



LEGISLATIVE COUNCIL

PORTFOLIO COMMITTEE NO. 5

Budget Estimates 2023-2024

Report 62

June 2024

5



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Portfolio Committee No. 5 – Justice and Communities

Budget Estimates 2023-2024

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Budget Estimates 2023-2024

"June 2024"

Chair: Hon Robert Borsak MLC



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Terms of reference

The Budget Estimates resolution and schedule was agreed to by the House on 12 September 2023, referring the Budget Estimates and related papers for 2023-2024 to the Portfolio Committees for inquiry and report and is reproduced, as amended on 11 October 2023 and 30 November 2023, as follows:

Initial hearings

1. That, upon tabling, the Budget Estimates and related papers for the financial year 2023-2024 presenting the amounts to be appropriated from the Consolidated Fund be referred to the Portfolio Committees for inquiry and report.
2. That, further to the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar,¹ the 2023-2024 initial budget estimates hearings be scheduled as follows:

Day One: Tuesday 24 October 2023

PC 3 Education and Early Learning, Western Sydney
PC 4 Small Business, Lands and Property, Multiculturalism, Sport

Day Two: Wednesday 25 October 2023

PC 1 Premier
PC 4 Agriculture, Regional New South Wales, Western New South Wales

Day Three: Thursday 26 October 2023

PC 2 Health, Regional Health, the Illawarra and the South Coast
PC 1 Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research

Day Four: Tuesday 31 October 2023

PC 1 Treasurer
PC 8 Customer Service and Digital Government, Emergency Services, Youth Justice

Day Five: Wednesday 1 November 2023

PC 2 Water, Housing, Homelessness, Mental Health, Youth, the North Coast
PC 6 Regional Transport and Roads
PC 3 Skills, TAFE and Tertiary Education

Day Six: Thursday 2 November 2023

PC 7 Climate Change, Energy, the Environment, Heritage
PC 1 Finance, Domestic Manufacturing and Government Procurement, Natural Resources

¹ *Minutes*, NSW Legislative Council, 10 May 2023, pp 64-65.

Day Seven: Friday 3 November 2023
 PC 7 Planning and Public Spaces
 PC 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault

Day Eight: Tuesday 7 November 2023
 PC 1 The Legislature
 PC 6 Transport
 PC 5 Police and Counter Terrorism, the Hunter

Day Nine: Wednesday 8 November 2023
 PC 1 Industrial Relations, Work Health and Safety
 PC 8 Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections

Day Ten: Thursday 9 November 2023
 PC 6 Special Minister of State, Roads, Arts, Music and the Night-time Economy, Jobs and Tourism
 PC 5 Families and Communities, Disability Inclusion

Day Eleven: Friday 10 November 2023
 PC 5 Attorney-General
 PC 8 Local Government

3. That the remainder of the Budget Estimates 2023-2024 hearings be held during the first half of 2024, as determined by further resolution of the House.
4. That for the purposes of the 2023-2024 initial budget estimates hearings:
 - (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm
 - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 2.00 pm until 5.30 pm.
5. That for the purposes of the 2023-2024 initial budget estimates hearings:
 - (a) the committees must hear evidence in public
 - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
 - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session
 - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions

- (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.
6. That the committees report by 28 June 2024.²

Supplementary hearing

1. That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023- 2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 10 May 2023 adopting the 2023 sitting calendar, Portfolio Committee No. 4 - Regional NSW hold a supplementary hearing in 2023 to examine the portfolios of Agriculture, Regional New South Wales, Western New South Wales.
2. That for the purposes of the 2023-2024 supplementary budget estimates hearing:
 - (a) each portfolio be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required
 - (b) the committee must hear evidence in public
 - (c) the committee may ask for explanations from the minister, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
 - (d) the minister be invited to appear for the morning session only unless requested by the committee to appear also for the afternoon session
 - (e) witnesses, including the minister, may not make an opening statement before a committee commences questions
 - (f) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
 - (g) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.³

² *Minutes*, NSW Legislative Council, 12 September 2023, pp 446-450; amended, *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

³ *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

Additional hearings

1. That, further to the resolution of the House of 12 September 2023 referring Budget Estimates 2023-2024 to the Portfolio Committees for inquiry and report, as amended 11 October 2023, and the resolution of the House of 21 November 2023 adopting the 2024 sitting calendar,⁴ the 2023-2024 additional budget estimates hearings be scheduled as follows:

Day One: Tuesday 20 February 2024

PC 3 Education and Early Learning, Western Sydney
 PC 4 Small Business, Lands and Property, Multiculturalism, Sport

Day Two: Wednesday 21 February 2024

PC 1 Premier
 PC 4 Agriculture, Regional New South Wales, Western New South Wales

Day Three: Thursday 22 February 2024

PC 2 Health, Regional Health, the Illawarra and the South Coast
 PC 1 Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast, Medical Research

Day Four: Friday 23 February 2024

PC 6 Transport
 PC 5 Police and Counter Terrorism, the Hunter

Day Five: Tuesday 27 February 2024

PC 7 Planning and Public Spaces
 PC 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault

Day Six: Wednesday 28 February 2024

PC 2 Water, Housing, Homelessness, Mental Health, Youth, the North Coast
 PC 8 Customer Service and Digital Government, Emergency Services, Youth Justice

Day Seven: Thursday 29 February 2024

PC 1 Industrial Relations, Work Health and Safety
 PC 6 Regional Transport and Roads

Day Eight: Friday 1 March 2024

PC 1 Treasurer
 PC 8 Better Regulation and Fair Trading, Industry and Trade, Innovation, Science and Technology, Building, Corrections

Day Nine: Monday 4 March 2024

PC 5 Families and Communities, Disability Inclusion
 PC 1 The Legislature

⁴ *Minutes*, NSW Legislative Council, 21 November 2023, pp 666-667.

Day Ten: Tuesday 5 March 2024

PC 6 Special Minister of State, Roads, Arts, Music and the Night-time Economy,
Jobs and Tourism

PC 3 Skills, TAFE, Tertiary Education

Day Eleven: Wednesday 6 March 2024

PC 5 Attorney-General

PC 8 Local Government

Day Twelve: Thursday 7 March 2024

PC 7 Climate Change, Energy, the Environment, Heritage

PC 1 Finance, Domestic Manufacturing and Government Procurement, Natural
Resources

2. That for the purposes of the 2023-2024 additional budget estimates hearings:
 - (a) each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required
 - (b) the portfolio of The Legislature be examined by Opposition, Crossbench and Government members from 9.15 am to 11.00 am, and from 11.15 am to 1.00 pm.
3. That for the purposes of the 2023-2024 additional budget estimates hearings:
 - (a) the committees must hear evidence in public
 - (b) the committees may ask for explanations from ministers, parliamentary secretaries or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure
 - (c) ministers be invited to appear for the morning sessions only unless requested by committees to appear also for the afternoon session
 - (d) witnesses, including ministers, may not make an opening statement before a committee commences questions
 - (e) members may lodge supplementary questions with the committee clerk by 5.00 pm within two business days following the receipt of the hearing transcript
 - (f) answers to questions on notice and supplementary questions are to be published, except those answers for which confidentiality is requested, after they have been circulated to committee members.⁵

⁵ *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.

Committee details

Committee members

Hon Robert Borsak MLC	Shooters, Fishers and Farmers Party	<i>Chair</i>
Ms Sue Higginson MLC	The Greens	<i>Deputy Chair</i>
Hon Greg Donnelly MLC	Australian Labor Party	
Hon Wes Fang MLC	The Nationals	
Hon Stephen Lawrence MLC	Australian Labor Party	
Hon Natasha Maclaren-Jones MLC	Liberal Party	
Hon Cameron Murphy MLC	Australian Labor Party	

Non-substantive members who attended the hearings

Ms Abigail Boyd MLC	The Greens	
Hon Susan Carter MLC	Liberal Party	
Dr Amanda Cohn MLC	The Greens	
Hon Anthony D'Adam MLC	Australian Labor Party	
Ms Cate Faehrmann MLC	The Greens	
Hon Dr Sarah Kaine MLC	Australian Labor Party	
Hon Mark Latham MLC	Independent	
Hon Rachel Merton MLC	Liberal Party	
Hon Tania Mihailuk MLC	Pauline Hanson's One Nation	
Hon Sarah Mitchell MLC	The Nationals	
Hon Bob Nanva MLC	Australian Labor Party	
Hon Emily Suvaal MLC	Australian Labor Party	
Hon Bronnie Taylor MLC	The Nationals	
Hon Damien Tudehope MLC	Liberal Party	

Contact details

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Chair's foreword

I am pleased to present this report on the inquiry into Budget Estimates 2023-2024. The annual inquiry into the Budget Estimates ensures parliamentary oversight of the Budget, and provides an important mechanism for the accountability of the executive government to the Legislative Council.

Portfolio Committee No. 5 – Justice and Communities is responsible for the scrutiny of the following portfolio area:

- Attorney-General
- Police and Counter-terrorism
- The Hunter
- Families and Communities, Disability Inclusion
- Women, Seniors, Prevention of Domestic Violence and Sexual Assault.

The primary evidence gathering mechanism of this inquiry is through the conduct of public hearings. This report lists the key issues raised during the hearings. Transcripts, tabled documents and additional answers provided after the hearings are published on the [inquiry's webpage](#).

On behalf of the committee, I would like to thank the ministers and their officers who assisted the committee during this important inquiry. I am grateful to my fellow committee members and the secretariat staff for their contributions to the inquiry process.

Hon Robert Borsak MLC
Committee Chair

Chapter 1 Introduction

The inquiry into Budget Estimates is one of the key mechanisms for parliamentary committees to scrutinise government expenditure, performance and effectiveness. It holds ministers and government officials to account and provides a greater level of transparency to the public.

The inquiry is conducted annually by the Legislative Council's Portfolio Committees. Each committee examines the budget estimates of its responsible portfolios, with ministers and senior public servants as the primary witnesses. The evidence taking process of the inquiry consists of answers provided during public hearings, including answers to questions on notice, and answers to post-hearing written questions (known as supplementary questions). There is no provision for written submissions.

Budget Estimates 2023-2024

- 1.1 On 12 September 2023, the Legislative Council referred the Budget Estimates for the 2023-2024 financial year to the portfolio committees for inquiry and report.⁶
- 1.2 On 10 May 2023, the Legislative Council resolved that initial hearings for Budget Estimates 2023-2024 be held over 12 days from 24 October to 26 October and 31 October to 10 November 2023.⁷ The hearing schedule was amended by the House on 12 September 2023 to provide that initial hearings for Budget Estimates 2023-2024 be held over 11 days from 24 October to 26 October, 31 October to 3 November, and 7 November to 10 November 2023.⁸ The hearing schedule was further amended by the House on 11 October 2023 to add an additional hearing and make consequential amendments.⁹
- 1.3 On 22 November 2023, the Legislative Council resolved to hold a supplementary hearing for the portfolios of Agriculture, Regional New South Wales, and Western New South Wales in 2023.¹⁰
- 1.4 On 30 November 2023, the Legislative Council resolved that additional hearings for Budget Estimates 2023-2024 be held over 12 days from 20 February to 23 February, 27 February to 1 March, and 4 March to 7 March 2024.¹¹
- 1.5 The Budget Estimates resolution establishing the inquiry, which sets out the rules for the inquiry, is reproduced on pages iv-viii.

⁶ *Minutes*, NSW Legislative Council, 12 September 2023, pp 448-450.

⁷ *Minutes*, NSW Legislative Council, 10 May 2023, p 64.

⁸ *Minutes*, NSW Legislative Council, 12 September 2023, p 449.

⁹ *Minutes*, NSW Legislative Council, 11 October 2023, p 558.

¹⁰ *Minutes*, NSW Legislative Council, 22 November 2023, pp 692-693.

¹¹ *Minutes*, NSW Legislative Council, 30 November 2023, pp 787-788.

Hearings

1.6 The committee held eight public hearings as follows:

- Friday 3 November 2023 and Tuesday 27 February 2024: Women, Seniors, Prevention of Domestic Violence and Sexual Assault
- Tuesday 7 November 2023 and Friday 23 February 2024: Police and Counter-terrorism, the Hunter
- Thursday 9 November 2023 and Monday 4 March 2024: Families and Communities, Disability Inclusion
- Friday 10 November 2023 and Wednesday 6 March 2024: Attorney General.

Transcripts, questions on notice and supplementary questions

1.7 Transcripts of the hearings, questions taken on notice, supplementary questions and answers to these questions are available on the Budget Estimates webpage at: www.parliament.nsw.gov.au/budgetestimates.

Chapter 2 Issues raised during hearings

This chapter provides a brief summary of key issues raised during the hearings.

Women, Seniors, Prevention of Domestic Violence and Sexual Assault

2.1 A hearing examining the portfolios of Women, Seniors, Prevention of Domestic Violence and Sexual Assault was held on Friday 3 November 2023. The following issues were raised during the committee's examination of these portfolios:

- elder abuse
- coercive control legislation implementation
- the Core and Cluster Program
- Shared Equity scheme expansion to victims of domestic and family violence
- volunteering and carers portfolio
- domestic violence support for Aboriginal and Torres Strait Islander persons
- Regional Woman of the Year Award
- the domestic violence death review recommendations
- the Staying Home Leaving Violence program.

2.2 An additional hearing examining the portfolios Women, Seniors, Prevention of Domestic Violence and Sexual Assault was held on Tuesday 27 February 2024. The following issues were raised during the committee's examination of these portfolios:

- palliative care funding and demand
- targeted investment and funding in domestic violence services
- cost of living crisis in relation to women and children
- domestic violence within the LGBTQIA+ community
- education of judiciary and police relating to domestic violence training
- government handling of complaints of sexual assault
- regulation and access of harmful pornography/NSW Sexual Violence Plan
- women and children in regional and rural areas
- domestic violence programs in rural and regional areas
- Aboriginal and Torres Strait Island organisations and funding
- gender pay gap
- implementation of legislation relating to coercive control

- the increase in reports of elder abuse and the abuse of those with a disability to the Ageing and Disability Commission
- the role of the Women's Safety Commissioner and her office, and the lived experience advisory group.

Police and Counter-terrorism, the Hunter

2.3 A hearing examining the portfolios of Police and Counter-terrorism, the Hunter was held on Tuesday 7 November 2023. The following issues were raised during the committee's examination of these portfolios:

- police actions and advice relating to recent protests in Sydney
- circumstances surrounding the death of Mrs Clare Nowland after being tasered by police in May 2023
- police response to domestic and family violence, and readiness to implement new coercive control legislation
- firearms registration and licensing issues
- police understaffing, including engagement, retention, and long term leave issues
- crime rates in rural and regional areas.

2.4 An additional hearing examining the portfolios Police and Counter-terrorism, the Hunter was held on Friday 23 February 2024. The following issues were raised during the committee's examination of these portfolios:

- number of police officers, vacancies and retention issues
- police pay, overtime and other employment conditions, including use of firearms
- police stations and operating hours
- regional and youth crime, recidivism rates and bail laws
- operation of the PACER (Police, Ambulance, Clinical, Early Response) program and PULSE program
- outcomes of the Special Commission of Inquiry into LGBTIQ hate crimes
- policing of protests, including potential use of s 93Z of the *Crimes Act 1900*, police actions and prosecutions relating to recent protests in Sydney
- firearms registration, licensing and standards, and shooting range management
- implementation of the Youth Strategy
- raising the age of criminal responsibility
- consorting laws
- improvements to body worn cameras
- status of IPOS system

- crime prevention messaging
- training for coercive control legislation
- Firearm Prevention Orders
- misidentification of domestic violence perpetrators
- use of biometric assessments, including facial recognition technology.

Families and Communities, Disability Inclusion

2.5 A hearing examining the portfolios of Families and Communities, Disability Inclusion was held on Thursday 9 November 2023. The following issues were raised during the committee's examination of these portfolios:

- children missing from out-of-home care
- accessibility and disability inclusion in New South Wales
- caseworker vacancy rate
- First Nations children in out-of-home care
- consultation with First Nations people in policy reform
- Permanency District Action Plans
- response to the Disability Royal Commission
- operations of the Ageing and Disability Commission.

2.6 An additional hearing examining the portfolios Families and Communities, Disability Inclusion was held on Monday 4 March 2024. The following issues were raised during the committee's examination of these portfolios:

- caseworker vacancy rates
- high-cost emergency accommodation/arrangements
- First Nations children in out-of-home care, including the Family is Culture report
- Aboriginal Community-Controlled Organisations
- non-government organisations and alternative care providers
- accessibility and disability inclusion, including temporary accommodation and children with disability
- Ageing and Disability Commission
- National Disability Insurance Scheme review.

Attorney-General

2.7 A hearing examining the portfolio of Attorney-General was held on Friday 10 November 2023. The following issues were raised during the committee's examination of this portfolio:

- Department Liaison Officer secondments
- court programs, including pre-court drug diversion scheme, merit program and related legislative reform
- responses to issues arising from certain legal cases
- criminal age in New South Wales, youth incarceration and alternative pathways
- response to protests held in Sydney, October 2023
- legislative reforms, department initiatives and consultation practices.

2.8 An additional hearing examining the portfolio of Attorney-General was held on Wednesday 6 March 2024. The following issues were raised during the committee's examination of this portfolio:

- section 214A of the *Crimes Act 1900* and *Kvelde v State of New South Wales* [2023] NSWSC 1560
- raising the age of criminal responsibility
- conduct of the Office of the Director of Public Prosecutions in *R v Martinez* [2023] NSWDC 552
- Local Court infrastructure, redevelopments and wait times
- section 93Z of the *Crimes Act 1900* and referral of this section to the Law Reform Commission
- actions to address youth crime and recidivism
- government position on Equality Legislation Amendment (LGBTIQA+) Bill 2023
- legislative reform to ban LGBTQ+ conversion practices in New South Wales.

Appendix 1 Witnesses at hearings

Date	Name	Position and Organisation
Friday 3 November 2023 Preston Stanley Room Parliament House, Sydney	Hon Jodie Harrison MP	Minister for Women, Seniors, the Prevention of Domestic Violence and Sexual Assault
	Mr Michael Tidball	Secretary, Department of Communities and Justice
	Ms Anne Campbell	Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
	Dr Hannah Tonkin	Women's Safety Commissioner, Department of Communities and Justice
	Ms Kate Meagher	Deputy Secretary, Community Engagement Group, Premier's Department
	Ms Tanya Smyth	Director Women NSW, Premier's Department
	Mr Robert Fitzgerald	NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission
Tuesday 7 November 2023 Preston Stanley Room Parliament House, Sydney	Hon Yasmin Catley MP	Minister for Police and Counter-terrorism, the Hunter
	Commissioner Karen Webb	Commissioner, NSW Police Force
	Deputy Commissioner David Hudson	Deputy Commissioner, NSW Police Force
	Deputy Commissioner Malcolm Lanyon	Deputy Commissioner, NSW Police Force
	Deputy Commissioner Paul Pisanos	Deputy Commissioner, NSW Police Force
	Deputy Commissioner Peter Thurtell	Deputy Commissioner, NSW Police Force
	Ms Kenna Ackley	Acting Deputy Commissioner, NSW Police Force

Date	Name	Position and Organisation
	Mr Jonathan Wheaton	Acting Deputy Secretary, Regional NSW
	Mr Michael Barnes	Commissioner, Crime Commission
Thursday 9 November 2023 Preston Stanley Room Parliament House, Sydney	Hon Kate Washington MP	Minister for Families and Communities, Disability Inclusion
	Ms Simone Czech	Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice
	Mr Brendan Thomas	Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
	Ms Zoe Dendle	Executive Director, Housing, Homelessness and Disability, Department of Communities and Justice
	Mr Michael Tidball	Secretary, Department of Communities and Justice
	Ms Anne Campbell	Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
	Mr Robert Fitzgerald	NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission
Friday 10 November 2023 Macquarie Room Parliament House, Sydney	Hon Michael Daley MP	Attorney General
	Mr Paul McKnight	Deputy Secretary, Law Reform and Legal Services, Department of Communities and Justice
	Ms Monique Hitter	Chief Executive Officer, Legal Aid NSW
	Mr Michael Tidball	Secretary, Department of Communities and Justice
	Ms Anne Campbell	Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice

Date	Name	Position and Organisation
	Mr Brendan Thomas	Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
Friday 23 February 2024, Jubilee Room Parliament House, Sydney	Hon Yasmin Catley MP	Minister for Police and Counter-terrorism, and Minister for the Hunter
	Acting Deputy Commissioner Dean Smith	Acting Deputy Commissioner, NSW Police Force
	Commissioner Karen Webb	NSW Police Force
	Mr Michael Barnes	Commissioner, Crime Commission
	Deputy Commissioner David Hudson	Deputy Commissioner, NSW Police Force
	Deputy Commissioner Malcolm Lanyon	Deputy Commissioner, NSW Police Force
	Deputy Commissioner Paul Pisanos	Deputy Commissioner, NSW Police Force
	Deputy Commissioner Peter Thurtell	Deputy Commissioner, NSW Police Force
	Mr Jonathan Wheaton	Acting Deputy Secretary, Regional NSW
Tuesday 27 February 2024, Preston Stanley Room Parliament House, Sydney	Hon Jodie Harrison MP	Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault
	Mr Michael Tidball	Secretary, Department of Communities and Justice
	Ms Anne Campbell	Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
	Ms Hannah Tonkin	Women's Safety Commissioner, Department of Communities and Justice
	Ms Kate Meagher	Deputy Secretary Community Engagement Group, Premier's Department

Date	Name	Position and Organisation
	Ms Tanya Smyth	Director Women NSW, Premier's Department
	Mr Robert Fitzgerald	NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission
Monday 4 March 2024, Macquarie Room Parliament House, Sydney	Hon Kate Washington MP	Minister for Families and Communities, and Minister for Disability Inclusion
	Ms Kathryn McKenzie	Director, Operations, NSW Ageing and Disability Commission
	Mr Michael Tidball	Secretary, Department of Communities and Justice
	Ms Anne Campbell	Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
	Ms Simone Czech	Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice
	Ms Claire Beattie	Acting Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
Wednesday 6 March 2024, Macquarie Room, Parliament House, Sydney	Hon Michael Daley MP	Attorney General
	Mr Chris D'Aeth	Acting Deputy Secretary, Courts, Tribunals and Service Delivery, Department of Communities and Justice
	Dr James Cockayne	Anti-Slavery Commissioner
	Ms Sally Dowling SC	Director of Public Prosecutions
	Mr Michael Tidball	Secretary, Department of Communities and Justice

Date	Name	Position and Organisation
	Ms Anne Campbell	Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
	Ms Claire Beattie	Acting Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
	Mr Paul McKnight	Deputy Secretary, Law Reform and Legal Services, Department of Communities and Justice
	Ms Monique Hitter	Chief Executive Officer, Legal Aid NSW

Appendix 2 Minutes

Minutes no. 2

Wednesday 20 September 2023

Portfolio Committee No. 5 – Justice and Communities

Room 1043, Parliament House, Sydney at 12.38 pm

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair* (from 12.44 pm)

Mr Donnelly

Mr Fang (from 12.41 pm)

Mr Lawrence

Mrs Maclaren-Jones (from 12.42 pm)

Mr Murphy

2. Previous minutes

The committee noted that draft minutes no. 1 were confirmed via email on 6 June 2023, as per a previous resolution of the committee.

3. Correspondence

The committee noted the following items of correspondence:

Received

- 15 June 2023 – Email from A. G. McKenzie, private individual to Chair, attaching complaint to Police Commissioner regarding police enforcement of non-payments at service stations
- 7 September 2023 – Email from Ms Katerina Paneras, Executive Manager, NSW Ageing and Disability Commission to committee, requesting that the Ageing and Disability Commissioner Mr Robert Fitzgerald AM appear and give evidence at the Budget Estimates hearings for the portfolios of Seniors (Friday 3 November) and Families and Communities and Disability Inclusion (Thursday 9 November).

4. Inquiry into Budget Estimates 2023-2024 – procedural resolutions

The committee noted that the Budget Estimates timetable for 2023-2024 was agreed to by the House, with hearings generally commencing at 9.15 am and concluding by 5.30 pm. Below is a table of Portfolio Committee No. 5 hearings:

Date	Portfolio
Friday 3 November 2023	Women, Seniors, Prevention of Domestic Violence and Sexual Assault
Tuesday 7 November 2023	Police and Counter Terrorism, the Hunter
Thursday 9 November 2023	Families and Communities, Disability Inclusion
Friday 10 November 2023	Attorney-General

4.1 Allocation of question time and total hearing time

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only from 9.15 am to 10.45

am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

4.2 Witness requests

Resolved, on the motion of Mr Murphy: That:

- the secretariat write to the ministers of the relevant portfolios being examined by the committee to request that they nominate witnesses to appear at each hearing, for the committee's consideration
- upon receipt, the nominated witnesses be circulated to the committee
- members be given two days from when the nominated witnesses are circulated to make amendments or nominate additional witnesses
- the committee agree to the witness list by email, unless a meeting of the committee is required to resolve any disagreement.

Resolved, on the motion of Mr Murphy: That the committee invite Mr Robert Fitzgerald AM, Ageing and Disability Commissioner, to appear and give evidence at the Budget Estimates hearings for the portfolios of Women, Seniors, Prevention of Domestic Violence and Sexual Assault (on Friday 3 November) and Families and Communities, Disability Inclusion (on Wednesday 9 November).

Resolved, on the motion of Mr Murphy: That the committee not invite parliamentary secretaries to appear as witnesses at the hearings.

4.3 Witness appearance time

The committee noted that under the Budget Estimates 2023-2024 resolution Ministers are invited to appear for the morning sessions only, 9.15 am to 1.00 pm, unless requested by the committee to appear also for the afternoon session.

5. Adjournment

The committee adjourned at 12.46 pm until Friday 3 November 2023, 9.00 am, Parliament House (public hearing – Budget Estimates 2023-2024).

Arizona Hart
Committee Clerk

Minutes no. 3

Friday 3 November 2023

Portfolio Committee No. 5 – Justice and Communities

Preston Stanley Room, Parliament House, Sydney at 9.00 am

1. Members present

Mr Borsak, *Chair*

Ms Boyd (substituting for Ms Higginson from 9.00 am until 12.37 pm)

Dr Kaine (substituting for Mr Donnelly)

Mr Lawrence

Ms Merton (substituting for Mrs Maclaren-Jones)

Ms Suvaal (substituting for Mr Murphy)

Mrs Taylor (substituting for Mr Fang)

2. Previous minutes

Resolved, on the motion of Mr Lawrence: That draft minutes no. 2 be confirmed.

3. Election of Deputy Chair

The Chair called for nominations for Deputy Chair.

Mr Lawrence moved: That Mrs Taylor be elected Deputy Chair of the committee for the purposes of the hearing.

There being no further nominations, the Chair declared Mrs Taylor elected Deputy Chair for the purposes of the hearing.

4. Correspondence

The committee noted the following items of correspondence:

Received

- 20 September 2023 – Email from Ms Katerina Paneras, Executive Manager, NSW Ageing and Disability Commission to Budget Estimates secretariat, acknowledging receipt of invitation to Ageing and Disability Commissioner to attend hearings on 3 November and 9 November
- 4 October 2023 – Email from Mr Blake Mooney, Office of the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion to Budget Estimates secretariat, providing witness list for hearing on 9 November 2023
- 4 October 2023 – Email from Mr Ross Neilson, Office of the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter to Budget Estimates secretariat, providing witness list for hearing on 7 November 2023
- 5 October 2023 - Email from Mr Mark Boyd, Office of the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault to Budget Estimates secretariat, providing witness list for hearing on 3 November 2023
- 5 October 2023 – Email from Ms Yujin Park, Office of the Hon Michael Daley MP, Attorney- General to Budget Estimates secretariat, providing witness list for hearing on 9 November 2023
- 9 October 2023 – Email from Mr Dan Halpin, CEO and Founder, Cybertrace to committee, attaching documents relating to GIPA request to NSW Police for reports of cyber fraud
- 11 October 2023 – Email from Ms Tilly South, Office of the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter to Budget Estimates secretariat, advising they cannot invite a representative from the Law Enforcement Conduct Commission to appear at hearing on 7 November 2023
- 13 October 2023 – Email from Mr Blake Mooney, Office of the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion to Budget Estimates secretariat, seeking further clarification from the committee regarding additional proposed witnesses
- 25 October 2023 - Email from Mr Blake Mooney, Office of the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion to Budget Estimates secretariat, advising additional proposed witnesses can attend and requesting clarification regarding appearance time
- 27 October 2023 – Letter from Mr Michael Tidball, Secretary, Department of Communities and Justice to Budget Estimates secretariat, advising that a witness is unavailable for hearing on 10 November 2023.

Sent

- 20 September 2023 – Email from Budget Estimates secretariat to the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, issuing request to nominate witnesses for hearing on 3 November 2023
- 20 September 2023 – Email from Budget Estimates secretariat to the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, issuing request to nominate witnesses for hearing on 7 November 2023
- 20 September 2023 – Email from Budget Estimates secretariat to the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion, issuing request to nominate witnesses for hearing on 9 November 2023
- 20 September 2023 – Email from Budget Estimates secretariat to the Hon Michael Daley MP, Attorney-General, issuing request to nominate witnesses for hearing on 9 November 2023
- 20 September 2023 – Letter from Budget Estimates secretariat to Mr Robert Fitzgerald AM, Ageing and Disability Commissioner, issuing invitation to appear at hearing for the portfolios of Women, Seniors,

Prevention of Domestic Violence and Sexual Assault on 3 November and hearing for the portfolios of Families and Communities, Disability Inclusion 9 November

- 9 October 2023 – Email from Budget Estimates secretariat to the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, confirming witnesses to appear at hearing on 3 November 2023
- 9 October 2023 – Email from Budget Estimates secretariat to the Hon Michael Daley MP, Attorney-General, confirming witnesses to appear at hearing on 9 November 2023
- 10 October 2023 - Email from Budget Estimates secretariat to the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, requesting additional witnesses appear at hearing on 7 November 2023
- 10 October 2023 - Email from Budget Estimates secretariat to the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion, requesting additional witnesses appear at hearing on 9 November 2023
- 18 October 2023 – Email from Budget Estimates secretariat to Mr Blake Mooney, Office of the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion to Budget Estimates secretariat, advising committee maintain request for additional witnesses to appear at hearing on 9 November
- 18 October 2023 – Email from Budget Estimates secretariat to Ms Tilly South, Office of the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter to Budget Estimates secretariat, accepting advice regarding appearance of a witness from the Law Enforcement Conduct Commission at hearing on 7 November 2023
- 31 October 2023 – Email from Budget Estimates secretariat to Mr Blake Mooney, Office of the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion to Budget Estimates secretariat, confirming appearance time for witnesses at hearing on 9 November
- 31 October 2023 – Email from Budget Estimates secretariat to John Paul Ramsay, Manager, Ministerial and Parliamentary Services, Law Reform and Legal Services, Department of Communities and Justice, confirming committee accepts unavailability of witness for hearing on 10 November 2023.

5. Inquiry into Budget Estimates 2023-2024

5.1 Amended resolution

The committee noted the resolution of the House of 11 October 2023 amending the Budget Estimates 2023-2024 terms of reference.

5.2 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

5.3 Public hearing – Women, Seniors, Prevention of Domestic Violence and Sexual Assault

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The following witnesses were sworn and examined:

- Mr Michael Tidball, Secretary, Department of Communities and Justice
- Ms Anne Campbell, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
- Ms Hannah Tonkin, Women’s Safety Commissioner, Department of Communities and Justice
- Ms Kate Meagher, Deputy Secretary Community Engagement Group, Premier’s Department
- Ms Tanya Smyth, Director Women NSW, Premier’s Department
- Mr Robert Fitzgerald, NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault was admitted and examined.

The Chair declared the proposed expenditure for the portfolios of Women, Seniors, Prevention of Domestic Violence and Sexual Assault open for examination.

The Minister withdrew at 12.37 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 2.40 pm. The public and the media withdrew.

6. Adjournment

The committee adjourned at 2.40 pm until Tuesday 7 November 2023, 9.00am, Preston Stanley Room, Parliament House (public hearing –inquiry into Budget Estimates 2023-2024).

Emma Rogerson and Laura Ismay

Committee Clerk

Minutes no. 4

Tuesday 7 November 2023

Portfolio Committee No. 5 – Justice and Communities

Preston Stanley Room, Parliament House, Sydney at 9.02 am

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair* (from 9.03 am to 12.47 pm, and from 2.04 pm to 5.18 pm)

Ms Boyd (participating from 10.08 am to 10.37 am, and from 3.01 pm to 3.17 pm)

Mr Donnelly (from 9.03 am to 5.18 pm)

Ms Faehrmann (participating from 4.02 pm to 4.18 pm)

Mr Lawrence (from 9.02 am to 3.05 pm, and from 3.08 pm to 5.18 pm)

Mrs Maclaren-Jones

Mrs Mitchell (substituting for Mr Fang)

Mr Nanva (substituting for Mr Murphy)

2. Inquiry into Budget Estimates 2023-2024

2.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

2.2 Public hearing – Police and Counter-Terrorism, the Hunter

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The following witnesses were sworn and examined:

- Commissioner Karen Webb, Commissioner, NSW Police Force
- Deputy Commissioner David Hudson, Deputy Commissioner, NSW Police Force
- Deputy Commissioner Malcolm Lanyon, Deputy Commissioner, NSW Police Force
- Deputy Commissioner Paul Pisanos, Deputy Commissioner, NSW Police Force

- Deputy Commissioner Peter Thurtell, Deputy Commissioner, NSW Police Force
- Ms Kenna Ackley, Acting Deputy Commissioner, NSW Police Force
- Mr Jonathan Wheaton, Acting Deputy Secretary, Regional NSW
- Mr Michael Barnes, Commissioner, Crime Commission.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Yasmin Catley MP, Minister for Police and Counter-Terrorism, and Minister for the Hunter was admitted and examined.

The Chair declared the proposed expenditure for the portfolios of Police and Counter-Terrorism, the Hunter open for examination.

The Minister withdrew at 12.47 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.18 pm. The public and the media withdrew.

3. Adjournment

The committee adjourned at 5.18 pm until Thursday 9 November 2023, 9.00am, Preston Stanley Room, Parliament House (public hearing – inquiry into Budget Estimates 2023-2024).

Peta Leemen

Committee Clerk

Minutes no. 5

Thursday 9 November 2023

Portfolio Committee No. 5 – Justice and Communities

Preston Stanley Room, Parliament House, Sydney at 9.00 am

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair* (from 11.33 am)

Ms Boyd (substituting for Ms Higginson until 11.33 am and then participating from 2.06 pm until 2.34 pm)

Mr Donnelly (until 3.42 pm, and from 4.15 pm)

Mr Lawrence

Mrs Maclaren-Jones (*Acting Deputy Chair until 11.33 am*)

Ms Merton (substituting for Mr Fang)

Mr Murphy

Ms Mihailuk (participating from 9.21 am until 1.00 pm, and from 3.46 pm until 4.19 pm)

2. Election of Acting Deputy Chair

In the absence of the Deputy Chair, the Chair called for nominations for Acting Deputy Chair.

Mr Donnelly moved: That Mrs Maclaren-Jones be elected Acting Deputy Chair of the committee for the purpose of the meeting until the arrival of the Deputy Chair.

There being no further nominations, the Chair declared Mrs Maclaren-Jones Acting Deputy Chair for the purpose of the meeting until the arrival of the Deputy Chair.

3. Previous minutes

Resolved, on the motion of Mr Murphy: That draft minutes no. 3 be confirmed.

4. Correspondence

The committee noted the following items of correspondence:

Received

- 6 November 2023 – Email from Ms Tilly South, Office of the Hon Yasmin Catley MP, Minister for Police and Counter-Terrorism, and Minister for the Hunter to Budget Estimates secretariat, requesting attendance of additional witness at hearing on 7 November 2023.

Sent

- 6 November 2023 – Email from Budget Estimates secretariat to Ms Tilly South, Office of the Hon Yasmin Catley MP, Minister for Police and Counter-Terrorism, and Minister for the Hunter, confirming committee agrees to additional witness attending hearing on 7 November 2023.

5. Inquiry into Budget Estimates 2023-2024

5.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

5.2 Public hearing – Families and Communities, Disability Inclusion

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The following witnesses were sworn and examined:

- Ms Simone Czech, Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice
- Mr Brendan Thomas, Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
- Ms Zoe Dendle, Executive Director Housing, Homelessness and Disability, Department of Communities and Justice

The following witnesses were examined on their former oath:

- Mr Michael Tidball, Secretary, Department of Communities and Justice
- Ms Anne Campbell, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
- Mr Robert Fitzgerald, NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Kate Washington MP, Minister for Minister for Families and Communities, and Minister for Disability Inclusion was admitted and examined.

The Chair declared the proposed expenditure for the portfolios of Families and Communities and Disability Inclusion open for examination.

The Minister withdrew at 1.00 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.28 pm. The public and the media withdrew.

6. Adjournment

The committee adjourned at 4.28 pm until Friday 10 November 2023, 9.00 am, Macquarie Room, Parliament House (public hearing – inquiry into Budget Estimates 2023-2024).

Madeleine Dowd
Committee Clerk

Minutes no. 6

Friday 10 November 2023

Portfolio Committee No. 5 – Justice and Communities

Macquarie Room, Parliament House, Sydney at 9.00 am

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair* (from 9.08 am until 12.51 pm, and from 2.22 pm)

Ms Boyd (participating from 11.22 am until 12.02 pm)

Mrs Carter (substituting for Mr Fang)

Mr Donnelly

Ms Faehrmann (participating from 12.11 pm until 12.33 pm)

Mr Lawrence

Mrs Maclaren-Jones

Ms Mihailuk (participating from 11.15 am until 12.28 pm, and from 2.33 pm until 3.11 pm)

Mr Murphy (until 2.49 pm)

Mr Tudehope (participating from 9.53 am until 10.25 am)

2. Inquiry into Budget Estimates 2023-2024

2.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

2.2 Public hearing – Attorney General

Witnesses, the public and the media were admitted.

The Hon Michael Daley MP, Attorney General was admitted and examined.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The following witnesses were sworn and examined:

- Mr Paul McKnight, Deputy Secretary, Law Reform and Legal Services, Department of Communities and Justice
- Ms Monique Hitter, Chief Executive Officer, Legal Aid NSW

The following witnesses were examined on their former oath:

- Mr Michael Tidball, Secretary, Department of Communities and Justice
- Ms Anne Campbell, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
- Mr Brendan Thomas, Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice

The Chair declared the proposed expenditure for the portfolio of Attorney General open for examination.

The Attorney General withdrew at 12.51 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 3.26 pm. The public and the media withdrew.

3. Adjournment

The committee adjourned at 3.26 pm, *sine die*.

Allison Stowe

Committee Clerk

Minutes no. 9

Monday 19 February 2024

Portfolio Committee No. 5 – Justice and Communities

Room 1136, Parliament House, Sydney, 9.00 am

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair* (via videoconference)

Mr Donnelly

Mr Fang

Mr Lawrence (via teleconference)

Mrs Maclaren-Jones

Mr Murphy

2. Correspondence

The committee noted the following items of correspondence:

Received

- 29 November 2023 – Letter from Mr Michael Tidball, Secretary, Department of Communities and Justice, seeking clarifications to his evidence given at the Portfolio Committee No. 5 Attorney-General hearing on 10 November 2023
- 30 November 2023 – Letter from Ms Hannah Tonkin, Women's Safety Commissioner, Department of Communities and Justice, seeking clarifications to her evidence given at the Portfolio Committee No. 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 3 November 2023
- 30 November 2023 – Letter from Ms Anne Campbell, Deputy Secretary, Strategy Policy and Commissioning, Department of Communities and Justice, seeking clarifications to her evidence given at the Portfolio Committee No. 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 3 November 2023
- 30 November 2023 – Letter from Mr Michael Tidball, Secretary, Department of Communities and Justice, seeking clarifications to his evidence given at the Portfolio Committee No. 5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 3 November 2023
- 7 December 2023 – Letter from the Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, seeking clarifications to her evidence given at the Portfolio Committee No. 5 Family and Communities, Disability Inclusion hearing on 9 November 2023
- 19 January 2024 – Email from Mr Daniel Barakate, Office of the Hon Kate Washington MP, attaching requested amendments to the witness list for the Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024
- 30 January 2024 – Email from Mr John Paul Ramsay, Ministerial and Parliamentary Services, Department of Communities and Justice, to secretariat, enquiring whether certain witnesses are to appear at a particular time for the Budget Estimates Attorney-General hearing on 6 March 2024
- 31 January 2024 – Email from Ms Tilly South, Office of the Hon Yasmin Catley MP, responding to the witness invitation for the Budget Estimates Police and Counter-terrorism hearing on 23 February 2024

- 2 February 2024 – Email from Ms Tilly South, Office of the Hon Yasmin Catley MP, confirming the attendance and proposed amendments to the witness list for the Budget Estimates Police and Counter-terrorism hearing on 23 February 2024
- 6 February 2024 – Email from Ms Jess Simpson, Office of the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, confirming the attendance of all invited witnesses to the Budget Estimates Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 27 February 2024
- 13 February 2024 – Email from Ms Grace Di Giorgio, Attorney General's Office, to Budget Estimates secretariat, confirming the attendance of all invited witnesses to the Budget Estimates Attorney General hearing on 6 March 2024
- 13 February 2024 – Email from Ms Grace Di Giorgio to Budget Estimates secretariat, including the witness names of the Anti-Slavery Commissioner and the Director of Public Prosecutions for the Budget Estimates Attorney General hearing on 6 March 2024.

Sent

- 9 November 2023 – Email from Budget Estimates secretariat to Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, issuing uncorrected transcript, questions on notice, and supplementary questions from hearing on 3 November 2023
- 13 November 2023 - Email from Budget Estimates secretariat to Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, issuing uncorrected transcript, questions on notice, and supplementary questions from hearing on 7 November 2023
- 15 November 2023 - Email from Budget Estimates secretariat to Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, issuing updated supplementary questions from hearing on 7 November 2023
- 16 November 2023 – Email from Budget Estimates secretariat to Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion, issuing uncorrected transcript, questions on notice, and supplementary questions from hearing on 9 November 2023
- 16 November 2023 – Email from Budget Estimates secretariat to Hon Michael Daley MP, Attorney-General, issuing uncorrected transcript, questions on notice, and supplementary questions from hearing on 10 November 2023
- 21 December 2023 – Email from Budget Estimates secretariat to the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, inviting witnesses to the hearing on 27 February 2024 (*attached*)
- 21 December 2023 – Email from Budget Estimates secretariat to the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, inviting witnesses to the hearing on 23 February 2024
- 21 December 2023 – Email from Budget Estimates secretariat to the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion, inviting witnesses to the hearing on 4 March 2024
- 21 December 2023 – Email from Budget Estimates secretariat to the Hon Michael Daley MP, Attorney-General, inviting witnesses to the Budget Estimates Attorney-General hearing on 6 March 2024
- 24 January 2024 – Email from Budget Estimates secretariat to the Hon Michael Daley MP, Attorney-General, inviting an additional witness to the Budget Estimates Attorney-General hearing on 6 March 2024
- 30 January 2021 – Email from Budget Estimates secretariat to Mr John Paul Ramsay, Ministerial and Parliamentary Services, Department of Communities and Justice, advising that witnesses are to appear all day at Budget Estimates hearing, unless specified otherwise by the committee
- 5 February 2024 – Email from Budget Estimates secretariat to the Hon Michael Daley MP, Attorney-General, requesting response to the witness invitation to the Budget Estimates Attorney-General hearing on 6 March 2024

- 5 February 2024 – Email from Budget Estimates secretariat to the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, requesting response to the witness invitation for the Budget Estimates Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 27 February 2024
- 6 February 2024 – Email from Budget Estimates secretariat to Ms Jess Simpson, Office of the Hon Jodie Harrison MP, attaching confirmed witness list and hearing information for the Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on Tuesday 27 February 2024
- 8 February 2024 – Email from Budget Estimates secretariat to Ms Tilly South, Office of the Hon Yasmin Catley MP, advising that the committee has agreed to the Minister's proposed amendments to the witness list, attaching confirmed witness list, and hearing information for the Budget Estimates Police and Counter-terrorism, the Hunter hearing on 23 February 2024
- 13 February 2024 – Email from Budget Estimates secretariat to Ms Grace Di Giorgio, Attorney General's Office, attaching the confirmed witness list and hearing information for the Budget Estimates Attorney General hearing on 6 March 2024.

As previously agreed via email, the committee noted that:

- the correspondence from Mr Michael Tidball, Secretary of the Department of Communities and Justice, providing clarifications to his evidence at the Portfolio Committee No. 5 Attorney-General hearing on 10 November 2023 has been published
- footnotes at the relevant points in the transcript on 10 November 2023 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence
- the correspondence from Ms Hannah Tonkin, Women's Safety Commissioner, Department of Communities and Justice, Ms Anne Campbell, Deputy Secretary, Strategy Policy and Commissioning, Department of Communities and Justice, and Mr Michael Tidball, Secretary, Department of Communities and Justice, providing clarifications to their evidence at the Portfolio Committee No.5 Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 3 November 2023 has been published
- footnotes at the relevant points in the transcript on 3 November 2023 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence
- the correspondence from the Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, providing clarifications to her evidence at the Portfolio Committee No.5 Family and Communities, Disability Inclusion hearing on 9 November 2023 has been published
- footnotes at the relevant points in the transcript on 9 November 2023 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence.

3. Inquiry into Budget Estimates 2023-2024

3.1 Answers to questions on notice and supplementary questions – initial hearings

The committee noted that the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice and supplementary questions from Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, received 30 November 2023
- answers to questions on notice and supplementary questions from Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, received 6 December 2023
- answers to questions on notice and supplementary questions from Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion, received 7 December 2023
- answers to questions on notice and supplementary questions from Hon Michael Daley MP, Attorney-General, received 7 December 2023.

3.2 Resolution for additional hearings

The committee noted the resolution of the House on 30 November 2023 to conduct additional hearings for the inquiry into Budget Estimates 2023-2024.

3.3 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution on 30 November 2023 each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required.

3.4 Witness list

The committee noted that, as agreed via email, arrangements for the additional hearings were agreed to over email in the first instance, rather than holding a meeting (unless a meeting was required to resolve any disagreement).

In addition, it was agreed that:

- the confirmed witness lists from the initial round of hearings (October-November 2023) be the proposed witness lists for the additional round of hearings (February 2024)
- committee members be given two days following receipt of the proposed witness lists to provide any feedback or additional witnesses, as per the practice adopted for the initial round of hearings
- responses from ministers' offices to witness invitations be due by 31 January 2024.

3.5 Families and Communities, Disability Inclusion - witness list

Resolved, on the motion of Mrs Maclaren-Jones: That:

- the committee accept the Minister's request that the following individuals not attend the Budget Estimates hearing for the portfolios of Families and Communities, Disability Inclusion on Monday 4 March 2024:
 - Mr Robert Fitzgerald, NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission
 - Mr James Toomey, Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice
- the committee invite whoever is Acting Deputy Secretary, Housing, Disability and District Services, Department of Communities and Justice to attend the hearing.

4. Adjournment

The committee adjourned at 9.04 am, until Friday 23 February 2024, 9.00am, Jubilee Room, Parliament House (public hearing – inquiry into Budget Estimates 2023-2024).

Kara McKee
Committee Clerk

Minutes no. 10

Friday 23 February 2024

Portfolio Committee No. 5 – Justice and Communities

Jubilee Room, Parliament House, Sydney at 9.00 am

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair*

Ms Boyd (participating from 11.53 am until 3.30 pm, from 4.17 pm until 5.01 pm)

Mrs Carter (participating)
Dr Cohn (participating from 9.26 am until 10.01 am)
Mr D'Adam (substituting for Mr Murphy, until 12.48 pm, from 3.45 pm)
Mr Donnelly
Mr Latham (participating from 9.15 am until 12.48 pm)
Ms Merton (substituting for Mr Fang until 12.48 pm)
Mrs Mitchell (substituting for Mrs Maclaren-Jones)
Mr Nanva (substituting for Mr Lawrence, until 3.30 pm)

2. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft minutes no. 9 be confirmed.

3. Inquiry into Budget Estimates 2023-2024

3.1 Order for examination of portfolios

Committee noted that under the Budget Estimates 2023-2024 resolution on 30 November 2023 each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required.

3.2 Public hearing – Police and Counter-terrorism, the Hunter

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter was admitted and examined.

The following witnesses were sworn and examined:

- Acting Deputy Commissioner Dean Smith, A/Dep Commissioner, NSW Police Force.

The following witnesses were examined under a former oath:

- Commissioner Karen Webb, Commissioner, NSW Police Force
- Mr Michael Barnes, Commissioner, Crime Commission
- Deputy Commissioner David Hudson, Deputy Commissioner, NSW Police Force
- Deputy Commissioner Malcolm Lanyon, Deputy Commissioner, NSW Police Force
- Deputy Commissioner Paul Pisanos, Deputy Commissioner, NSW Police Force
- Deputy Commissioner Peter Thurtell, Deputy Commissioner, NSW Police Force
- Mr Jonathan Wheaton, Acting Deputy Secretary, Regional NSW.

The Chair declared the proposed expenditure for the portfolios of Police and Counter-terrorism, the Hunter open for examination.

Ms Merton tabled the following document:

- Picture of sign at a south west Sydney police station advising that the station is temporarily unattended, undated.

The Minister withdrew at 12.45 pm.

Mr Jonathan Wheaton withdrew at 12.48 pm.

Commissioner Michael Barnes withdrew at 3.46 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 5.22 pm. The public and the media withdrew.

Resolved, on the motion of Mr D'Adam: That the committee accept and publish the following document tabled during the public hearing:

- Picture of sign at a south west Sydney police station advising that the station is temporarily unattended, undated.

4. **Adjournment**

The committee adjourned at 5.23 pm until Tuesday 27 February 2024, 9.00 am, Preston Stanley Room, Parliament House (public hearing – inquiry into Budget Estimates 2023-2024).

Tina Higgins and Kate Mihaljek

Committee Clerks

Minutes no. 11

Tuesday 27 February 2024

Portfolio Committee No. 5 – Justice and Communities

Preston Stanley Room, Parliament House, Sydney at 9.01 am

1. **Members present**

Mr Borsak, *Chair*

Ms Boyd (substituting for Ms Higginson)(by teleconference from 9.01 am until 9.03 am, then in person from 9.33 am)

Mrs Carter (substituting for Mr Fang)

Dr Kaine (substituting for Mr Murphy)

Mr Lawrence (from 9.01 am until 12.48 pm, then from 2.11 pm)

Mrs Maclaren-Jones

Ms Suvaal (substituting for Mr Donnelly) (from 9.01 am until 12.48 pm, then from 3.09 pm)

2. **Correspondence**

The committee noted the following items of correspondence:

Received:

- 21 February 2024 – Email from Mr Daniel Barakate, Office of the Hon Kate Washington MP, advising the Minister's response to the committee's invitation to a witness for the Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024

Sent:

- 20 February 2024 – Email from Budget Estimates to Mr Daniel Barakate, Office of the Hon Kate Washington MP, advising the committee's response to the Minister's requested amendments to the witness list for the Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024.

3. **Election of Deputy Chair for the Women, Seniors, Prevention of Domestic Violence and Sexual Assault**

The Chair called for nominations for Deputy Chair.

Ms Boyd moved: That Mrs Maclaren-Jones be elected Deputy Chair of the committee for the purposes of the hearing.

There being no further nominations, the Chair declared Mrs Maclaren-Jones elected Deputy Chair for the purposes of the hearing.

4. **Inquiry into Budget Estimates 2023-2024**

4.1 **Order for examination of portfolios**

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

4.2 Public hearing – Women, Seniors, Prevention of Domestic Violence and Sexual Assault

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault was admitted and examined.

The following witnesses were examined under their former oath:

- Mr Michael Tidball, Secretary, Department of Communities and Justice
- Ms Anne Campbell, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
- Ms Hannah Tonkin, Women's Safety Commissioner, Department of Communities and Justice
- Ms Kate Meagher, Deputy Secretary Community Engagement Group, Premier's Department
- Ms Tanya Smyth, Director Women NSW, Premier's Department
- Mr Robert Fitzgerald, NSW Ageing and Disability Commissioner, NSW Ageing and Disability Commission.

The Chair declared the proposed expenditure for the portfolios of Women, Seniors, Prevention of Domestic Violence and Sexual Assault open for examination.

The Minister withdrew at 12.48 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 3.32 pm. The public and the media withdrew.

5. Adjournment

The committee adjourned at 3.32 pm until Monday 4 March 2024, 9.00am, Macquarie Room, Parliament House (public hearing – inquiry into Budget Estimates 2023-2024).

Sarah Newlands and Talina Drabsch

Committee Clerks

Minutes no. 12

Monday 4 March 2024

Portfolio Committee No. 5 – Justice and Communities

Macquarie Room, Parliament House, Sydney at 9.00 am

1. Members present

Ms Higginson, *Acting Chair* (until 12.12 pm, and then from 12.34 pm until 4.56 pm)

Mrs Maclaren-Jones, *Acting Deputy Chair*

Ms Boyd (participating from 12.10 pm until 12.31 pm)

Mr Donnelly (until 11.50 am, and from 12.28 pm until 2.28 pm, and from 3.00 pm until 4.56 pm)

Mr D'Adam (substituting for Mr Murphy until 12.54 pm, and from 3.45 pm until 4.56 pm)

Mr Lawrence (until 12.16 pm, and from 12.28 pm until 12.54 pm, and from 2.28 pm until 3.24 pm)

Ms Merton (substituting for Mr Fang)

Ms Mihailuk (participating from 9.46 am until 12.42 pm)

2. Apologies

Mr Borsak (*Chair*)

3. Election of Deputy Chair for the Families and Communities, Disability Inclusion hearing

The Acting Chair called for nominations for Acting Deputy Chair, noting that the Chair, Mr Borsak, is an apology.

Mr D'Adam moved: That Mrs Maclaren-Jones be elected Acting Deputy Chair of the committee for the Families and Communities, Disability Inclusion hearing on Monday 4 March 2024.

There being no further nominations, the Acting Chair declared Mrs Maclaren-Jones elected Acting Deputy Chair for the purposes of the hearing.

4. Previous minutes

Resolved, on the motion of Mr Donnelly: That draft minutes no. 10 be confirmed.

Resolved, on the motion of Mrs Maclaren-Jones: That draft minutes no. 11 be confirmed.

5. Correspondence

The committee noted the following items of correspondence:

Sent:

- 23 February 2024 – Email from Budget Estimates to Mr Daniel Barakate, Office of the Hon Kate Washington MP, advising that the committee has agreed to the Minister's response to the witness list, attaching confirmed witness list and hearing information for the Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024.

6. Inquiry into Budget Estimates 2023-2024

6.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, 11.15 am to 12.45 pm, 2.00 pm to 3.30 pm and 3.45 pm to 5.15 pm, and, if required, by Government members only from 10.45 am to 11.00 am, 12.45 pm to 1.00 pm, and 5.15 pm to 5.30 pm.

6.2 Public hearing – Families and Communities, Disability Inclusion

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Kate Washington, Minister for Families and Communities, and Minister for Disability Inclusion was admitted and examined.

The following witnesses were sworn and examined:

- Ms Claire Beattie, A/Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice.
- Ms Kathryn McKenzie, Director, Operations, NSW Ageing and Disability Commission.

The following witnesses were examined on their former oath:

- Mr Michael Tidball, Secretary, Department of Communities and Justice.
- Ms Anne Campbell, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice.

- Ms Simone Czech, Deputy Secretary, Child Protection and Permanency, District and Youth Justice Services, Department of Communities and Justice.

The Chair declared the proposed expenditure for the portfolios of Families and Communities and Disability Inclusion open for examination.

The Minister withdrew at 12.54 pm.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.56 pm. The public and the media withdrew.

7. **Adjournment**

The committee adjourned at 4.56 pm until Wednesday 6 March 2024, 9.00 am, Macquarie Room, Parliament House (public hearing – inquiry into Budget Estimates 2023-2024 additional hearings).

Amanda Assoum

Committee Clerk

Minutes no. 14

Wednesday 6 March 2024

Portfolio Committee No. 5 – Justice and Communities

Macquarie Room, Parliament House, Sydney at 9.00 am

1. **Members present**

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair*

Ms Boyd (participating from 9.45 am until 10.32 am)

Mrs Carter (substituting for Mr Fang)

Dr Cohn (participating from 11.50 am until 12.02 pm)

Mr D'Adam (substituting for Mr Murphy until 2.00 pm, from 4.13 pm until 4.18 pm)

Mr Donnelly

Mr Lawrence

Mrs Maclaren-Jones

Ms Mihailuk (participating from 9.40 am until 11.56 am)

2. **Correspondence**

The committee noted the following items of correspondence:

Received:

- 6 March 2024 - Email from Mr Phillip Kelly, Attorney General's Office, requesting certain identifying/sensitive information be removed from the transcript and Broadcast of the Budget Estimates Attorney General hearing on 6 March 2024.

Sent:

- 29 February 2024 - Email from Budget Estimates secretariat to the Hon Yasmin Catley MP, issuing uncorrected transcript, questions on notice, and supplementary questions from the hearing on 23 February 2024
- 4 March 2024 - Email from Budget Estimates secretariat to the Hon Jodie Harrison MP, issuing uncorrected transcript, questions on notice, and supplementary questions from the hearing on 27 February 2024.

3. **Inquiry into Budget Estimates 2023-2024**

3.1 Order for examination of portfolios

The committee noted that under the Budget Estimates 2023-2024 resolution on 30 November 2023 each portfolio, except The Legislature, be examined concurrently by Opposition and Crossbench members only, from 9.15 am to 10.45 am, and from 11.15 am to 12.45 pm, then from 2.00 pm to 3.30 pm, and from 3.45 pm to 5.15 pm, with 15 minutes reserved for Government questions at 10.45 am, 12.45 pm and 5.15 pm, if required.

3.2 Public hearing – Attorney General

Witnesses, the public and the media were admitted.

The Chair made an opening statement regarding parliamentary privilege and other matters.

The Chair noted that Members of Parliament swear an oath to their office, and therefore do not need to be sworn prior to giving evidence before a committee.

The Hon Michael Daley MP, Attorney General was admitted and examined.

The following witnesses were sworn and examined:

- Mr Chris D’Aeth, Acting Deputy Secretary, Courts, Tribunals and Service Delivery, Department of Communities and Justice
- Dr James Cockayne, Anti-Slavery Commissioner
- Ms Sally Dowling SC, Director of Public Prosecutions.

The following witnesses were examined on their former oath:

- Mr Michael Tidball, Secretary, Department of Communities and Justice
- Ms Anne Campbell, Deputy Secretary, Strategy, Policy and Commissioning, Department of Communities and Justice
- Ms Claire Beattie, A/Deputy Secretary, Transforming Aboriginal Outcomes, Department of Communities and Justice
- Mr Paul McKnight, Deputy Secretary, Law Reform and Legal Services, Department of Communities and Justice
- Ms Monique Hitter, Chief Executive Officer, Legal Aid NSW.

The Chair declared the proposed expenditure for the portfolio of Attorney General open for examination.

Hon Michael Daley MP tendered the following document: 'Questions taken on notice: 6 March 2024'.

The Attorney General withdrew at 12.55 pm.

The public and the media withdrew at 12.55 pm.

3.3 Private deliberative meeting to consider expunging the transcript

Resolved, on the motion of Mr Lawrence: That:

- the committee authorise the expungement of the name and other identifying/sensitive information of an individual identified in relation to a District Court matter during the Budget Estimates hearing examining the portfolio of Attorney General on 6 March 2024, both from the transcript and the recording of the hearing
- the Chair direct the media not to report the name and for members of the public not to repeat the name.

3.4 Public hearing – Attorney General

The witnesses, the public and the media were readmitted at 2.00 pm.

The Chair made a statement regarding the committee's resolution to expunge certain information from the transcript, including that the media not report on the comments and members of the public not repeat them, and that any contravention may constitute an unauthorised disclosure, and therefore represent a potential contempt of Parliament.

The evidence concluded and the witnesses withdrew.

The public hearing concluded at 4.40 pm. The public and the media withdrew.

3.5 Tendered documents

Resolved, on the motion of Mr Donnelly: That the committee accept and publish the following document tendered during the public hearing: 'Questions taken on notice: 6 March 2024', tendered by Hon Michael Daley MP.

4. Adjournment

The committee adjourned at 4.45 pm, *sine die*.

Arizona Hart

Committee Clerk

Draft minutes no. 15

Monday 24 June 2024

Portfolio Committee No. 5 – Justice and Communities

Room 1136, Parliament House, Sydney, 10.01 am

1. Members present

Mr Borsak, *Chair*

Ms Higginson, *Deputy Chair* (from 10.03 am)

Mr Donnelly (via teleconference)

Mr Fang (via videoconference)

Mr Lawrence (via videoconference)

Mr Murphy (via videoconference)

2. Previous minutes

Resolved, on the motion of Mr Murphy: That draft minutes nos. 10, 11, 12 and 14 be confirmed.

3. Correspondence

The committee noted the following items of correspondence:

Received

- 6 March 2024 – Email from Mr Phillip Kelly, Attorney General's Office, to Budget Estimates secretariat requesting certain identifying/sensitive information be removed from the transcript and Broadcast of the Budget Estimates Attorney General hearing on 6 March 2024
- 8 March 2024 – Email from Ms Vonnice Towner, Office of the Hon Kate Washington MP, to Budget Estimates secretariat, asking whether answers to questions on notice and supplementary questions are due the day prior to, or following, public holiday dates in relation to the Budget Estimates hearing on 4 March 2024
- 19 March 2024 – Email from Grace Di Giorgio, Attorney General's Office, to Budget Estimates secretariat, attaching correspondence and attachment from the Hon Michael Daley MP, requesting the committee publish the attached document and make confidential a tabled document from the Budget Estimates Attorney General hearing on 6 March 2024
- 20 March 2024 – Email from Mr Dylan Parker, Office of the Hon Michael Daley MP, to Budget Estimates secretariat, requesting an extension to the post hearing responses deadline for responses relating to the Office of the Director of Public Prosecutions, arising from the Budget Estimates Attorney General hearing on 6 March 2024
- 20 March 2024 – Letter from Ms Simone Czech, Deputy Secretary, Department of Communities and Justice, to the Chair, clarifying evidence provided by her at the Portfolio Committee No. 5 Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024
- 22 March 2024 – Letter from the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, to the Chair, clarifying

evidence provided by her at the Portfolio Committee No. 5 Budget Estimates Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 27 February 2024

- 27 March 2024 – Letter from the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, to the Chair, clarifying evidence provided by her at the Portfolio Committee No. 5 Budget Estimates Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 27 February 2024
- 2 April 2024 – Letter from the Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, to the Chair, clarifying evidence provided by her at the Portfolio Committee No. 5 Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024
- 4 April 2024 – Updated Letter from the Hon Kate Washington MP, Minister for Families and Communities, Minister for Disability Inclusion, to the Chair, clarifying evidence provided by her at the Portfolio Committee No. 5 Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024, intended to override correspondence dated 2 April 2024.

Sent

- 6 March 2024 – Email from Budget Estimates secretariat to Mr Phillip Kelly, Attorney General's Office, advising the committee has agreed to expunge certain information as requested in relation to the Budget Estimates Attorney General hearing on 6 March 2024
- 8 March 2024 - Email from Budget Estimates secretariat to the Hon Kate Washington MP, issuing uncorrected transcript, questions on notice, and supplementary questions from the hearing on 4 March 2024
- 11 March 2024 – Email from Budget Estimates secretariat to Ms Vonnie Towner, Office of the Hon Kate Washington MP, advising that the secretariat will accept answers to questions on notice and supplementary question on 2 April 2024 in relation to the Budget Estimates hearing on 4 March 2024
- 12 March 2024 – Email from Budget Estimates secretariat to Ms Grace Di Giorgio, Attorney General's Office, requesting further information as to why a witness would like to have a document removed from the committee website, and clarifying whether the witness is requesting the document be made confidential that was tabled during the Budget Estimates Attorney General hearing on 6 March 2024
- 12 March 2024 – Email from Budget Estimates secretariat to the Hon Michael Daley MP, issuing uncorrected transcript, questions on notice, and supplementary questions from the hearing on 6 March 2024
- 26 March 2024 – Email from Budget Estimates secretariat to Ms Grace Di Giorgio, advising that the committee has agreed to publish the Attorney General's correspondence and alternative document and make confidential the tendered document as requested arising from the Budget Estimates Attorney General hearing on 6 March 2024
- 26 March 2024 – Email from Budget Estimates secretariat to Mr Dylan Parker, Attorney General's Office, advising that the committee has granted an extension to 16 April 2024 for the post hearing responses relating to the Office of the Director of Public Prosecutions, arising from the Budget Estimates Attorney General hearing on 6 March 2024.

As previously agreed via email, the committee noted that:

- the correspondence received on 22 March 2024 and 27 March 2024 from the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, providing clarifications to her evidence at the Portfolio Committee No.5 Budget Estimates Women, Seniors, Prevention of Domestic Violence and Sexual Assault hearing on 27 February 2024 has been published
- footnotes at the relevant points in the transcript on 27 February 2024 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence
- the correspondence received on 4 April 2024 from the Hon Kate Washington MP, Families and Communities, Minister for Disability Inclusion, and correspondence dated 20 March 2024 from Ms

Simone Czech, Deputy Secretary, Department of Communities and Justice, providing clarifications to their evidence at the Portfolio Committee No.5 Budget Estimates Families and Communities, Disability Inclusion hearing on 4 March 2024 has been published

- footnotes at the relevant points in the transcript on 4 March 2024 have been inserted noting that correspondence clarifying the evidence had been received and providing a hyperlink to the published correspondence
- the correspondence and alternative document from the Attorney General received 19 March 2024, relevant to the Budget Estimates Attorney General hearing on 6 March 2024 has been published
- a footnote at the relevant point in the transcript on 6 March 2024 has been inserted noting that correspondence and alternative document has been received and providing a hyperlink to the published correspondence and alternative document.

Resolved, on the motion of Mr Donnelly: That the committee keep the document titled 'Answers to questions on notice: 6 March 2024' tendered by the Hon Michael Daley MP at the Budget Estimates Attorney General hearing on 6 March 2024, confidential, as per the request of the author as it contains sensitive information.

Resolved, on the motion of Mr Murphy: That the committee keep the correspondence dated 6 March 2024 from Mr Phillip Kelly, Attorney General's Office, requesting the committee to expunge evidence from the Budget Estimates Attorney General hearing on 6 March 2024, confidential, as per the recommendation of the secretariat, as it contains identifying and/or sensitive information.

4. Inquiry into Budget Estimates 2023-2024

4.1 Answers to questions on notice and supplementary questions

The committee noted the following answers to questions on notice and supplementary questions were published by the committee clerk under the authorisation of the resolution appointing the committee:

- answers to questions on notice and supplementary questions (excluding attachment 'tab A – MOU - E-Safety Commissioner') from the Hon Yasmin Catley MP, Minister for Police and Counter-terrorism, and Minister for the Hunter, received 21 March 2024
- answers to questions on notice and supplementary questions from the Hon Jodie Harrison MP, Minister for Women, Minister for Seniors, and Minister for the Prevention of Domestic Violence and Sexual Assault, received 22 March 2024
- answers to questions on notice and supplementary questions from the Hon Kate Washington MP, Minister for Families and Communities, and Minister for Disability Inclusion, received 2 April 2024
- answers to questions on notice and supplementary questions from the Hon Michael Daley MP, Attorney General, received 2 April 2024
- answers to questions on notice and supplementary questions from the Hon Michael Daley MP, relating to the Office of the Director of Public Prosecutions, received 16 April 2024.

Resolved, on the motion of Mr Donnelly: That the committee keep the attachment to answers to questions on notice labelled 'tab A – MOU – E-Safety Commissioner' from the Hon Yasmin Catley, Minister for Police and Counter-terrorism, the Hunter, confidential, as per the request of the author as it contains sensitive information.

4.2 Consideration of Chair's draft report

The Chair submitted his draft report entitled *Budget Estimates 2023-2024*, which, having been previously circulated, was taken as being read.

Resolved, on the motion of Mr Murphy: That:

The draft report be the report of the committee and that the committee present the report to the House;

The transcripts of evidence, tabled documents, correspondence and answers to questions taken on notice and supplementary questions relating to the inquiry be tabled in the House with the report;

Upon tabling, all unpublished transcripts of evidence, tabled documents, correspondence and answers to questions taken on notice and supplementary questions related to the inquiry be published by the committee, except for those documents kept confidential by resolution of the committee;

The committee secretariat correct any typographical, grammatical and formatting errors prior to tabling;

The secretariat is tabling the report at 2.00 pm on Thursday 27 June 2024;

The Chair to advise the secretariat and members if they intend to hold a press conference, and if so, the date and time.

5. Adjournment

That committee adjourned at 10.04 am, *sine die*.

Kara McKee
Committee Clerk

