies?
EDUCATION—MS VAL KERRISON—Dr Chesterfield-Evans to ask the Minister for Community Services, Minister for Ageing, Minister for Disability Services, and Minister for Youth representing the Minister for Education and Training and Minister for Aboriginal Affairs—

(1) (a) Did Ms Val Kerrison report any unlawful or improper conduct by offices of the TAFE Commission including discrimination against Aboriginal students, false entries on a public register and workplace harassment/victimisation prior to being directed to attend HealthQuest?

(b) If so, was any inquiry or investigation undertaken into her allegations by the department or any other body prior to her being directed to attend HealthQuest?

(c) What were the results?

COMMERCE—MS PASCALE BOUROT—Dr Chesterfield-Evans to ask the Special Minister of State, Minister for Commerce, Minister for Industrial Relations, Assistant Treasurer, and Minister for the Central Coast—

(1) (a) Did Ms Pascale Bourot report breaches of the *Occupational Health and Safety Act* or any unlawful or improper conduct by officers in the State Mail Service including faulty air conditioning, the threat of sexual harassment in relation to staff training, unfair operation of flexi-leave rules and management intimidation/harassment prior to being directed to attend HealthQuest?

(b) If so, was any inquiry or investigation undertaken into her allegations by the department or any other body prior to her being directed to attend HealthQuest?

(c) What were the results?

(2) (a) Did Ms Bourot also lodge any workers’ compensation claim against the department prior to her being directed to attend HealthQuest?

(b) If so:

(i) What was the nature of the workers’ compensation claim(s)?

(ii) What was the outcome of the claims?

(iii) What were the total costs to the department arising from workers’ compensation claim(s) of Ms Bourot and what is the breakdown of those costs in legal fees/expenses, administrative and settlement costs?