

# **PORTFOLIO COMMITTEE NO. 1 – PREMIER AND FINANCE**

**Thursday 26 October 2023**

**Examination of proposed expenditure for the portfolio areas**

## **ABORIGINAL AFFAIRS AND TREATY, GAMING AND RACING, VETERANS, THE CENTRAL COAST, MEDICAL RESEARCH**

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**The Committee met at 9:10.**

### **MEMBERS**

The Hon. Jeremy Buckingham (Chair)

Ms Abigail Boyd  
The Hon. Mark Buttigieg  
Ms Sue Higginson  
The Hon. Dr Sarah Kaine (Deputy Chair)  
The Hon. Stephen Lawrence  
The Hon. Sarah Mitchell  
The Hon. Jacqui Munro

### **MEMBERS VIA VIDEOCONFERENCE**

Ms Cate Faehrmann  
The Hon. Emma Hurst

### **PRESENT**

**The Hon. David Harris**, *Minister for Aboriginal Affairs and Treaty, Minister for Gaming and Racing, Minister for Veterans, Minister for Medical Research, and Minister for the Central Coast*



## **CORRECTIONS TO TRANSCRIPT OF COMMITTEE PROCEEDINGS**

**Corrections should be marked on a photocopy of the proof and forwarded to:**

**Budget Estimates secretariat  
Room 812  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**



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**The CHAIR:** Welcome to the inquiry of Portfolio Committee No. 1 - Premier and Finance into the expenditure in the portfolio areas of Aboriginal Affairs and Treaty, Gaming and Racing, Veterans, the Central Coast and Medical Research for the budget of 2023-24. This is the second hearing of the Committee's inquiry. I begin by acknowledging the Gadigal people of the Eora nation, the traditional custodians of the lands on which we are meeting today. I pay my respects to Elders, past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today.

My name is Jeremy Buckingham and I am the Chair of the Committee. I welcome Minister David Harris, MP, and accompanying officials to this hearing. I ask everyone in the room to turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of those procedures. I welcome the witnesses. Thank you for making the time to give evidence.

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**Mr SHANE HAMILTON**, Deputy Secretary, Aboriginal Affairs, Premier's Department, affirmed and examined

**Mr SIMON DRAPER**, Secretary, Premier's Department, affirmed and examined

**Ms ELIZABETH MILDWATER**, Secretary, Department of Enterprise, Investment and Trade, affirmed and examined

**Mr TAREK BARAKAT**, Acting Chief Executive Officer, Hospitality and Racing, Department of Enterprise, Investment and Trade, affirmed and examined

**Dr JEAN-FRÉDÉRIC LEVESQUE**, Deputy Secretary, Research and Innovation, NSW Health, affirmed and examined

**Mr STEVE GRIFFIN**, Chief Executive Officer, Greyhound Welfare and Integrity Commission, sworn and examined

**Mr PHILIP CRAWFORD**, Chief Commissioner, NSW Independent Casino Commission, sworn and examined

**Ms CAROLINE LAMB**, Chairperson, Independent Liquor & Gaming Authority, affirmed and examined

**Ms CAROLINE MACKANESS**, Director, Office of Veterans Affairs, Department of Communities and Justice, sworn and examined

**Ms HARRIET WHYTE**, Executive Director, Regional Development, Department of Regional NSW, affirmed and examined

**The CHAIR:** Today's hearing will be conducted from 9.15 a.m. until 5.30 p.m. We are joined by the Minister for the morning session, from 9.15 a.m. to 1.00 p.m., with a 15-minute break at 11.00 a.m. In the afternoon we will hear from departmental witnesses from 2.00 p.m. to 3.00 p.m. We'll have a 15-minute break before holding a session with witnesses from the independent agencies from 3.45 p.m. to 5.30 p.m. During these sessions there will be questions from Opposition and crossbench members only and then 15 minutes allocated for Government questions at 10.45 a.m., 12.45 p.m. and 5.15 p.m. We will begin with questions from the Opposition.

**The Hon. SARAH MITCHELL:** Thank you, Chair. Good morning, Minister, and your many officials from varied agencies. I guess that's what happens when you have quite differing responsibilities under your ministerial portfolio. Thank you everybody for being here. Minister, I want to start with a couple of questions to you in relation to some of your disclosures. I'm keen to get some information about the role that you have as a voluntary director for Bendigo Bank in Wyong. How long have you had that position for?

**Mr DAVID HARRIS:** Thank you. That has been a voluntary role I've had for about 10 years. But after becoming a Minister I tendered by resignation and I'm no longer a board member.

**The Hon. SARAH MITCHELL:** Did you do that on advice from the DPC, or was that just in an abundance of caution?

**Mr DAVID HARRIS:** No. After the Premier called me to say that I had been appointed to the ministry, before I was sworn in, I read the ministerial code of conduct from jacket to jacket and sent an email to the bank. Originally I was going to seek the opportunity to remain on the board, but after personal reflection, I decided to resign, unfortunately, because I had really enjoyed the role.

**The Hon. SARAH MITCHELL:** Thank you for that. Maybe some of your colleagues should follow your example in terms of that thoroughness, Minister. I now want to ask a few questions about the budget in terms of the plan for regional New South Wales, and in particular page 25 of this document, which covers the Central Coast. Did you have involvement in that? Was your office part of that?

**Mr DAVID HARRIS:** Not in actually putting the document together. If I had, then there would have been typos that might have been corrected.

**The Hon. SARAH MITCHELL:** Would one of those typos include a project in Harrington?

**Mr DAVID HARRIS:** Absolutely.

**The Hon. SARAH MITCHELL:** Yes. I thought that was curious because that was part of the Central Coast.

**Mr DAVID HARRIS:** It's interesting. The definition of the Central Coast—us coasties understand it intimately. Other people think that anywhere between the North Coast and the South Coast is the Central Coast.

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**The Hon. SARAH MITCHELL:** Maybe for next year you can talk to your colleagues and ensure that that doesn't happen again, because that did certainly stand out.

**Mr DAVID HARRIS:** Although a few days before it came out, I did drive through that area and I know they actually need that project. I don't deny them that.

**The Hon. SARAH MITCHELL:** I'm sure they do, but that's probably something your colleague as the Minister responsible for the North Coast might be more interested in. You just mentioned the specific areas of the Central Coast. What are the LGAs that you cover in that portfolio?

**Mr DAVID HARRIS:** Just one—the Central Coast.

**The Hon. SARAH MITCHELL:** There's no legislation that you're responsible for as Minister for the Central Coast?

**Mr DAVID HARRIS:** No, not directly.

**The Hon. SARAH MITCHELL:** Do you have any staff who work for you full-time on the Central Coast portfolio matters?

**Mr DAVID HARRIS:** I have an adviser that covers about three portfolios, the Central Coast being one of them. However, a number of my team come from the Central Coast, so we're pretty well intimately across all of the issues. Having been a member since 2007, I know where a lot of the skeletons are buried, so that helps.

**The Hon. SARAH MITCHELL:** I look forward to seeing what you do with that, Minister. In terms of some of the projects, the \$97 million for the Pacific Highway through the Wyong town centre is, again, a project I'm sure you're familiar with, being in your local area.

**Mr DAVID HARRIS:** Very dear to my heart, yes.

**The Hon. SARAH MITCHELL:** How much of that \$97 million is coming from the Federal Government?

**Mr DAVID HARRIS:** The Federal member, Emma McBride, was able to, through Catherine King, have around \$80 million fast-tracked, and we're really grateful for that. That's a project that we've been trying to get started since 2009, when planning first started. There has been about \$40 million spent on planning and consultation, buying land and also demolishing some of the buildings. The community is ready to see that project begin. The complication is that the first part of the project, which will take about 18 months, is moving services out of the road corridor into the rail corridor. That has to be done when trains aren't running, so they have to book all of that work in. That detailed planning is currently underway, is my understanding.

**The Hon. JACQUI MUNRO:** Just on that, would you agree that the Coalition, in the last budget, actually spent more on that project than this Labor Government has?

**Mr DAVID HARRIS:** No.

**The Hon. SARAH MITCHELL:** If \$40 million has been spent on planning, and you just said that \$97 million breakdown was about \$80 million from the Commonwealth, does that mean the State contribution from Labor this year was \$17 million?

**Mr DAVID HARRIS:** No. They can't spend the money—literally can't spend it. They have to actually do what the project determines. Over those years we've had \$1 million, \$3 million—I think the most was \$9 million—without a shovel literally being put into the ground. What needs to happen now is detailed planning in terms of working with that rail corridor issue. You don't allocate more money than you can practically spend in the short term. Over the forward estimates, the total cost of the project is estimated to be \$420 million and there's an 80-20 split.

**The Hon. JACQUI MUNRO:** This week's media, including reports in *The Australian* and *The Sydney Morning Herald*, outline that correspondence from Commissioner Karen Webb states:

... primary role of the NSW Police Force is law enforcement, and the suggestion that it is responsible for achieving Closing the Gap targets to reduce over-representation would "lead to competing duties".

I presume you've spoken to the commissioner and also the police Minister about this, considering it is quite a misalignment?

**Mr DAVID HARRIS:** Yes, we've spoken to the Minister's office.

**The Hon. JACQUI MUNRO:** About this specific issue?

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**Mr DAVID HARRIS:** I don't characterise her statement as actually saying that. I think there's a whole range of really good programs New South Wales police are doing in terms of dealing with, particularly, youth issues in western and other parts of New South Wales. I think what she was saying, if I understand it, was that you have a situation where police shouldn't be making decisions about whether they arrest someone or not based on statistics. They should do their job.

**The Hon. JACQUI MUNRO:** Have you spoken to the commissioner to clarify that and understand what she means?

**Mr DAVID HARRIS:** No, I haven't spoken directly to the commissioner.

**The Hon. SARAH MITCHELL:** Have you spoken to the Minister?

**Mr DAVID HARRIS:** I've spoken to the Minister's office.

**The Hon. SARAH MITCHELL:** But not the Minister? Just her office?

**Mr DAVID HARRIS:** Not directly, no.

**The Hon. JACQUI MUNRO:** What is your response? As the aboriginal affairs Minister, does that concern you?

**Mr DAVID HARRIS:** No, I understand what she was saying. We have to have a whole-of-government approach to these issues. We have to understand that there's not a silver bullet and it's not just on one department or one organisation to solve the myriad of issues. We're talking across Ministers, particularly in terms of closing the gap about how we address all of these issues. We've been in government for a reasonably short period of time after 12 years, so a lot of the current statistics are on the last Government. For us to turn that ship around, it will take time to change policy and attitudes. That's what we're working on. That's what our focus is.

**The Hon. JACQUI MUNRO:** I think all we're aligned on wanting to achieve those Closing the Gap targets.

**Mr DAVID HARRIS:** Excellent.

**The Hon. JACQUI MUNRO:** There are some that have been achieved or there are some that working towards the direction.

**Mr DAVID HARRIS:** Working towards, yes. I wouldn't say achieved.

**The Hon. JACQUI MUNRO:** Fair enough. There are some that are falling behind. The police have responsibility for justice, you could say safety, and you could even go so far as saying education, employment, and health and wellbeing. It would be reasonable to say that you would want the police to be very aligned on the fact they have a key role to play in achieving those Closing the Gap targets.

**Mr DAVID HARRIS:** Absolutely, and I think they acknowledge that themselves.

**The Hon. JACQUI MUNRO:** It definitely doesn't seem to be what Commissioner Webb was saying in response to the LECC report. I think it would be worthwhile to ensure that, as Minister, she understands that very well because there does seem to be a misalignment there. Do you back the LECC's calls?

**Mr DAVID HARRIS:** I think there's a whole range of strategies that need to be employed in what is a very difficult area. Keeping people out of incarceration is a very important thing to do. As I said, within the new ministry there is a working group looking at those justice issues. We understand our responsibility under Closing the Gap and we're working very hard to make sure that we achieve those outcomes that are part of Closing the Gap. We hope to have bipartisan support when we're doing it.

**The Hon. JACQUI MUNRO:** LECC is saying that policing—there's literally a whole chapter that LECC has put together entitled "Policing is central to Closing the Gap". Would you agree with that statement?

**Mr DAVID HARRIS:** Of course.

**The Hon. SARAH MITCHELL:** You just said, Minister, that there's a ministerial group looking at these issues. Which Ministers are involved in that?

**Mr DAVID HARRIS:** We have the Attorney General, the Ministers looking after DCJ and women, and the police Minister is part of that. Everyone across government is absolutely committed.

**The Hon. SARAH MITCHELL:** Health? Education?

**Mr DAVID HARRIS:** Health, Education. Everyone is committed to this.



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**The Hon. SARAH MITCHELL:** But I want to know—you said there's a ministerial group. I'm assuming that's some sort of subcommittee of Cabinet or—

**Mr DAVID HARRIS:** I was talking about justice, specifically.

**The Hon. SARAH MITCHELL:** The justice Ministry, okay.

**Mr DAVID HARRIS:** What we've done is we've implemented quarterly meetings now with Ministers, which begin shortly, for them to report on what they're doing in terms of Closing the Gap targets. That will start. That's one of the changes we've put in place to make sure that each department is responsible for delivering on their responsibilities under the Closing the Gap agreement.

**The Hon. SARAH MITCHELL:** When will those meetings start, did you say?

**Mr DAVID HARRIS:** I think it's next—November.

**The Hon. SARAH MITCHELL:** Will that involve representatives from Aboriginal peak organisations?

**Mr DAVID HARRIS:** Yes. As you know, we meet with CAPO on a regular basis.

**The Hon. SARAH MITCHELL:** As did the previous Government.

**Mr DAVID HARRIS:** As did the previous Government and as does the Premier. We've recommitted to those meetings and keeping that consultation going. One of my responsibilities is to report through the New South Wales Closing the Gap council's co-chair to report on what the Government is doing in terms of meeting those targets.

**The Hon. JACQUI MUNRO:** Can I just be very clear in asking this. The LECC recommended that NSW Police Force publish a Closing the Gap delivery plan and it recognised the valuable role that Aboriginal Community Liaison Officers and First Nations officers play. I'm sure you agree with that, but do you back LECC's calls that NSW Police Force should publish a Closing the Gap delivery plan?

**Mr DAVID HARRIS:** My understanding is that's what we do under the reporting that comes back through the department. I will check. I'll take that on notice and check specifically, but all of the different departments are reporting back centrally on what they're doing to close the gap.

**The Hon. JACQUI MUNRO:** In principle, you do agree that the Police Force should be publishing a Closing the Gap delivery plan?

**Mr DAVID HARRIS:** I don't see why they would find that offensive.

**The Hon. SARAH MITCHELL:** You said there's reporting back through the Closing the Gap mechanisms, presumably within government, but the quarterly reports that come back in are not made public, are they? Are they publicly available?

**Mr DAVID HARRIS:** They are publicly available through the joint council meetings. There's a communicate that's published after each of those meetings, which reports on what the discussions have been about. As you know, all of these things are heavily negotiated and New South Wales then goes to the national Closing the Gap council and reports on our progress as well. We're putting in a whole range of machinery mechanisms to improve that reporting. That's just being implemented now, so I'm not going to tell you it's done. But we are taking this very seriously. In fact, I think that both the productivity report and generally, it is recognised, through the work of the previous Government and what we're doing to strengthen that, that New South Wales is leading the way.

**The Hon. JACQUI MUNRO:** Finally on that, will you be seeking a meeting with the police commissioner to talk about this matter?

**Mr DAVID HARRIS:** I think that will be important. We will do that, and with the Minister as well. We've had some other issues going on. I was giving them space to deal with those really important issues that I think we all know and understand. I think that's a sensible, reasonable thing to do.

**The Hon. JACQUI MUNRO:** Hopefully they can walk and chew gum.

**Mr DAVID HARRIS:** When it's appropriate, we'll sit down and meet and discuss these matters.

**The Hon. JACQUI MUNRO:** When do you think it would be appropriate?

**Mr DAVID HARRIS:** Do you want an exact date? I can't give you an exact date.

**The Hon. JACQUI MUNRO:** Well, no. Are we talking in the next week, or the next month or the next year?

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**Mr DAVID HARRIS:** I would think in the next couple of weeks. The report has only just been released, literally.

**The Hon. JACQUI MUNRO:** I do presume that you are concerned about the recent amendment to the Aboriginal Land Rights Act, which removed reference to Aboriginal Affairs that is part of the Community Engagement Group within the Premier's Department. Were you aware of that?

**Mr DAVID HARRIS:** That was the amendment that occurred last year?

**The Hon. JACQUI MUNRO:** No. There was a bill last week that went through Parliament. It was a miscellaneous bill. This is something you're not aware of, evidently?

**Mr DAVID HARRIS:** No, I am aware there were changes in there.

**The Hon. JACQUI MUNRO:** What was your understanding of the change?

**Mr DAVID HARRIS:** It was a very small machinery change. As we change the structure through Closing the Gap overall, then that means you have to change other areas as well.

**The Hon. JACQUI MUNRO:** Could you explain the change to me?

**Mr DAVID HARRIS:** We now consult with a range of Aboriginal groups across the board.

**The Hon. JACQUI MUNRO:** No, I think you might have missed this change. There was a change last week that went through a miscellaneous bill. It actually removed reference to the Aboriginal Affairs CEG within the reference to the Premier's Department. The Office of the Registrar for the Aboriginal Land Rights Act can cede responsibility to—previously—somebody within Aboriginal Affairs in the Premier's Department. But Aboriginal Affairs has now been removed from that, so it can be anybody in the Premier's Department that is able to be given that responsibility. Were you aware of that change?

**Mr DAVID HARRIS:** I was aware of the change. Shane might have more detail on the specifics of how it is going to work and what we're putting in place.

**The Hon. JACQUI MUNRO:** Does it concern you that there is now no reference—

**Mr DAVID HARRIS:** It obviously didn't concern me, because I supported it.

**The Hon. JACQUI MUNRO:** So you're not concerned that a removal of a reference to Aboriginal Affairs within the Premier's Department was included so that the Office of the Registrar now can give its responsibility to anybody in the Premier's Department and not just somebody who works within Aboriginal Affairs?

**Mr DAVID HARRIS:** Aboriginal Affairs comes under the Premier's Department.

**The Hon. SARAH MITCHELL:** In the previous legislation it was specifically called out, though. It said Aboriginal Affairs, Department of Premier and Cabinet, and then that was replaced in the miscellaneous bill and it just says Premier's Department.

**Mr DAVID HARRIS:** But I think you're looking at it in isolation. We're making a whole lot of other changes that would negate what you're saying.

**The Hon. SARAH MITCHELL:** That reference is gone and we just want to understand why?

**Mr DAVID HARRIS:** I'll hand over to Shane

**SHANE HAMILTON:** Can I confirm that you're talking about the Aboriginal Lands Right Act?

**The Hon. JACQUI MUNRO:** Yes.

**SHANE HAMILTON:** We've had a machinery of government change and Aboriginal Affairs is now in the Premier's Department.

**The Hon. JACQUI MUNRO:** No, it was listed specifically as Aboriginal Affairs, Department of Premier and Cabinet. Obviously the name of the Department of Premier and Cabinet has been changed to Premier's Department. But, in that, a removal of reference to Aboriginal Affairs within the Premier's Department is now the case in this legislation. Are you not aware of that?

**Mr DAVID HARRIS:** I'm aware of what you're talking about, but I don't agree with the premise of what you're putting. Aboriginal Affairs is part of the department of Premier now.

**The Hon. JACQUI MUNRO:** So why wasn't it—

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**Mr DAVID HARRIS:** It is not Premier and Cabinet.

**The Hon. SARAH MITCHELL:** But it used to be called out specifically.

**Mr DAVID HARRIS:** We're putting in a whole lot of other machinery changes and working through all of these issues step by step.

**The Hon. JACQUI MUNRO:** What is the point of the removal?

**Mr DAVID HARRIS:** Because it was redundant.

**The Hon. JACQUI MUNRO:** So Aboriginal Affairs in the Premier's Department is redundant?

**Mr DAVID HARRIS:** No, the premise of what you are saying isn't right. Aboriginal Affairs is in the Premier's Department.

**The Hon. JACQUI MUNRO:** Why not specifically call that out?

**The Hon. MARK BUTTIGIEG:** Point of order: The question has clearly been answered. The answer is that this was a mechanical legislative change, which has been catered for. The member continues to pursue a line of questioning that has been answered.

**The Hon. SARAH MITCHELL:** To the point of order: Firstly, we're entitled to use our time as we see fit. Secondly, I don't believe there has been clarity as yet. We'd like to continue to pursue this line of questioning, which is our right.

**The CHAIR:** I've been listening closely. I won't uphold the point of order, but I think it is important to allow the witness to answer without a barrage of questions. Continue, but be mindful of the resolution to treat all witnesses with courtesy and wait to hear the answers too.

**The Hon. JACQUI MUNRO:** Maybe I'll put it this way: The registrar can now delegate their functions to anybody in the Premier's Department, according to this legislative change. Whereas, previously, the registrar could only delegate those function to somebody within Aboriginal Affairs in the Premier's Department. That is the effect of the legislative change.

**Mr DAVID HARRIS:** I think that it was basically acknowledging the fact that we used to have the Department of Premier and Cabinet and now we have the department of Premier, so it has been recognised through that. Obviously Aboriginal Affairs is a part of that, and that is where it would go to.

**The Hon. SARAH MITCHELL:** I hate to labour the point, but the previous legislation specifically stated, "Aboriginal Affairs, Department of Premier and Cabinet". Now that part just states, "Premier's Department". So the phrase Aboriginal Affairs has come out. You may say it's just a technicality and machinery of government, but that explicit reference to Aboriginal Affairs within the department has now been removed, and you can see that quite clearly in the bill.

**Mr DAVID HARRIS:** You're looking at that in isolation away from all of the other changes that are occurring.

**The Hon. SARAH MITCHELL:** Why wouldn't you just keep it in there? I don't understand why it wouldn't remain.

**Mr DAVID HARRIS:** The recommendation was that it was changed and it was part of a machinery of government change. It wasn't seen as controversial.

**The Hon. JACQUI MUNRO:** From who and why?

**Mr DAVID HARRIS:** It came from the department.

**Mr SIMON DRAPER:** I think—

**The Hon. JACQUI MUNRO:** We can ask some questions to you in the afternoon session. I want to understand about the position of the registrar. I know it was considered an interim registrar earlier in the year. Could you please provide an update on that?

**Mr DAVID HARRIS:** Yes. There has been a process to choose the next registrar, and that is currently underway and about to be concluded.

**The Hon. SARAH MITCHELL:** When does Ms Courtman finish her role as the registrar? She had that role in a substantive—

**Mr DAVID HARRIS:** She did.

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**The Hon. SARAH MITCHELL:** She's been in the interim position now.

**Mr DAVID HARRIS:** Yes. She resigned from the position and Mr Mark Dupuis has been acting while that new process has been undertaken.

**The Hon. SARAH MITCHELL:** When do you expect to have the appointment of a new registrar?

**Mr DAVID HARRIS:** Very soon.

**The Hon. SARAH MITCHELL:** Imminently?

**Mr DAVID HARRIS:** It is on my desk.

**The Hon. SARAH MITCHELL:** We'll wait to see how quickly you get through your correspondence.

**The CHAIR:** Minister, in regards to pokies and load-up limits, how many \$500 load-up limit machines have been introduced since the Government launched its new policy?

**Mr DAVID HARRIS:** For the specifics of that, I'll be able to hand over to Tarek, or you might want to ask him for detail this afternoon. As you know, that policy was on all new machines—all machines that were transferred. It is very early in the process. I think it would be a month or two months.

**TAREK BARAKAT:** The change came in for all new machines from 1 July of this year. Any new machine going onto the floor of a venue from 1 July this year had to have that lower load-up limit of \$500. I can say, to your first question, that 2,809 machines have been installed with that lower load-up limit.

**The CHAIR:** Minister, are you aware that there is a special requirement in the Gaming Machines Act, clause 21 (4), which creates a barrier to a club deciding to go poker machine free? CEOs and/or boards can decide by themselves to divest any number of machines, but when they are down to the last 10 there has to be a special meeting of members. Is the Minister aware of this, and how many clubs have had to hold a special general meeting to consider whether to sell their last 10 or fewer machines?

**Mr DAVID HARRIS:** It's a very specific questions. I'll have to take that on notice

**The CHAIR:** Thank you, Minister. You were speaking before about the Closing the Gap targets and there was a reference to the LECC report, which suggests that policing is central to Closing the Gap. Are you aware that a charge and conviction for cannabis possession is often the first step young Aboriginals, Australians and people in New South Wales take into the criminal justice system? Do you think that Aboriginal people in this State are over-policed when it comes to cannabis, and are our cannabis laws fit for purpose?

**Mr DAVID HARRIS:** The answer to the first part of your question is, yes, I am aware that that is the situation. That is why Labor committed to having the drug consultation next year. I'm sure that will be raised as one of the issues, and I certainly invite everyone to put in submissions around that issue, because it is a very important one.

**The CHAIR:** Minister, the Bureau of Crime Statistics says that, in terms of all the cannabis interactions between members of the public and the police, despite the Aboriginal community representing 4 or 5 per cent of the community, they actually represent 30 per cent of those people who are having "interactions with the police". Does that mean that the police are over-policing a particular group, the Aboriginal community, when it comes to cannabis?

**Mr DAVID HARRIS:** Look, I can't comment specifically on that last point, but it does concern me. We know that incarceration rates are too high and we do also know that people are put in remand, particularly from the Aboriginal community, for long periods of time before they even get their day in court. These are all issues that we're looking at as a new Government and we're going to use things, such as the drug summit. I know the Attorney General is very serious about these issues. We're having discussions around all of these things, particularly in terms of how we address the Closing the Gap targets, and the Government has it all as a very high priority.

**The CHAIR:** Are the potential changes to drug laws being discussed in this Ministerial working group when it's looking at Closing the Gap targets?

**Mr DAVID HARRIS:** We're discussing—I don't want to talk about exactly what we're talking about, but we have discussed and I've discussed directly with the Attorney General our concern around some of the issues. I can't foreshadow at this stage what any actions may or may not look like because we have committed to the drug summit, we want to hear the evidence that's put forward by experts there, but we absolutely recognise that it's an issue .

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**Ms CATE FAEHRMANN:** Good morning, Minister. I think you are aware there was a call for documents in both the lower House and the upper House earlier this year, which uncovered documents in relation to liquor and gaming compliance. I just want to check that you are aware of one of the letters that was uncovered in that call for papers by Mr Philip Crawford regarding a project into money laundering in pubs and clubs. Are you aware of that letter?

**Mr DAVID HARRIS:** I am aware of that letter.

**Ms CATE FAEHRMANN:** And you're aware of what it contained in terms of what it found?

**Mr DAVID HARRIS:** I am, yes.

**Ms CATE FAEHRMANN:** What did it find?

**Mr DAVID HARRIS:** Mr Crawford is actually here. He might be best to talk about that directly.

**Ms CATE FAEHRMANN:** No, I wanted to ask you, Minister, because I've got time in the afternoon, but I've only got 10 minutes this morning with you. You're aware that it basically uncovered quite concerning instances of money laundering in pubs and clubs—"deeply concerning" are the words that Philip Crawford used to describe the contents of the report—specifically that there were 10 venues that accounted for 41 per cent of suspicious transactions identified across 178 venues. You're aware of that?

**Mr DAVID HARRIS:** Yes.

**Ms CATE FAEHRMANN:** What's been your response since that letter was revealed by the Parliament?

**Mr DAVID HARRIS:** We obviously have the independent gaming panel looking at harm minimisation and money laundering issues. We have a number of experts that are feeding information into that panel and their work is quite wide-ranging. They will assist the Government in developing policy moving forward. Also, since the letter was written, we've got different commissions that have given recommendations to government as well, and that's all a big part of the reforms that we're putting in place to address all of these issues.

**Ms CATE FAEHRMANN:** Were you aware of the existence of this letter before it was revealed by the Parliament?

**Mr DAVID HARRIS:** No, I was not.

**Ms CATE FAEHRMANN:** So it wasn't included in your incoming brief?

**Mr DAVID HARRIS:** No.

**Ms CATE FAEHRMANN:** Does it concern you that you weren't made aware of it as incoming Minister?

**Mr DAVID HARRIS:** Not necessarily. I would have to say the department was outstanding in briefing me coming in as a new Minister. In fact, Mr Barakat was actually in my office, and we talked at length about a range of issues, educating me and getting me up to speed across the board. It's impossible to get across every single issue—it's such a wide area—but what I can tell you is our focus now is, as a new government, putting in place reforms that address these issues. That's been our total focus, that's what we're doing, and the panel is doing its work.

**Ms CATE FAEHRMANN:** Minister, this was a letter to the former Minister, to be clear, recommending—urging—the establishment of a special commission of inquiry into money laundering in hotels and registered clubs by the head of the independent watchdog into gambling because he was so concerned at what he'd found. Firstly, are you not concerned that you weren't made aware of this as you were coming in—just to ask you once again—that you weren't made aware of a letter from the head of ILGA urging the former Government to establish a special commission? You weren't made aware of that, and you're not concerned?

**Mr DAVID HARRIS:** It goes back, Ms Faehrmann, to the fact that we were aware of the recommendations that were made around money laundering and making sure that we understood the sorts of reforms we had to put in place. The letter preceded Islington and that inquiry looked into all of these issues. I would have to confirm the date when the letter was written and make sure that the issues that it raised were addressed during Islington. My memory is that all of those issues were looked at and became part of the report and the recommendations, but I'm happy to get back to you with more detail on that.

**Ms CATE FAEHRMANN:** So what happened with this information was that it was kept from the national crime commission. The purpose of this call for papers was that there was a concern, and it was revealed that the document—this report from Philip Crawford—was kept from the New South Wales Crime Commission. So it's only been revealed to you that this happened as a result of a call for papers within the Parliament. It has

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now been presented to you, so I'll ask you again: Is there anything else that you have done? You've got the so-called independent panel on gambling reform, which probably isn't looking specifically at this, but nothing else specifically. Let's go to the top 10 venues accounting for 41 per cent of suspicion transactions. What have you done about those?

**Mr DAVID HARRIS:** My understanding is that when Project Islington looked at the issue, and I have had a discussion with the New South Wales Crime Commissioner directly about these issues, he determined that it was very difficult to say whether it was money laundering or other things. His recommendations are important in terms of where the Government goes and in terms of the work that the panel is doing. This has all been taken into account. That's why there was Project Islington, to look into these allegations. It did its work. It looked at the evidence, it made recommendations, and now the Government is working through those recommendations through the work of the panel to deliver reform.

**Ms CATE FAEHRMANN:** So nothing else? When is that panel reporting back?

**Mr DAVID HARRIS:** The panel has a 12-month period to come back to the Government, not just on cashless gaming but on other issues. But if there's something that they think is urgent that the Government needs to put in place before then, then we'd certainly be listening to them. That's why we've set them up as an advisory group to inform government on the different things that have to be done. But I have to tell you too, within the department itself and in a whole range of other areas, there's been reform. This isn't a case of everyone stood still. And as a government person, in defence of the previous Minister, he puts things in place too, he didn't sit there twiddling his thumbs. This is a process that's been ongoing from Project Islington, and things are being put in place.

**Ms CATE FAEHRMANN:** Can I check then, in terms of things put in place—the report is in front of you—41 per cent of suspicion transactions along 10 venues, which include Canterbury League Club and Bankstown Sports Club. What have you done since you found out about this via that call for papers with those 10 venues? What's happened? Are you saying nothing's happened?

**The Hon. STEPHEN LAWRENCE:** Point of order—

**Mr DAVID HARRIS:** I just told you that we've been putting things in place.

**The CHAIR:** Minister, a point of order has been taken. Mr Lawrence?

**The Hon. STEPHEN LAWRENCE:** The point of order is that that precise question was asked two questions ago and, I would suggest, was answered clearly. The questioning is repetitive.

**Ms CATE FAEHRMANN:** To the point of order: That is not a point of order. I am entitled to ask the same question again, but it's not the same question.

**The CHAIR:** I do not uphold the point of order. But if the member wants to repeat the question over and over again, that would probably be discourteous and outside the procedural fairness rules. The member can use the time as she sees fit, but I'd remind her to be courteous to the Minister at all times.

**Mr DAVID HARRIS:** What I will do for you, Ms Faehrmann, is I will take it on notice, and we'll get a fuller answer for you so you can fully understand all of the different reforms that have taken place from the end of the previous Government into the new Government.

**Ms CATE FAEHRMANN:** That would be useful. Thank you, Minister. In my time remaining, I want to turn quickly to ClubGRANTS. I understand there is a review taking place. Is that correct?

**Mr DAVID HARRIS:** Yes, the terms of reference are about to be released for that, and that will guide the review of ClubGRANTS. I have to say, one of the first meetings I had as the new Minister was with NCOSS. NCOSS requested that review. I had a look into it and thought that was a very reasonable request. Together with Treasury and the Cabinet Office, that review will take place over the next period.

**The Hon. EMMA HURST:** Good morning, Minister. Minister, have you been approached by any executive or director from Racing NSW to extend the term of its chairman, Russell Balding?

**Mr DAVID HARRIS:** Not directly from Racing NSW. I have received correspondence from a range of organisations involved with thoroughbred racing, requesting that we consider an extension of the current Chair's time, and we're currently looking at that situation. The reasoning was that there are some important reforms happening at the moment and the Chair would need the additional time to finish that work.

**The Hon. EMMA HURST:** Are any of these requests coming from a director or a senior executive?

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**Mr DAVID HARRIS:** My recollection is no, it is coming from industry people. But I'm happy to check. I may have received something else, or my office may have received something else, that I'm not aware of.

**The Hon. EMMA HURST:** Thank you, if you could take that on notice? Are you aware if anyone was encouraged by Racing NSW—

**The CHAIR:** Sorry, I'll just intervene there. You asked if the Minister would take that on notice.

**Mr DAVID HARRIS:** I will take that on notice.

**The CHAIR:** You will. Yes, we just need to make sure that the Minister has—

**The Hon. EMMA HURST:** Thanks, Chair.

**Mr DAVID HARRIS:** Sorry, I'm getting a bit conversational. I apologise.

**The CHAIR:** That's okay. It's nice.

**The Hon. EMMA HURST:** Minister, are you aware if anyone was encouraged by Racing NSW to advocate on behalf of Mr Balding?

**Mr DAVID HARRIS:** No.

**The Hon. EMMA HURST:** Mr Balding has had his term extended twice. The previous Government changed the Act, through regulation, to allow that to happen. He's now served 12 years on the board. Can you confirm that you won't be extending that appointment further?

**Mr DAVID HARRIS:** It is under active consideration.

**The Hon. EMMA HURST:** The NSW Treasury's guidelines published last month recommended that directors of State-owned corporations only serve two three-year terms. Do you think that the Thoroughbred Racing Act should align with those guidelines?

**Mr DAVID HARRIS:** A lot of the statutory organisations have different guidelines for a range of reasons. I'm happy to think about it. New guidelines have come out for board appointments et cetera, and certainly we're taking that into account. But there is always going to be a situation where there may be extenuating circumstances where it can be justified that someone may need to serve a longer period, if they can justify that there is important work that they're heavily involved with. As the Minister, I have to take that into my thinking, because we want these organisations to operate in the best way that they can. But from a general principle, I think that there would have to be a very strong demonstration that that was necessary.

**The Hon. EMMA HURST:** Do you think that it is appropriate that participants of the racing industry are the ones advocating for Mr Balding to have his position on the board extended?

**Mr DAVID HARRIS:** I think everyone has the right to advocate for what they think, because we live in a democracy. I would never undermine that very important principle that stakeholders should have a say in how their industry is run, or at least have a voice.

**The Hon. EMMA HURST:** Do you have any concerns, though, that the industry is pushing this and that this particular board member has now served 12 years, which is well beyond the NSW Treasury's guidelines? Do you have concerns around extending that further?

**Mr DAVID HARRIS:** No, I don't know about concerns. Racing NSW, at the moment, is extremely successful. It is doing a range of activities across the whole sector, including implementing new training and skills programs, looking after welfare, distributing money so that strappers and jockeys and people are getting a greater slice of the pie. I've asked them to look at how provincial racing is funded. I think the board is doing a very strong job and, as the Minister, I have to take that into consideration in my decision-making.

**The Hon. EMMA HURST:** When will you advertise the upcoming vacancies on the board of Racing NSW?

**Mr DAVID HARRIS:** That is a decision that we're currently looking at.

**The Hon. EMMA HURST:** Will it be done within adequate time so that other applicants can be considered?

**Mr DAVID HARRIS:** I won't precede that decision.

**The Hon. EMMA HURST:** I'm sorry, what do you mean by that?

**Mr DAVID HARRIS:** Sorry?

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**The Hon. EMMA HURST:** Can you clarify that?

**Mr DAVID HARRIS:** I'm actively considering the issue, and so I don't want to say what I will or won't do until I've fully considered the issue.

**The Hon. JACQUI MUNRO:** Minister, just going back to the removal of the reference to the Aboriginal Affairs Community Engagement Group in the miscellaneous bill passed last week, could you assure the Committee that the Aboriginal Affairs Community Engagement Group will continue to be funded under this Government?

**Mr DAVID HARRIS:** That might be a question for Shane.

**The Hon. JACQUI MUNRO:** So you don't know?

**Mr DAVID HARRIS:** We're involved in a whole lot of reform, a whole lot of changes. I'm not going to sit here and say what will or won't happen because, at the end of the day, we're looking for the best process in terms of meeting our Close the Gap responsibilities. We're only right in the middle of that process now, so I'm not going to say what we are and aren't going to do until that process has gone through its full determination. I think what we're doing will strengthen and improve what Government's currently doing, and that's what we're committed to do.

**The Hon. JACQUI MUNRO:** Will you be advocating for the Aboriginal Affairs Community Engagement Group to exist within the Premier's Department or not?

**Mr DAVID HARRIS:** I've just given you my answer—

**The Hon. JACQUI MUNRO:** So you're not sure yet?

**Mr DAVID HARRIS:** —that, through the process, we have a whole lot of groups that have been put together to advise Government. We want to strengthen what they're doing. I'm not going to talk about one specific group, because it may come out that there is duplication. But I don't want to say anything about that until we have fully gone through the reform process.

**The Hon. JACQUI MUNRO:** Okay, that's very interesting. We're almost seven months into this term of Government. It is one of your core portfolios and, I would say, something you are very passionate about. So it is fairly concerning that that community engagement group might not exist, particularly within the Premier's Department, where it was put because it was deemed to be the most appropriate and important—

**The Hon. MARK BUTTIGIEG:** Point of order: I'm not sure this is a forum for commentary by the Opposition on Government policy. The Minister's answered the question. Does the member have any further questions?

**The CHAIR:** Yes. I uphold the point of order. We're here to ask questions. We should avoid making political statements.

**The Hon. JACQUI MUNRO:** I'll just ask one more question. How much money is allocated in the 2023-24 budget and the forward estimates for the operation of the Aboriginal Affairs community engagement group within the Premier's Department?

**Mr DAVID HARRIS:** I might hand over to Mr Draper to give you some more detail on that.

**SIMON DRAPER:** Just to be clear, what you're describing is a sort of public service structure within the Premier's Department and with Aboriginal Affairs. Going back to your earlier question, I haven't spoke to the Parliamentary Counsel, but I would imagine that the reason they've changed the legislation to refer to the Premier's Department is because the Premier's Department is the legal entity and the legislation should refer to the legal entity rather than a branch or a division within a department, because that's going to survive any subsequent changes. The Aboriginal Affairs—

**The Hon. JACQUI MUNRO:** I might just leave your comments until the afternoon, if that's okay, given we've only got limited time with the Minister in the morning. Thank you so much. I will move on. I just wanted to ask about the funding for Closing the Gap. In the forward estimates, the Coalition budgeted over \$700 million. We've got \$131.4 million on Closing the Gap, in this budget. I just wanted to understand how you advocated for that money and if you'd made representation to other Ministers about their Closing the Gap targets.

**Mr DAVID HARRIS:** The short answer is yes. We've absolutely been advocating. It is a key plank of the new Government in meeting the Close the Gap targets. That money that you quote, that was allocated before— a fair bit of that was spent up-front, setting up some of the structures. What we have put into the budget is the next amount of money, moving forward, to support the next round of reforms. Of course, this is over a 10-year period.



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So it goes beyond the forward estimates. We fought very hard. We actually got extra money. I think it was about \$35 million extra to support Closing the Gap initiatives.

**The Hon. JACQUI MUNRO:** That is extra, in addition to the forward estimates for the Coalition?

**Mr DAVID HARRIS:** Yes. We've actually put extra money into it. I'm very confident that we are putting in place, as I've said earlier, the structures within government to deliver and monitor on the Closing the Gap targets.

**The Hon. JACQUI MUNRO:** What will that \$35 million be spent on, that extra?

**Mr DAVID HARRIS:** Specifically?

**The Hon. JACQUI MUNRO:** Yes.

**Mr DAVID HARRIS:** I can take that on notice and get you that specifically.

**The Hon. SARAH MITCHELL:** Minister, on 7 April this year there was an interview with you in the *National Indigenous Times*, which I've had a look at. There's a quote from you in relation to treaty, where you say:

The important thing is, in this term of government there's something that's legislated so that the government's moving forward will be able to work within an agreed parameter.

Can you just confirm that, after you were sworn in, your intention as Minister was to legislate either some form of treaty or treaty process within this term of government. Is that correct?

**Mr DAVID HARRIS:** That was my aspiration, yes.

**The Hon. SARAH MITCHELL:** Can you explain, then, why the Premier said on 2GB, on Monday of this week, that any legislation on treaty would be taken to the people at the next election and not implemented beforehand. Why the backflip? What's changed?

**Mr DAVID HARRIS:** It is not a backflip. It's a—

**The Hon. SARAH MITCHELL:** I'd argue that it is. You said you wanted legislation, and he said no.

**Mr DAVID HARRIS:** You've asked me the question.

**The Hon. SARAH MITCHELL:** I have.

**Mr DAVID HARRIS:** So give me a chance to answer. The process that we wanted to put in place is to have a full and open consultation with Aboriginal people across the State, to ask them two questions: Do they want a treaty? If so, what should that process look like? It's clear that it's a complex idea. In opposition, you have great aspirations. When you get into government, you find that there's a whole range of factors that can impact on what you originally said. But our commitment is to have that consultation, make sure that we understand fully what Aboriginal people want in New South Wales and then develop our policy moving forward from that. The Premier's been very clear that that remains our commitment.

**The Hon. SARAH MITCHELL:** But he also said that there'll be no legislation on anything in this term of government. So I'm assuming that consultation—you've had funded in the budget. I think it's \$5 million, maybe over two years. I'm not quite sure if you can clarify that. But you've talked about a 12-month consultation period. But the Premier, as I said, made it clear on Monday that anything in this space wouldn't be done before the next election and it would be—

**Mr DAVID HARRIS:** I don't think that's what he said.

**The Hon. SARAH MITCHELL:** He did. I listened to the interview.

**Mr DAVID HARRIS:** No. I don't think that's what he said.

**The Hon. SARAH MITCHELL:** He made it pretty clear in the interview, to Ben Fordham, that nothing would be put in before the election, that you would take it to the people. My point is that it's a little bit confusing to actually understand what your policy position is, because you're going out to speak to community about it—you've been clear about that, and I respect that—but then the Premier, off the cuff, in an interview says nothing's happening in this term. Did he talk to you about what he said in that? Did you know beforehand he was going to make those comments on Monday?

**Mr DAVID HARRIS:** The Premier and I talk about it all the time. What he's saying is that we would take to an election anything that was actually part of a treaty. He wasn't talking about the process. You got to put in place a process for a negotiation to happen.

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**The Hon. SARAH MITCHELL:** I understand that.

**Mr DAVID HARRIS:** That's what he's talking about.

**The Hon. SARAH MITCHELL:** But you said you wanted a form of legislation in April. The Premier said this week—

**Mr DAVID HARRIS:** About a process.

**The Hon. SARAH MITCHELL:** So you might have some form of legislation involving treaty before the next election.

**Mr DAVID HARRIS:** That's my aspiration.

**The Hon. SARAH MITCHELL:** What's the Premier's aspiration? That's not what he said on Monday.

**Mr DAVID HARRIS:** It is. He shares the same aspiration. We're just being realistic.

**The Hon. SARAH MITCHELL:** Was he not being honest on Monday?

**Mr DAVID HARRIS:** When you have a look at—

**The Hon. SARAH MITCHELL:** But it actually matters. People want to understand.

**The Hon. Dr SARAH KAINE:** Point of order: I draw the honourable member's attention to paragraph 19 and the treatment of witnesses and that we allow the Minister to answer the question. Actually, he has answered the same repetitive question, so if you could bring the member to order.

**The CHAIR:** I will uphold the point of order. It's important to treat all witnesses with courtesy. I think it is discourteous to be interjecting over the top. You can ask whatever questions you want, as long as they're respectful and courteous. But I remind the member not to be interjecting and to be waiting for a reply.

**Mr DAVID HARRIS:** I'm happy to talk about it. What the Premier is referring to is what might be in a treaty.

**The Hon. SARAH MITCHELL:** So what you're saying to the Committee today is that it is the intention of the Labor Government to have some form of legislation in the Parliament, this term of government, related to treaty.

**Mr DAVID HARRIS:** That was my aspiration. What could happen—

**The Hon. SARAH MITCHELL:** You could—

**Mr DAVID HARRIS:** Just let me finish. If we're going to do a proper consultation, after the 12 months, it may become clear that Aboriginal communities have something different in mind, they don't necessarily agree with each other and there needs to be more discussion. Under the United Nations principles you've got to have prior and informed consent. That's what this process is about. So I'm not going to be out there, telling Aboriginal people when they have to make their decision by. That's the wrong thing to do. We understand that clearly. Our aspiration is to have something in place. I've been very clear about that. But, if Aboriginal people come back to us and say differently, then it's pretty arrogant and ignoring what a treaty and consultation is all about if I'm going to sit here and say, "Despite what they say, we're going to do it anyway."

**The Hon. SARAH MITCHELL:** From here going forward, then, Minister, your plan is to have 12 months' worth of consultation and then see what happens from that process and go from there?

**Mr DAVID HARRIS:** That's right. We will get a report back from the commissioners. That will provide a road map for the Government, moving forward. It may be that there is consensus, but I'm not going to pre-empt that. Even when we were developing the policy and I had a pretty high-level group assisting me in developing the policy, the whole premise was we weren't going to think about the next steps before we had that prior and informed consent, because we believe in that principle.

**The Hon. SARAH MITCHELL:** In terms of the independent treaty commission, has that been established?

**Mr DAVID HARRIS:** Not yet, but we've started to have discussions about how that might work.

**The Hon. SARAH MITCHELL:** What's the time frame? When would you like to see that commission set up by?

**Mr DAVID HARRIS:** We think it'd be early to mid next year.

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**The Hon. SARAH MITCHELL:** How are you going to decide who's on that commission? What's going to be the process?

**Mr DAVID HARRIS:** That's part of the discussions we're having now. I am consulting with different Aboriginal groups to get their feedback. One thing is it has to be a process that heavily involves Aboriginal people. It's no good me just appointing people.

**The Hon. SARAH MITCHELL:** I respect that.

**Mr DAVID HARRIS:** We have to make sure there is that discussion. What the Premier made clear was that we would let people talk about the referendum and have that finish before we would then fully engage on treaty. We've kept that commitment—to make sure that Aboriginal communities weren't being pulled in every which way and direction—in a respectful way. Now that the referendum has been completed, we will now move on with our commitment exactly as we said we would.

**The Hon. SARAH MITCHELL:** Say that commission is set up, at the latest, by the middle of next year, is that when your 12-month consultation process starts—from that date?

**Mr DAVID HARRIS:** Correct.

**The Hon. SARAH MITCHELL:** What is the treaty process? You've touched on this a little bit in terms of listening to community. In terms of the treaty process, what will that 12 months involve? What would be the process that you'd be happy with? Who are you going to be out consulting? Clearly it will be members of the Aboriginal community and organisations, but will you go broader than that? Is it the plan to speak to schools—local council? What is that process going to look like? What do you envisage?

**Mr DAVID HARRIS:** The first part is with Aboriginal people. In saying that, we'll also have to have some wider community engagement so that they understand what is happening too. Education, as you would know, through any process is very, very important. But if you are asking whether we're going to go to schools and consult, the answer is no.

**The Hon. SARAH MITCHELL:** But you're looking at sort of broad consultation as part of that 12-month process?

**Mr DAVID HARRIS:** We want to make sure that every Aboriginal person who wants to make a contribution has that opportunity.

**The Hon. SARAH MITCHELL:** To get back to timing, if you've got the commission set up by 2024, with 12 months of consultation, you won't make further decisions until at least midway through 2025, at best. That is what I'm getting from what you're saying right now.

**Mr DAVID HARRIS:** That's right. We can't pre-empt what might occur in the consultation.

**The Hon. SARAH MITCHELL:** Right, okay.

**Mr DAVID HARRIS:** When you look at other States, this process has taken six, seven years. Even in Victoria, where they have set up the treaty—the First Peoples' Assembly down there—they are still talking through the process and negotiation. No-one is pretending. This is what the Premier was trying to say. No-one is pretending this is a quick, easy process, but we have to be respectful and do it right.

**The Hon. SARAH MITCHELL:** In terms of other jurisdictions, you mentioned Victoria. I think South Australia is looking at—

**Mr DAVID HARRIS:** They've got a Voice.

**The Hon. SARAH MITCHELL:** —I'll say a Voice to Parliament, for lack of a better term. Are you looking at what other States are doing and looking to emulate that?

**Mr DAVID HARRIS:** Not emulate, because New South Wales is different. Other States don't have the Aboriginal Land Rights Act. Other States don't have parts of legislation that we do. We will be different, and that is appropriate.

**The Hon. SARAH MITCHELL:** And as part of that consultation process, presumably—we'll come to this a little bit later. Obviously I know some things had been implemented by the previous Government, having been an Aboriginal Affairs Minister, and I acknowledge Leslie Williams is here, who is also a former Minister—things like local decision-making, there's a lot that has happened in this space over the course of the last Government as well in terms of that local and community involvement, but that will be looked at as well as part of this process in terms of what's already existing, and how a broader treaty would cover some of the initiatives and things that are already in place. Is that the intention?

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**Mr DAVID HARRIS:** Again I don't want to pre-empt the consultation. What I would not want is duplication. What we would want is an effective, structural way of dealing, particularly, with Closing the Gap outcomes. I think it is inherent. As you say, whether you call it agreement-making or treaty-making, it's already inherent in OCHRE and it's absolutely inherent in Closing the Gap. In fact, priority number one talks about governments forming partnerships, so it is entirely consistent with Closing the Gap, with OCHRE and all of those things. Maybe they can be strengthened, maybe they will become part of a wider process, but that will be what we'll be talking to Aboriginal people about. Across the board, Aboriginal people have different views on the effectiveness of all of those things, and that is what we'll be listening to.

**The Hon. SARAH MITCHELL:** Keeping with the Aboriginal Affairs portfolio, the Aboriginal cultural heritage—again, that was something that I think you pointed to, when you were first sworn in, as an area that you'd like to see legislation happening pretty soon. Can you provide us with an update on what is happening in that space?

**Mr DAVID HARRIS:** Yes. The Minister for the Environment and I are having deep discussions. We've had departmental discussions and we are definitely, in this term of government, going to be delivering on that commitment.

**The Hon. SARAH MITCHELL:** I'm sure you're aware of what has happened in Western Australia in relation to their legislation.

**Mr DAVID HARRIS:** Absolutely.

**The Hon. SARAH MITCHELL:** It was short-lived, I would say. Will you be looking at that as a process of what not to do?

**Mr DAVID HARRIS:** Absolutely.

**The Hon. SARAH MITCHELL:** That is comforting. In relation to Aboriginal cultural heritage, obviously you are talking to Minister Sharpe, but will you involve the Minister for Agriculture in those discussions? Clearly farming communities and landholders—again, I don't need to tell you, but that was part of the challenges in Western Australia. Have you spoken to DPI? Will you involve the Minister for Agriculture, and Minister for Regional New South Wales in those discussions, and some of the peak farming bodies as well, given the complexities?

**Mr DAVID HARRIS:** Yes, we absolutely will, and we'll also be talking to groups involved in the planning sector as well. It has to be part of a wider consultation. One of the issues in Western Australia that I saw was that there was a criticism of lack of education on how the system would work. My personal view was that they went too fast, too quickly. People who know me—I am far more cautious and risk averse than that. I want to make sure that whatever structures are put in place will be effective and work. I often refer to what is called chunking: breaking things down into smaller parts and making sure that the community understands how that works before you move to the next stage. That is my commitment: to consult widely on this and make sure that people understand what it means and what it is about. It has been a commitment since 2009, I think, for legislation. Your Government tried to bring legislation to the table. I looked at why that worked and didn't work and that will guide what we do moving forward.

**The Hon. SARAH MITCHELL:** But it's your intention to do it this term of government? I'll use "aspiration"—

**Mr DAVID HARRIS:** That was our election commitment.

**The Hon. SARAH MITCHELL:** Okay.

**Mr DAVID HARRIS:** The Premier has told us that we, as Ministers, have a responsibility to deliver on our election commitments.

**The Hon. SARAH MITCHELL:** Will the responsibility for that Act, when it is bought in, sit solely with the Minister for the Environment, and Minister for Heritage? What is the plan for that?

**Mr DAVID HARRIS:** What will happen is that it will move, because the whole idea, as you know, through the consultations that occurred, was that it become a standalone Act. It will move into Aboriginal Affairs, and that is appropriate. However, it will then connect back into all our other areas. It will recognise there are many stakeholders.

**The Hon. SARAH MITCHELL:** So it will be your responsibility as Minister for Aboriginal Affairs and Treaty? That Act will sit under your—

**Mr DAVID HARRIS:** That is our current understanding.

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**The Hon. SARAH MITCHELL:** Would you put out a draft exposure of any legislation? You just said you like to have lots of consultation. Is that the intention?

**Mr DAVID HARRIS:** What I would say is that we will consult, consult, consult, given what has happened in other jurisdictions.

**The Hon. SARAH MITCHELL:** We will watch that space.

**The Hon. JACQUI MUNRO:** Sounds expensive.

**Mr DAVID HARRIS:** It was the same cost as when your government put it forward.

**The CHAIR:** Minister, I know that you are aware of proposals to mark the Myall Creek massacre event and location, championed for a long time by the Friends of Myall Creek, and a similar proposal that is now being championed by the new Mayor of Bathurst, Jess Jennings, for a keeping place in Bathurst that commemorates the 200th anniversary—the bicentenary of the frontier wars in that area and the declaration of martial law. What is your view on those proposals? Is it something that your department and the Government is considering? Would you work with other Ministers to find ways to support these initiatives?

**Mr DAVID HARRIS:** It doesn't directly come under my portfolio, because I don't have Heritage, but I am supportive of such initiatives and we have had discussions. I know The Hon. Stephen Lawrence is also very supportive. I met recently with the Mayor of Bathurst and he gave me more information about what is being sought there. Certainly I have made a commitment that I will talk to colleagues to see what we can do. Myall Creek is a place I visit each year for the ceremony. I am very passionate about the place and what they do there and how they deal with reconciliation. I've watched that site grow over the years, and we will certainly be continuing to talk with them. We had them at Parliament House recently to see what more we can do there in the future. Appin is another site that I've had discussions with people about.

**The CHAIR:** Thank you, Minister. You would be aware that a recent LECC report into strip searches caused some alarm in the community. The report identified that 56 children aged under 18 were stripsearched by New South Wales police over the past financial year, including 25 underage girls, three of whom were just 12 years old, and that 14 per cent of these strip searches were of Aboriginal children. And yet they make up only 3 per cent or 4 per cent of the population. What's your view on that? Are Aboriginal children in particular being targeted by New South Wales police for what some argue are inappropriate strip searches?

**Mr DAVID HARRIS:** Those issues fall largely outside my portfolio. What I would say, though, is that these sorts of issues form the discussions that we're having, particularly around justice targets under Closing the Gap.

**The CHAIR:** Minister, in Canada there is a similar organisation to the one that you have authority over. In Ontario, they have an Alcohol and Gaming Commission similar to Liquor and Gaming. They have a different constitution, of course. Ontario is a province about twice the size of New South Wales in terms of population, but with similar demographics and similar cultural attributes. That country and that province have legalised the adult use of cannabis. In that province the capital expenditure on legalised cannabis in terms of the industry is about \$30 billion per annum. They have \$4 billion worth of turn over. In that province there is evidence that the adult use of legalised cannabis has reduced the harms associated with alcohol and gambling. Is the legalisation of cannabis something that Liquor and Gaming NSW would consider working with Treasury on in terms of its economic impact and social impact?

**Mr DAVID HARRIS:** Your interest in this I fully understand, but the Premier has committed to the drug summit, and that's where these issues will be discussed. At this particular stage I'm not in a position to preempt what may or may not come out through the drug summit.

**The CHAIR:** I have a quick question on veterans' affairs. The submissions to the Royal Commission into Defence and Veteran Suicide are now closed. What measures would you like to see implemented as a result of that royal commission? Which measures would you like to see expedited from that royal commission?

**Mr DAVID HARRIS:** We're obviously looking at the report. I am due to appear before the commission early next year. I was supposed to in November but unfortunately that was delayed. We're very concerned, and our very small and efficient department is working very hard, particularly around veteran employment. I have also met with Commonwealth Ministers for veterans just recently and had discussion. The Commonwealth is developing their response as well. We are going to be looking very closely at that and looking at what we can do as a State to support veterans better in New South Wales, not just in the Veterans portfolio but across other portfolios such as Health, homes and a whole range of issues. We'll have a more fulsome response once that work is done.

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**Ms SUE HIGGINSON:** Good morning, Minister. Were you aware that the Premier was going to say the things he said on Monday about treaty? Had he spoken to you?

**Mr DAVID HARRIS:** Yes. As I said, the Premier and I speak quite often about these issues. I think what he said is consistent with what we've been talking about.

**Ms SUE HIGGINSON:** Were you aware that he was going to talk about treaty on Monday to 2GB?

**Mr DAVID HARRIS:** Yes, we get the heads-up, and we make sure that we give information et cetera when we need to.

**Ms SUE HIGGINSON:** So you were?

**Mr DAVID HARRIS:** Yes.

**Ms SUE HIGGINSON:** And you spoke to him before he—

**Mr DAVID HARRIS:** I didn't speak to him personally, but we've spoken about this matter at length on numerous occasions.

**Ms SUE HIGGINSON:** What are the strategic adjustments that the spokesperson from the department said will now be made?

**Mr DAVID HARRIS:** It's what I answered earlier. As part of a consultation, and given the way the majority of people voted around the Voice, we have to acknowledge that there is concern and a need for education in the community, and that should correctly educate us in the way that we should move forward. It doesn't take away the intent or our purpose, but it means that things like truth-telling come more to the fore. In terms of structural adjustment, it's more around education.

**Ms SUE HIGGINSON:** What will that be? What's your plan?

**Mr DAVID HARRIS:** It is exactly what I just said. We have to engage in truth-telling. We have to let people understand why these changes are necessary, and it needs to be done in the context of Closing the Gap. In order to get better outcomes, we need to consult more and walk in partnership more with Aboriginal people, have them more involved in decision-making, and acknowledge that community controlled organisations have better outcomes when they're directly funded and providing services to communities. It's no great secret, but there needs to be more community education around understanding that the best way forward is through self-determination.

**Ms SUE HIGGINSON:** Thank you, because I know we're on the same page with a lot of this. I'm looking for something really tangible. You've got five million bucks. It's yours to spend for the next 12 months.

**Mr DAVID HARRIS:** I'd like to think so.

**Ms SUE HIGGINSON:** What are we doing today and tomorrow in terms of rolling this out—this engagement, this connection and this moving together? What are we actually doing?

**Mr DAVID HARRIS:** Behind the scenes the department has been working on the overall strategy in terms of this. We made the commitment we wouldn't turn our minds to this until after the referendum in a major way, and so you'll now start to see announcements and things about what we're doing towards the end of this year and early into next year. But one of the things I've committed to do is to sit down and have an open and honest conversation with Aboriginal groups in terms of how we get the commissioners in place and all of those sorts of things, because they have to own the process.

**Ms SUE HIGGINSON:** In terms of those groups, who do you see are the groups? Are we talking to groups? Are we talking to communities? What are we doing?

**Mr DAVID HARRIS:** It's a combination of. I sat last Saturday at NCIE, the first ever Aboriginal Languages Week event, and I acknowledge the former Minister who passed the legislation for recognising Aboriginal languages. I sat in the Elders tent for about three hours and chatted with people—with Elders, with young people, with people from regional New South Wales. I'll be engaging right across the board, hearing their view. They're interested in treaty. I think what we have to get away from, though, is that traditional, nineteenth century, colonial view of a treaty or even signing.

This is more about a process for negotiation that's codified so that people understand what the rules are and so that they come to the table as equal parties, and then they can negotiate things. There needs to be a bit of education around that in community. They've let me know that, because in the first four conversations, while I was playing language bingo, I had four different views of what treaty is. We have to recognise and understand that. That's why it would be nice to say that we're going to do X, Y and Z by X, Y and Z date, but you can't, because if you do that, you're not doing it properly.

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**Ms SUE HIGGINSON:** In April you were talking about the appointment of commissioners and so on, and now you're suggesting that will be next year. Will the appointment of commissioners be something that has a high degree of the principles of FPIC involved in that, as in who takes those roles and how they work?

**Mr DAVID HARRIS:** Yes. I know the department is already having some training around that and having those discussions.

**Ms SUE HIGGINSON:** Around FPIC, you mean?

**Mr DAVID HARRIS:** Yes. It's a really important issue. Prior and informed consent is absolutely crucial to this process.

**Ms SUE HIGGINSON:** Are you open to the notion of an ongoing as well? That's something that keeps being raised with me.

**Mr DAVID HARRIS:** Well, that could come out in the negotiations. In my perfect world I have a view, but it would be wrong for me to put that view because I am not Aboriginal and we are at the start of the process. If I come out and say, "I want it to look like this," then, rightly, I should be criticised. I've been very cautious about saying about what it will or won't be, or what will be in and what will be out, and all of those sorts of things, because that's not being respectful to First Nations people. Anyone who knows me knows that's my first priority.

**Ms SUE HIGGINSON:** Will there be a process for the broader New South Wales community in terms of truth-telling? Will that be part of the \$5 million budget or are you suggesting that is a job for another part of the Government, in collaboration with you?

**Mr DAVID HARRIS:** It's probably too early to say that at the moment. It won't be part of the \$5 million, I can guarantee that, because that's for the round of treaty negotiation.

**Ms SUE HIGGINSON:** Great.

**Mr DAVID HARRIS:** However, if the referendum showed us anything, whether you supported a yes or no vote—and very respectfully, particularly from progressive no people, why they chose to vote no; I accept that that's the decision, rightfully, and that's the way people voted—was that many people need to have more education on these issues. I think that's an important priority. I haven't had time, in the last week and a half, to sit down and map that out and talk to colleagues about that. But I think you'd be pretty silly if you tried to walk into a respectful process without having education as a large part of it.

**Ms SUE HIGGINSON:** Have you seen the PIAC-UNSW website about truth-telling? It's fantastic. It's a really amazing project.

**Mr DAVID HARRIS:** Yes.

**Ms SUE HIGGINSON:** With the Aboriginal cultural heritage laws, you and I both know that since 2009—and any honest broker in looking at what's happened—the reality is there's just a few finer edged sticking points as to what needs to happen. Looking to Western Australia would be, I think, have a glimpse and then look away. That was just highly politicised and unfair, what happened; they were actually good laws. In New South Wales we really are looking at just getting on with it. I hear that's your commitment. Is it likely that we will take on board what the consultation has delivered, and that is there should be some form of right of veto and a dedicated Aboriginal body that determines what happens with cultural heritage?

**Mr DAVID HARRIS:** The former Government, through their legislation—and certainly we had a very bipartisan approach to that—agreed that there has to be a standalone group. That is certainly one of our first aims. In terms of how the rest of it looks, in terms of self-determination, we have to wait until that group is in place to actually guide us as to what comes next.

**Ms SUE HIGGINSON:** I think that it is so clear—no matter where you sit—looking back over more than a decade's work, all First Nations voices have said, "We want right of veto and we want to be the honest broker of our cultural heritage." Are you going to follow that in your legislative drafts?

**Mr DAVID HARRIS:** As I said, we're going to break it down into small parts. That part may not be part of the initial work that we do because we have to make sure that when the body is set up, it's educated into the job that it needs to do and we have to get that right. I'm absolutely committed to getting it right. I've seen where it's failed and Western Australia being the thing. We're learning those lessons.

**Ms SUE HIGGINSON:** Did you see the Victorian request? They're looking for inspectors for right of access?

**Mr DAVID HARRIS:** Yes.

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**Ms SUE HIGGINSON:** I think that there's some really clear direction of where we need to go to make it work.

**Mr DAVID HARRIS:** Yes. We'll be having those discussions, but at this stage I don't want to pre-empt what we might put out.

**Ms SUE HIGGINSON:** What's the timing, do you think, of the cultural heritage first draft laws?

**Mr DAVID HARRIS:** I think the first tranche, we're now looking at early next year for consultation.

**The Hon. EMMA HURST:** Minister, before we were talking about the upcoming vacancies on the board of Racing NSW. Can you confirm, were you saying that you may actually advertise the upcoming vacancies on the board of Racing NSW?

**Mr DAVID HARRIS:** I've said I'm actively considering the whole matter.

**The Hon. EMMA HURST:** Just to confirm, you will actually advertise for those vacancies?

**Mr DAVID HARRIS:** No, I said I'm considering the whole matter. I'm not saying what I will or won't do.

**The Hon. EMMA HURST:** So you're not sure if you will or not?

**Mr DAVID HARRIS:** I'm taking advice and I want to make sure that what we do is the right thing.

**The Hon. EMMA HURST:** Can you guarantee that there will be a fair and proper process?

**Mr DAVID HARRIS:** What I will guarantee is that I would have consulted widely on this issue before I make the decision.

**The Hon. EMMA HURST:** Minister, are you aware that there are no funding or grants programs in New South Wales for the rehoming of greyhounds, other than a one-off grant that was given by the previous Government Last year?

**Mr DAVID HARRIS:** I'm aware of a range of programs for rehoming greyhounds that are being funded through the industry and I have a range of discussions with those groups. For more detail on specific funding, whether you want to do it now or this afternoon. GWIC might be able to give you more information.

**The Hon. EMMA HURST:** My question was more about whether or not you were aware that there was no funding from Government, particularly for the majority of these rehoming organisations. There is one industry rehoming organisation, as you mentioned. *The Project* actually ran a story on the GAP program and they said that a lot of greyhounds were actually being rejected or refused by the industry's rehoming organisation for reasons as small as a broken toe. Do you actually have the figures of how many greyhounds are being rejected by the industry rehoming body, Greyhounds As Pets? I am happy for you to take that on notice if you don't have it.

**Mr DAVID HARRIS:** Yes, we can take that on notice.

**The Hon. EMMA HURST:** Thank you. Do you think it's acceptable that the industry rehoming body is actually rejecting a whole lot of animals and that those animals are then falling on privately funded rehoming organisations to rehome them?

**Mr DAVID HARRIS:** I'll have to take that on notice, I'm sorry.

**The Hon. EMMA HURST:** I understand that that might be something you need to look further into. Given that, are you willing to consider some government funding for these rehoming organisations that don't receive any funding from industry or government?

**Mr DAVID HARRIS:** We would have to look at it carefully. That's obviously a whole budget process, so I can't commit here today that we will do that.

**The Hon. EMMA HURST:** I'm not asking for a commitment; I'm just asking if you'd be willing to consider it.

**Mr DAVID HARRIS:** We take a whole lot of things through the budget process. If there is a very strong case then we would have a look at it.

**The Hon. EMMA HURST:** Racing NSW has previously stated that it would actually support making it a criminal offence for any thoroughbred horse to be sent to a knackery, even if it has been rehomed to persons outside of racing. Is that something that you would consider supporting, given that it's something proposed by Racing NSW?



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**Mr DAVID HARRIS:** They haven't discussed it with me specifically, but if they were to come forward with a request then we would seriously look at seeing whether that could be supported or not.

**The Hon. EMMA HURST:** If other groups approached you with the same request, and you met with Racing NSW and they supported that, would that be also be something that you would then consider?

**Mr DAVID HARRIS:** It would certainly feed into our legislative process but we have a caucus and a Cabinet that make these decisions, so it would be pre-emptive for me to say what we would or wouldn't do in that space.

**The Hon. EMMA HURST:** I understand that. Racing NSW isn't required to publish quarterly reports of deaths and injuries, whereas the greyhound racing industry is. In the interests of greater transparency within the industry, would you support the mandatory publishing of deaths and injuries at the end of each quarter for the horseracing industry in the same way as we do for greyhound racing?

**Mr DAVID HARRIS:** It is a discussion that we've had with a number of groups. Whilst I can't give you a definitive answer today, we have talked about the issue of transparency.

**The Hon. EMMA HURST:** Are you specifically considering changing those reporting requirements so that horseracing is equal to greyhound racing?

**Mr DAVID HARRIS:** It is not something that I have pursued in detail, other than that we have had some early discussions about a whole range of issues around animal welfare.

**The Hon. EMMA HURST:** Do you have any explanation as to why greyhound racing is being treated differently to horseracing in respect to transparency around deaths and injuries?

**Mr DAVID HARRIS:** Not specifically, other than that we have GWIC, which is a government statutory organisation where, in racing, they regulate themselves.

**The Hon. EMMA HURST:** I have a couple of budget questions which I am happy for you to take on notice.

**The CHAIR:** Ms Hurst, your time has concluded.

**The Hon. EMMA HURST:** Sorry, I didn't hear the bell.

**The CHAIR:** The bell has rung, but there will be another opportunity after the break if you wanted to continue.

**The Hon. EMMA HURST:** That's all right. I can put these on notice anyway.

**The CHAIR:** The Opposition.

**The Hon. SARAH MITCHELL:** We have two minutes, so I will be quick. I just want to ask about the Totalizator Act 1997, for Tabcorp. As you know, there has been a lot of change since then, with other players entering the market. They are clearly not bound by the 1997 rules, as Tabcorp are, as I am sure you would know. Would you look to start a formal review of that Act?

**Mr DAVID HARRIS:** We are considering a statutory review of the Totalizator Act.

**The Hon. SARAH MITCHELL:** Is there a time frame for that?

**Mr DAVID HARRIS:** We are pretty close.

**TAREK BARAKAT:** If Government were to choose to commence that review, we would be ready to commence that.

**The Hon. SARAH MITCHELL:** Minister, do you broadly agree with the premise that there should be an even playing field for all of those wagering service providers?

**Mr DAVID HARRIS:** Yes, I agree that the Act hasn't been reviewed for a while, and it's time for it to be reviewed.

**The Hon. SARAH MITCHELL:** Not to put you at odds with Mr Barakat, but have you given advice that that is something that you want to do? Can you just be very clear?

**Mr DAVID HARRIS:** I think it is safe to say that is why the department has been working on it.

**The Hon. SARAH MITCHELL:** And you anticipate having something to say about that within the next three or six months? What is the time frame of the statutory review of that?

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**Mr DAVID HARRIS:** It will probably be before then but, again, I don't want to pre-empt something that I need to put through the Cabinet process.

**The Hon. SARAH MITCHELL:** So you still need to go through that process, but your intention is to do a formal statutory review of that Act.

**Mr DAVID HARRIS:** It is.

**The Hon. SARAH MITCHELL:** Just very quickly, when does the next round of ClubGRANTS open?

**Mr DAVID HARRIS:** The current ones?

**The Hon. SARAH MITCHELL:** Yes.

**Mr DAVID HARRIS:** They are open.

**The Hon. SARAH MITCHELL:** They are open already. When would you anticipate having the next round available for announcements?

**Mr DAVID HARRIS:** It is open for a period. It is all on the website.

**The Hon. SARAH MITCHELL:** I just looked at the website and it seemed to indicate it wasn't opening until November, but I know some people have put in applications. I'm sure about that.

**Mr DAVID HARRIS:** My understanding was that it is open.

**The Hon. SARAH MITCHELL:** Do you have the dates, Mr Barakat?

**TAREK BARAKAT:** I can take that on notice and come back to you today.

**The Hon. SARAH MITCHELL:** That would be great. Thank you.

**Ms SUE HIGGINSON:** Minister, I have two minutes left. Are you committed to the commencement of section 21AA within the Fisheries Management Amendment Act, given how much it impacts your portfolio work?

**Mr DAVID HARRIS:** Yes. As you would know, it doesn't come directly under my portfolio responsibility, but I think it would be safe to say that we had discussions with the department about that issue.

**Ms SUE HIGGINSON:** And is that your position on behalf of the relevant First Nations people who are seriously suffering under the current rules and have advocated very strongly for this?

**Mr DAVID HARRIS:** Yes, I know the Minister for primary industries is very committed to getting something in place as quickly as possible.

**Ms SUE HIGGINSON:** And do you think it is along the lines of enabling 21AA?

**Mr DAVID HARRIS:** I think that is a question for the Minister for primary industries.

**Ms SUE HIGGINSON:** Is that the position you are advocating, though? I understand that the Minister will have the final say, but, in the order of transparency, is that a position you are advocating?

**Mr DAVID HARRIS:** I think it is safe to say that my position on that has been on the record for a long time.

**Ms SUE HIGGINSON:** Something that is not directly your portfolio but, again, as the advocate here—what about raising the age? We both know that communities have long been calling for their young people not to be criminalised. Are you advocating internally to raise the age of criminal responsibility?

**Mr DAVID HARRIS:** As part of those justice discussions, that is certainly something on the table.

**Ms SUE HIGGINSON:** And is your position that we should be raising the age to help Aboriginal young children?

**Mr DAVID HARRIS:** Again, I have discussions with my colleague the Attorney General on this particular issue, and I am very confident that he will deal with it appropriately.

**Ms SUE HIGGINSON:** And will he raise the age?

**Mr DAVID HARRIS:** You will have to ask the Attorney General.

**Ms SUE HIGGINSON:** I probably will.

**The CHAIR:** We now turn to questions from the Government.

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**The Hon. MARK BUTTIGIEG:** Thank you, Minister, for appearing and for answering those questions very cogently and directly. I have a few areas I would like to touch on in terms of things that may not have been covered by the Opposition or the crossbench in the medical research area. Can you tell us how the Government is investing in medical research to promote a healthier community?

**Mr DAVID HARRIS:** I certainly can. Since becoming Minister in April this year, there have been a number of important areas that have been covered in medical research. I want to start by commending the department and Dr Jean-Frédéric Levesque on the work that they are doing in this particular area. There has been a \$1.365 million upgrade to the State training headquarters for the Aboriginal Health and Medical Research Council at Little Bay, which, obviously, is dear to me in terms of both medical research and the Aboriginal Affairs portfolio.

One of the areas that really interests me—and I was able to meet with some of the researchers—was the \$3.5 million over two years funding for phage therapy. That will increase access for phage therapy access for patients with serious bacterial infections, such as antimicrobial resistance, which is AMR, sepsis and prosthetic infections, and increase manufacturing capabilities in New South Wales via The Westmead Institute for Medical Research. I was very buoyed to hear from the international researchers that New South Wales is a great place to progress their particular research, and it was a very good meeting. I think we had people from South Korea, the US and the UK as part of that.

Another event I was able to attend was the NSW Health Commercialisation Training Program awards. Those awards support the medical and health sector by investing in innovators to build capacity to form stronger networks across the State and nurture innovation. I was also very pleased to see the Hon. Jillian Skinner there as well, and I had the opportunity to acknowledge that she was the one who started that program and that the current Government is involved in continuing it, which was really good.

I was also able to launch an innovative new partnership between the Ingham Institute for Applied Medical Research and Victor Chang Cardiac Research Institute. This is a first-of-its-kind cardiovascular research hub in south-west Sydney, and its mission is to deliver new treatments that will benefit communities in south-west Sydney and across Australia. People might be interested to know that that part of the State has the highest levels of cardiovascular disease, so that is a really great project. It is something that I think is very supportable, and we look forward to their work. They are about to open a robotics lab above it, which, again, is very exciting.

Through the Office of Health and Medical Research, there was \$104.7 million of funding allocated for 2023-24 to support research, commercialisation and infrastructure. The key programs funded included the Cardiovascular Research Capacity Program, Medical Devices Fund, the Medical Research Support Program and the Translational Research Grant Scheme. I think it just goes to show that the new Government is absolutely committed to making sure that New South Wales is the centre for really important health research. The team is doing absolutely fantastic work, and I would like to publicly acknowledge that. I think we are very lucky.

**The Hon. MARK BUTTIGIEG:** Thank you, Minister. In terms of major innovation being led by the New South Wales Government in medical research, can you elaborate on what we are doing in that area?

**Mr DAVID HARRIS:** Yes, sure. One of the things that has been under negotiation for a while but we're looking to bring to realisation is the world-leading commercial-scale viral vector manufacturing facility at Westmead. It will be the first of its kind in Australia. It's a \$134.5 million cost, including \$49.6 million capital, to establish the globally competitive and commercially viable viral vector manufacturing facility within the Westmead health precinct. The facility project will give patients across New South Wales access to groundbreaking therapies, provide a financial return on investment made by the New South Wales Government, and help save lives by securing viral vector supply for Australian researchers. New South Wales is a globally recognised leader in developing and delivering gene and cell therapies. I think the first stage, and Jean-Frédéric might want to just add a little bit, is setting up the company.

**JEAN-FRÉDÉRIC LEVESQUE:** Yes, so the first stage is really the research and development arm, to make sure that we support our researchers to produce new personalised therapies in that space. Stage two is really about bringing that to the scale where it can be a commercial endeavour and really increase the number of patients in New South Wales that can be treated with these new gene therapies. It's an emerging field. It is extremely important to support both the research and development stream as well as the commercial one, and stage one and stage two are doing this in a coordinated way.

**The Hon. Dr SARAH KAINE:** I want to ask a couple of questions in your capacity as Minister for Veterans. The first question I want to ask is how is the Government supporting veterans that are transitioning from service to civilian life?

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**Mr DAVID HARRIS:** A very good question. The Veterans Employment Program, which is run by Craig Delaney—and I think Caroline and Craig were in Canberra just recently and they were nominated for an award down there for the program. It is something that New South Wales has assisted other States in developing as well, which is really good, but basically it's looking to support people from the Australian Defence Force into employment. One of the areas that they're working really hard on is local government, so they're forming relationships with local government areas in terms of employment, and also Corrective Services and other government departments. It's really important that, as our service men and women, who have given fantastic service to our country, transition back to civilian life, we in New South Wales assist them in that transition, and employment is one of the most important areas where we can assist.

This program is absolutely first-rate. It assists veterans to understand the skills they've learned in service and how that translates back into writing a CV, et cetera, and putting those skills into a different context, because often service men and women don't actually realise the amazing skills they've developed as part of the armed forces. So it's a great program, it's having more and more success, and we're really pleased to continue to support it. There are currently 13 New South Wales local governments that have set up their own form of veterans employment with Campbelltown City Council continuing to lead local government support for veteran employment.

**The Hon. Dr SARAH Kaine:** Great, thanks so much. We just heard you talk a bit before about events you attended in your capacity in the medical research space. I wondered if you could give us some of the highlights in the veterans space.

**Mr DAVID HARRIS:** I have to thank the Premier. Being the Minister for Veterans is a huge honour and it's one that I take very, very seriously. I actually spoke to former Minister Elliott a week-and-a-half ago and he made sure that I fully understood my responsibilities in that area but, yes, obviously I've been able to attend the Anzac Day service at the cenotaph. I actually was able to attend my first ever march. I've watched on TV and attended local marches in my community, but it was the first time I've been able to attend the actual march and, of course, an event that I've attended on many occasions is the Coloured Diggers March at Redfern, which is an amazing day. This year we heard the story of one of the first Aboriginal airmen, and that was a real privilege.

I was at the anniversary of the Battle of the Coral Sea and the Aboriginal and Torres Strait Islander veterans commemoration. I launched the Korean veterans photographic exhibition to mark the seventieth anniversary of the Korean armistice in 1953 and got to meet a number of the veterans. Their number obviously is diminishing, unfortunately, but they had a great sense of humour, and it was a real privilege talking to those diggers. I was involved with the Legacy torch relay on the Central Coast, and I had the honour of doing the leg across part of the Harbour Bridge and handed the torch over to the blue Wiggle, so I had a bit of a fan-boy moment doing that with lots of people taking photos. I thought that they were taking photos of me, but I'm sure it was really him.

**The Hon. SARAH MITCHELL:** You might need a skivvy.

**Mr DAVID HARRIS:** That's right, yes. The maroon and white skivvy, it would have to be. We had the Victory in the Pacific commemoration, the Kokoda Track, and the Premier's reception for Vietnam and Korean veterans which, for the first time, was actually combined. They had previously been done separately, but because of the age of the diggers they have now been combined, and again it was amazing to be able to talk and mix with those people. I spent a very hot Saturday at the launch of the war widows Our Space online activity, which is showing that these organisations are actually recognising that they need to use technology more to reach out to their members, and that is a great initiative.

I've been to the Veterans Employment Roundtable, and on 3 November there is one on the Central Coast. People may or may not be interested that the Central Coast actually has the highest number of veterans in New South Wales in every age category, something I didn't know until I became Minister. Just recently I was at the Australian Catholic University gala awards for veteran students. One of the award recipients is becoming a midwife, another one is doing speech therapy and others are doing other degrees, and it just goes to show that when veterans are supported their skills translate back into the community and they can continue to serve, and we should be absolutely supportive of that.

**The Hon. Dr SARAH Kaine:** Maybe just a final one following on from what you were talking about with those awards: How does the Government plan to acknowledge the service of Australian veterans in more contemporary conflicts?

**Mr DAVID HARRIS:** We had an election commitment from the Premier that we would look at a contemporary memorial and, through the department, the Office for Veterans Affairs, they have begun consultation with the veteran community. We, through that consultation, will investigate what other supports or

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programs the New South Wales Government may need to invest in to better support veterans in their return from service. It's really important that, through that consultation, what we put in place isn't necessarily just a memorial, a thing; that it's actually, in a sense, living and that there are other services that support that too, but we're continuing that consultation. There was a large range of people who responded, and that's in parallel with the Federal Government delivering veteran hubs in partnership. Currently, there is one operating in Nowra, but there will also be 11 other sites across the State, and that will give us another opportunity to make sure that we get the views of the veteran community. As you might imagine, those views are quite diverse and we need to listen carefully to the feedback in order to deliver on that election commitment.

**The Hon. STEPHEN LAWRENCE:** Minister, just moving back to the Aboriginal Affairs portfolio, a lot of language has been lost, obviously, since colonisation, for Aboriginal people. Can you give us a sense of what the Government is doing to save the languages that remain?

**Mr DAVID HARRIS:** So, obviously, under the legislation, the Aboriginal Languages Trust was set up and they've been working diligently on their road map. I was very honoured to announce the first ever—for Australia, not just New South Wales—Aboriginal Languages Week. The trust, for 2023-24 has received \$9.9 million to do their work. We are actually in the middle of Aboriginal Languages Week, and I encourage people to go to the Sydney Museum tonight to take part in a function there to learn more about languages.

Through that funding, we were able to put out grants to local communities to celebrate their language across the State, and I was pleased to be able to attend the launch on Saturday, as I said, at the National Centre for Indigenous Excellence in Redfern. We know the importance language has connecting, particularly younger people, to country and culture and how that plays into those Closing the Gap targets. It is an area that we are really committed to. I was able to go to La Perouse Public School and the preschool out there and see those young children learning language. I put my teacher hat back on, sat at the table with them and engaged in that. It makes you feel amazing to see those young people using language again, but also the fact that their parents are then starting to learn language because they have to keep up with their kids.

That revitalisation of language is so, so important. I think it's a bipartisan issue. We all understand the importance of language, and we also have to acknowledge, through truth-telling, how, through the policy of assimilation, there was a time when they tried to literally beat language out of people. That's part of the truth-telling that we need to do in terms of that wider treaty education.

**The CHAIR:** Thank you, Minister. Thank you, members, for those questions and thank you for all the responses. We will have a 15-minute break and reconvene at 11.15.

**(Short adjournment)**

**The CHAIR:** The time being 11.17, we are due to kick off. Thank you, very much, for coming back. I confirm that all of the sworn witnesses have to stay all day. That is the good news.

**The Hon. SARAH MITCHELL:** But so do we.

**The CHAIR:** So do we.

**Mr DAVID HARRIS:** You're not going to give anyone an early mark?

**The CHAIR:** No, settle in.

**The Hon. SARAH MITCHELL:** You get one, Minister. You get to go at 1.00.

**The CHAIR:** Minister, before we kick off again with questions, you would like to make a few points of clarification?

**Mr DAVID HARRIS:** We got a question about ClubGRANTS. Category 3 opens on 27 November and closes on 18 December. Where the confusion was is the August round—the last round—just closed, so that was the one that I thought was open. It is currently under assessment, and it is expected to be finalised before the next round opens. So that's the ClubGRANTS. On the machinery of government changes, just to be clear, the amendment—so it's common practice, as part of the legislative drafting process, to define government departments within legislation instead of individual agencies or offices. This mitigates any future need to amend the legislation should any internal department changes or restructures occur. Aboriginal Affairs NSW will still be able to accept a delegation from the registrar to undertake any function, which may include certifying local Aboriginal land council membership roles, conducting local Aboriginal land council board elections, maintaining the register of registered Aboriginal owners or any other legislative function vested with the registrar under the Aboriginal Land Rights Act.

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The amendment in terms of the office of registrar acknowledges its positioning within the Premier's Department. So when Aboriginal Affairs NSW was changed from the Department of Education to the Premier's Department, the office of registrar was changed to the Premier's Department as well. However, during that time, the GIPA Regulation 2018 was not amended to reflect the change. As such, any GIPAA request to the registrar's office has been administered by the Department of Education and not the Premier's Department. The amendment allowed that inconsistency to be fixed. I am informed that the committee was actually not an Aboriginal advisory committee as such. It was actually a committee of government departments. There was no specific funding and that they—basically, it was Aboriginal Affairs. So they weren't separate. You can ask the deputy secretary more about that this afternoon, but I'm assured that it has not changed any sort of engagement with Aboriginal people.

**The Hon. JACQUI MUNRO:** Just to clarify, so the committee is the community engagement group?

**Mr DAVID HARRIS:** The community engagement group was actually a committee of government departments, not individuals. Chair, to your question on the clubs with under 10 machines, I am informed that there are various provisions within clubs and gaming machines legislation that ensure members have a say on significant issues in relation to their club. A decision to go pokie free can be a significant financial decision for a club and, therefore, it is important its members are able to vote on such a measure. This is the key point: the provision also ensures that clubs that amalgamate are not stripped for their assets following amalgamations, which we did see at one stage. And the numbers—in the five years since 30 June 2018, of the 25 clubs that had 10 or fewer machines, 20 clubs are still trading with no machines and five clubs have surrendered their licence and are no longer trading. Hopefully, that helps with that one.

**The CHAIR:** It certainly does. Thank you very much for those further answers, Minister. We'll now turn to questions from the Opposition. You have 20 minutes.

**The Hon. JACQUI MUNRO:** Minister, section 37A of the Gaming Machines Act allows the regulator to approve up to 150 machines for a club being established in a new development area, with no community benefit payment required. You're aware of that?

**Mr DAVID HARRIS:** Yes.

**The Hon. JACQUI MUNRO:** I was wondering, in the past five years, how many clubs have received gaming machine entitlements under this provision and how many entitlements were given to each club?

**Mr DAVID HARRIS:** We'll have to take that on notice.

**The Hon. JACQUI MUNRO:** Okay. In addition to that—I presume you will also take this on notice—assuming that some entitlements have been approved under section 37A, what is the foregone community benefit payment, given the special provision which requires no contribution by the successful club? And that is even if it is a subsidiary under an existing club.

**Mr DAVID HARRIS:** Sure, we'll take that on notice too.

**The Hon. JACQUI MUNRO:** Thank you. You've been referred to as the "Minister for Everything"?

**Mr DAVID HARRIS:** Only by local media. I think my colleague Rose Jackson would challenge me on that.

**The Hon. SARAH MITCHELL:** There are a couple of you with interesting combinations.

**The Hon. JACQUI MUNRO:** In relation to the Independent Panel on Gaming Reform, what was the process of selection for appointing those 16 members?

**Mr DAVID HARRIS:** We were very careful to make sure that there was equal representation from both the industry and from a harm minimisation point of view, but also ensure that we had enough expert advice to be able to inform the panel on important information—so, software development, policing, all of those sorts of things. We went through a process of identifying who those stakeholders might be, keeping in mind that you can't make it too big because the more people involved, the harder it gets. The key positions were the executive positions—so, the chair. I asked for recommendations from the department who was someone who would be able to fulfil that job, and when I saw Michael Foggo and read his CV, I think he is an excellent choice. He doesn't just know the industry, but he's also worked in other jurisdictions, which gives him a very wide range of knowledge. The two other executives were people who I considered to have great credibility through their work in both the Australian and State parliaments. They were from regional New South Wales, which I thought was very important, too, and they had done extensive committee work, both in the Senate and in the Legislative Council. That's where former Senator Ursula Stephens' name and, of course, Niall Blair, who I have a great deal of respect for—

**The Hon. SARAH MITCHELL:** Hear, hear!

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**Mr DAVID HARRIS:** So that's the process we undertook.

**The Hon. JACQUI MUNRO:** Thank you. Obviously, it's a reasonably large panel—16 members—but I thought it was interesting that there were no Aboriginal expert groups represented, particularly given that 18 per cent of Aboriginal people in New South Wales report being affected by gambling harm, and that's in comparison to about 1 per cent to 2 per cent of non-Aboriginal people. I am wondering why there was an exclusion of an Aboriginal expert voice on this panel.

**Mr DAVID HARRIS:** Yes. There wasn't an exclusion per se. What we have done is we've allowed the panel to call anybody else that they think is important to have input. As I said, it became, you know, you could have had an argument for another 50 different organisations to be involved. The key issue was that people, the executive, had the skills to be able to reach out, when they needed to, to other community groups in order to gain insight or advice. That's clearly in the terms of reference—that they have the power to do that—because the road map that they develop will be very important in terms of guiding the Government moving forward.

**The Hon. JACQUI MUNRO:** Given that there are 16 members on the panel, how do you expect that they're going to agree on a final report?

**Mr DAVID HARRIS:** Yes, well, I often refer to it as a mini United Nations, but I have to say—

**The Hon. JACQUI MUNRO:** You could question the effectiveness of that.

**Mr DAVID HARRIS:** Yes, well, everyone who's currently participating has done so in a really meaningful way. I am informed that everybody has equal time for discussion around issues and that all of the issues are put out on the table, and that there is agreement before next steps are made. One of the hardest jobs they've had so far is agreeing on the terms of reference for the actual trial, but they have achieved that, and that will be released very shortly.

**The Hon. JACQUI MUNRO:** Do you know how shortly?

**Mr DAVID HARRIS:** Very, very, very shortly.

**The Hon. JACQUI MUNRO:** Like in the next week or next month?

**The Hon. SARAH MITCHELL:** In the next month or—

**Mr DAVID HARRIS:** It will be definitely within the next month.

**The Hon. JACQUI MUNRO:** Okay.

**Mr DAVID HARRIS:** You know, I met with the chair the other day and just asked him how things were going. He said that he did have trepidation at first, but he's extremely encouraged by the productive way people are working together. I think this is a really important issue and everyone who's on the panel wants to make sure that we get it right.

**The Hon. JACQUI MUNRO:** Do you have an expectation of when the panel will present its final report? What's the time frame for their operation?

**Mr DAVID HARRIS:** We originally set that timetable to report by November next year. We'll be guided by the chair and the panel if they at that time put out an interim report and then want to examine other things more closely. This is about getting the policy settings correct for an area that has developed in New South Wales over decades. You can't unscramble the egg quickly. We have to make sure that we're acknowledging harm minimisation and money laundering issues, but at the same time understanding that communities and jobs, particularly in regional and rural New South Wales, will be impacted by changes. There is no way of getting around that.

The industry's accepted the fact that there is need for reform and I congratulate them for that. They are very open about that. They've come to the table wanting to work in a very productive way. I'm very encouraged by the early work of the panel. I particularly want to commend the gentleman with lived experience who is bringing an incredible insight to members of the panel. I think when that was suggested by NCOSS, that was an excellent suggestion and, I think in retrospect, it was the absolute right thing to do.

**The Hon. JACQUI MUNRO:** Thank you for that. Obviously, speed is of the essence, given \$8 billion was lost to gambling by the people of New South Wales. I am sure you would agree that sooner rather than later action needs to occur.

**Mr DAVID HARRIS:** In saying that, we're already putting other reforms in place so we're not standing still waiting wholly on the panel. We're putting in place a number of reforms already and we hope that over the next reporting periods we will start to see that that makes a difference.

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**The Hon. JACQUI MUNRO:** That's in the interim—

**Mr DAVID HARRIS:** We've already seen a reduction in the number of machines. Revenue is down. Now, that could be because of economic conditions as well, but turnover is starting to go down.

**The Hon. JACQUI MUNRO:** That will be in the interim report?

**Mr DAVID HARRIS:** No. Their interim report will be about what steps the Government should take next.

**The Hon. JACQUI MUNRO:** Just there—yes, okay.

**Mr DAVID HARRIS:** Or they might give us a final report. They might think that's enough time to give us a full answer.

**The Hon. JACQUI MUNRO:** Thank you. I did want to talk about your multiple portfolios and the competing interests that might occur. I'd suggest that in particular your ministry, your Aboriginal Affairs ministry, and this ministry does have some crossover—and contentious crossover. The Australian Gambling Research Centre reported in 2014, a long time ago, that 80 per cent of Indigenous participants in their study reported gambling on commercial forms in a previous year compared to 64 per cent nationally, so there's a big disproportionate involvement. You're aware of this, I presume. I am wondering how you imagine dealing with those competing interests because I did notice in the Liquor Act 2007 you have the responsibility of declaring restricted alcohol areas, and you must consult yourself, as the Minister for Aboriginal Affairs and Treaty, as the decision-maker for restricted areas. How would you manage this conflict?

**Mr DAVID HARRIS:** I don't see it as a conflict because I'm someone who takes seriously advice from the department. Ministers have a job of making final decisions, but they do so in consultation with their department and their colleagues. I would say that a Minister who didn't do that would be treading in pretty dangerous territory. Advice from experts is absolutely essential but what it also means is that I bring a lens to these issues of great seriousness, understanding the consequences of getting it wrong. That's why some people have criticised us for being, you know, not as quick as they'd like us to be, but my view is that it is such an important area we must get it right because what we put in place will be in place for a fair amount of time and it has to make a difference. We've got to get it right.

**The Hon. JACQUI MUNRO:** Would you prioritise the gambling industry or would you prioritise the needs of Aboriginal people addicted to gambling?

**Mr DAVID HARRIS:** The task I've been given is to look at harm minimisation and anti-money laundering but making sure that the industry remains sustainable. I don't think they're in conflict. I think that there can be a reasonable set of expectations and, you know, that's why we've got the panel in place, to give us that advice. When that advice comes, I will certainly look at it. I'll be taking it to my Cabinet colleagues and then we'll reach a final decision as a government.

**The Hon. SARAH MITCHELL:** Thanks, Minister. I want to move on to the racing part of your portfolio, starting with greyhound racing. Why did you not continue John Williams in the position of the chairman of the board?

**Mr DAVID HARRIS:** Yes, sure. It's one of the hardest decisions I've had to make since becoming a Minister. I have to go back to my days as a principal when I employed a number of teachers through merit selection. Often you will have someone in the job that isn't doing a bad job, but when you go out for expressions of interest, you're presented with candidates that bring a whole range of skills to the position, so you have to make a decision, based on that skill matrix—who the best person is for the position. It's not saying that the previous person wasn't able to do a good job. I called Mr Williams and related to him my thanks and said that this wasn't a personal reflection on him. This was about someone with a CV that was incredibly impressive who had worked across a whole range of sporting organisations, who had great legal knowledge, who also had knowledge of the industry that I thought would be a good chair going forward.

You've got to make decisions around these things. It was no reflection on Mr Williams. It was just that there was three candidates that were deemed suitable, and I had to choose from those three. We went back to the department and asked for clarification around how they arrived at the different skills that they presented to me and the skills matrix et cetera. Then I sat down with the CVs and had to make a really difficult call.

**The Hon. SARAH MITCHELL:** Thank you for clarifying that. In relation to the CEO of Greyhound Racing NSW, it's widely publicised that there's an ICAC investigation. I don't want to go into those matters. Can you confirm what's happening with that role. Is he still in that role? How is that being managed?



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**Mr DAVID HARRIS:** Correct. Greyhound Racing NSW, although we appoint board members, is independent. What happened was, very soon after I was appointed I was presented with some complaints. I immediately, without prejudice, referred those complaints to the board because it's the board's job to employ the CEO. The board instigated an investigation. I received a report yesterday. I might say that they are retaining legal rights over that report, so I can't comment about what was in the report.

**The Hon. SARAH MITCHELL:** That's fine. I have limited time. So the board makes those decisions is what you are saying.

**Mr DAVID HARRIS:** Yes.

**The Hon. SARAH MITCHELL:** And the board has decided that that individual will remain, even—

**Mr DAVID HARRIS:** Correct. My only power in the Act is that if I believe that the sport is being brought into disrepute, then I could intervene. But essentially—

**The Hon. SARAH MITCHELL:** But that's not something you're entertaining?

**Mr DAVID HARRIS:** No.

**The Hon. SARAH MITCHELL:** Thanks. Just a couple of specific tracks I want to bring to your attention. There was \$5 million proposed for the Tamworth greyhound track, as you might be aware. But reports that we've heard is that that's been delayed. Same with Goulburn—\$6 million was committed to upgrade that track in August. Is there any update you can give me on Tamworth or Goulburn?

**Mr DAVID HARRIS:** They're questions for Greyhound Racing NSW and GBOTA. They make those decisions.

**The Hon. SARAH MITCHELL:** Could you take it on notice and come back with the process of those?

**Mr DAVID HARRIS:** Yes. We can take that on notice. But I will say that I talk to them often about these issues. But, essentially, they have to make those commercial decisions and expend the money.

**The Hon. SARAH MITCHELL:** But from a community perspective, money has been allocated, nothing is happening and people are wanting to know why.

**Mr DAVID HARRIS:** One hundred per cent.

**The Hon. SARAH MITCHELL:** Again, you might need to take it on notice, given the comment that you've just made, but the Kempsey Macleay track and also Wauchope, my understanding is they were downgraded just to practice tracks and they're not—I might get the terminology wrong—actually having racing per se. If there's any update on there—

**Mr DAVID HARRIS:** My latest update with that is that they haven't released the racing calendar for the next thing yet. But I will take that on notice and get a more fulsome answer.

**The Hon. SARAH MITCHELL:** If there is an intention to have a Saturday race to any track on the mid North Coast would be handy, if you're able to let us know.

**Mr DAVID HARRIS:** We can certainly ask Greyhound Racing NSW. I'd love a Saturday day for Wyong races as well.

**The Hon. SARAH MITCHELL:** Yes, but not everyone lives in Wyong, Minister. I also want to take you to some thoroughbred racing again. The Racing for the Regions program, you'd be aware—I think it was almost \$60 million—was earmarked for that particular program. Once again, I think Gosford Race Club's having some delays. You would well know about that, being the Minister. But again, there's a lot of community concern or questions around what's happening in terms of those particular projects. I think they have been announced some time ago. My understanding is Racing NSW, according to the website, are the ones who are administering that program.

**Mr DAVID HARRIS:** They are.

**The Hon. SARAH MITCHELL:** But again, if that's something that you could get some information on—

**Mr DAVID HARRIS:** We'll take that on notice and get you some updates. I would be dishonest if I said I wasn't frustrated about some of these things. We've certainly had discussions generally about it.

**The Hon. SARAH MITCHELL:** I won't read them, but there's a number that are listed. If you could come back on each of the projects, that would be certainly appreciated.

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**Mr DAVID HARRIS:** Sure.

**The Hon. SARAH MITCHELL:** Are you intending to do another round of funding for the Racing for the Regions program?

**Mr DAVID HARRIS:** Not at this stage.

**The Hon. SARAH MITCHELL:** In terms of the long-term racing industry sustainability, I know that the former Minister, Kevin Anderson, was considering a bit of a review into the terms of how the industry was funded, making sure that we've got that long-term financial sustainability of an industry that is very popular and that a lot of people obviously enjoy as a leisure pursuit. Is that something that you would also look to do? Have you received advice on that? What's the thinking around that long-term sustainability piece?

**Mr DAVID HARRIS:** We've been having discussions with the three codes, as well as with the department, around a number of funding issues. It's also been discussed at a national level by racing Ministers. That goal is certainly what we all want, to make sure that the industry and the jobs are sustainable and not only continue but thrive.

**The Hon. SARAH MITCHELL:** Yes. Just coming back to the grants again. Sorry to be jumping around a little bit. Probably, any grant that go to either Racing NSW or Greyhound Racing or anyone—I think you've said that that money goes but they administer the process of getting that money out and getting the projects done. Is there oversight from ICAC or the Auditor-General or any sort of independent body in terms of how that process is rolled out? How does that actually work in practice? Does Government give them the money and they're responsible for the delivery, but what's the check and balance in terms of that probity piece? I'm trying to better understand.

**Mr DAVID HARRIS:** Obviously they have to report back to us through their annual reporting structures. They also have to make sure that they are, at all stages, making sure that they are complying with all of the checks and balances in terms of how they distribute money et cetera. It is part of the discussions that we have. I'll take on notice whether there's a more formal process than that.

**The Hon. SARAH MITCHELL:** That would be good. Do you support the national registration of thoroughbred horses?

**Mr DAVID HARRIS:** That has been a discussion. There are some differing views around the country on that particular one, including New South Wales. However, the greyhound industry—I'm sure Steve can talk about this this afternoon if you ask him—is about to introduce eTrac, which will track every racing greyhound in New South Wales. There are jurisdictions, right across the country, that are interested in being part of that, too. Under that system, the greyhounds are scanned six-monthly. There's even a little map that comes up and shows where they were and everything. It's a very good system. I know that other jurisdictions, including Queensland, that has all their racing under one administration, is looking at that seriously.

**The Hon. SARAH MITCHELL:** We might delve into that a little bit more this afternoon. Thanks, Minister.

**The CHAIR:** Minister, in regard to medical research, you'd be aware that medicinal cannabis has been legal in Australia and New South Wales for six years now, and that it is a growing industry. Its value to the economy now is in the order of \$300 million in terms of GDP and that in New South Wales hundreds of thousands of people are now being prescribed medicinal cannabis through various national schemes and that there are fantastic companies in New South Wales who are conducting clinical trials for medicinal cannabis, cannabinoids, cannabidiols and the rest. How much money, if any, out of the medical research support programs or other programs that the Government has is going to medicinal cannabis research?

**Mr DAVID HARRIS:** I think that's a question we'll have to take on notice. I'm not sure if, this afternoon, you might be able to give a fuller answer on that one.

**The CHAIR:** Would you as the Minister be interested in becoming more aware of what's happening in this medicinal cannabis space? There's a company on the North Coast, Cymra Life Sciences, who are doing amazing work in pain research. Another company in the Hunter, Ecofibre, is doing research into endometriosis. Is this an area that the Government is cognisant of and would be prepared to consult with and develop policy for?

**Mr DAVID HARRIS:** I am interested, personally, and I would be happy to go and visit those places if and when it fits into my calendar, which is quite hectic. They are more questions for the Minister for Health, and he'd be able to give you a fuller answer. The Government is always looking at what other jurisdictions are doing—what other programs and opportunities there are. As Minister for Veterans, that certainly interests me as well, because I know of some of the work being done in the United States and other jurisdictions. The short answer is

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I do have an interest in that, but in terms of overall Government policy, you'll have to ask some of my other colleagues more directly.

**The CHAIR:** I put on record that, in consultation with these organisations, one of the greatest barriers to taking these products to the market is the cost and the time in terms of medical research. They are trying to avail themselves of these programs. That's the reason I raised it. I'm glad you raised the issue of veterans. I'm routinely approached by veterans who have availed themselves of medicinal cannabis to deal with a whole range of ailments, from pain—I was contacted this morning by someone from special forces who uses cannabis for pain management, and others who use it principally for PTSD. But they cannot drive. Many of our veterans are being forced onto what they see, in their words, as more damaging alternatives—opiates—because they are then able to drive. Are our cannabis RDT laws a barrier for veterans availing themselves of the medicine that they should be able to legally use?

**Mr DAVID HARRIS:** I heard your conversation yesterday with the Premier on this issue and I defer to his answers. These are things that have to be looked at in the wholesomeness of full government, and I can't sit here today and express an opinion. That would be doing a disservice to my colleagues. All of these issues are being looked at, and the drug summit will give us an opportunity to delve in greater detail into the issues. I can't go further than that today, I'm sorry.

**The CHAIR:** I appreciate it, Minister.

**Ms SUE HIGGINSON:** Minister, the last time we spoke, I think there were five LALCs that were under administration. Can you provide an update about what is happening in terms of those, and is there any more looking on the horizon or—how are we tracking?

**Mr DAVID HARRIS:** We can get you the exact figures on those for all the current LALCs. It's a process that's not entered into without caution because of the issue around self-determination, but we have to make sure that LALCs are serving their membership and also have proper governance in place. One of the things I've found is that when the recommendations come to me to put a LALC into administration, there is a large level of detail that goes along with that. It is not a decision that is made lightly. And when the administrators are in place, they do very, very detailed reports around how they are tracking in terms of getting membership numbers up, going back to elections and all of those sorts of issues. I'm very confident that the process is a good one. Just like any organisation across the community, from time to time they will fall on hard times and there needs to be an intervention. We hope, through NSWALC and the department, that the process is mostly supportive, not punitive.

**Ms SUE HIGGINSON:** So you maintain confidence in the system that we've got and the supports that we are providing to LALCs to be able to get back on their feet?

**Mr DAVID HARRIS:** I just recently received a report from the NSW Aboriginal Land Council on their statutory duty in terms of supporting local Aboriginal land councils. It was in great detail, and it does show that some areas do need more support. It's an area that we are actively looking at.

**Ms SUE HIGGINSON:** I think the Government has allocated \$366.5 million—that's the figure I've got here. I'm not quite sure I remember where that has come from now. That is to restore the land rights. What's the plan for that? What kind of allocation are we looking at, and what sort of support programs are we talking about in terms of that spend?

**Mr DAVID HARRIS:** It actually comes under the purview of the Minister for Lands and Property because they determine land claims. But the Government is looking at the whole process, because—I don't think it is any great secret—there is between 38,000 and 39,000 unresolved claims at the moment. It was something that I raised at estimates through my upper House colleagues for many years.

**The Hon. SARAH MITCHELL:** It's been raised for many years at estimates.

**Mr DAVID HARRIS:** The previous Government and the current Government is actively looking at ways of improving that system. It is difficult, particularly how it intersects with native title and other things. It is our aim to try to address some of the issues in that process, but I'm not going to sit here and tell you that it's an easy job to do; otherwise, it would have already been done.

**Ms SUE HIGGINSON:** But do you have some degree of confidence that there is a forward program that will result in improvements?

**Mr DAVID HARRIS:** I do.

**Ms SUE HIGGINSON:** Have you got KPIs, or whatever we call them nowadays, around what that would look like, or is it still iterative? What can we expect?

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**Mr DAVID HARRIS:** We're not seeing KPIs as such, but there will be some things come to light shortly that will show that we're very keen to address these issues.

**Ms SUE HIGGINSON:** So there is something coming soon? Great. I know this, again, is not directly your portfolio, but the Kinchela Boys Home and the graves and that revelation there—I know that, again, it's attached very deeply to the truth-telling processes. What can you tell us about that, in terms of where things are heading?

**Mr DAVID HARRIS:** It's been a really difficult subject because of the people and the agreements involved. In a lot of the negotiations, there's been a very clear privacy expectation around some of the issues. What I can tell you is that we've met with both Kinchela and the land council. We actually went up to Kempsey and met the land council directly, and they have agreed to meet and to further discussions. The complexity is that the land council owns the land. And the Kinchela mob are—they've got their anniversary coming up and other things, so it is a really difficult situation. Our role—and I have to commend the department in what's been a sometimes very difficult negotiation. They have tried to maintain that respect to both of the communities and respect their individual rights but, at the same time, try to push forward so that we can get an outcome. It is across all of the homes.

**Ms SUE HIGGINSON:** If it's a matter of needing resources and financial assistance, we'd be able to provide that?

**Mr DAVID HARRIS:** No, the money is already in place.

**Ms SUE HIGGINSON:** Great.

**Mr DAVID HARRIS:** That's not the issue. If it was just that issue, that would make life very easy. No, the issues are far more complex about that. It is about, particularly with Kinchela, the fact that before it became the boys home it had another role and, in terms of truth-telling, respecting the whole history of the site. There are still families there that are connected. A lot of the things, we can't do without permission from the parties.

**Ms SUE HIGGINSON:** Thank you. I think my colleague has some questions. In my half a second, the Tranby story centre in Glebe—is that something on your radar and something that you will support?

**Mr DAVID HARRIS:** They've contacted me, and they've written to me, and I'm happy to explore them. We do have a range of grants programs, and we will assess whether they fit within that.

**Ms CATE FAEHRMANN:** Minister, I wanted to go back to pokies. I understand that you are saying that revenue from pokies is going down. Is that correct?

**Mr DAVID HARRIS:** The last half-yearly figures were less than the previous half year. There are seasonal issues around that. On the figures, it's not clear. But, anecdotally, the industry is telling me that it is softening.

**Ms CATE FAEHRMANN:** Last quarterly did you say or last six months?

**Mr DAVID HARRIS:** Six-monthly, I apologise.

**Ms CATE FAEHRMANN:** Is this the last financial year?

**Mr DAVID HARRIS:** Yes.

**Ms CATE FAEHRMANN:** It's from the data from ILGA?

**Mr DAVID HARRIS:** No. It's CMS data, isn't it?

**TAREK BARAKAT:** What the Minister is saying is that from the current six-monthly data that has just been released, compared with the prior six-monthly data that was released, the figures are lower for this six-monthly period of data. As the Minister says, that can reflect seasonal differences.

**Ms CATE FAEHRMANN:** What does "seasonal differences" mean?

**TAREK BARAKAT:** Just that there's more activity over summer. The previous six-monthly data would cover the spring-summer period, and you see more activity in venues during that time generally.

**Ms CATE FAEHRMANN:** What about poker machine numbers, Minister? What's happening to those?

**Mr DAVID HARRIS:** My understanding is—and we can get you the exact numbers—the number of machines has reduced.

**TAREK BARAKAT:** The total number of entitlements reduces. The thing to remember here, Ms Faehrmann, is that the number of entitlements is what reduces every time machines are forfeited through

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transfers and things like that. The Government has reduced the overall State cap for entitlements by 3,000 recently. The number of machines will fluctuate within the approved number of entitlements. Machines might be in storage, for example. Venues might be undergoing renovation, so those machines won't be in use. So the number of machines fluctuates; the number of entitlements will always reduce.

**Ms CATE FAEHRMANN:** The actual number of machines is what's important because that's what people lose money on. Over the last financial year, have they increased or decreased?

**Mr DAVID HARRIS:** My recollection is that the actual number has decreased. But we'll take that on notice and get you the exact figures, because I don't want to mislead you.

**Ms CATE FAEHRMANN:** It has been reported that they have increased, actually.

**The CHAIR:** I think Mr Barakat has some information. Hold on one second, Ms Faehrmann. Mr Barakat, do you have some information to share?

**TAREK BARAKAT:** I do have the figures here. They have actually increased. For FY 2021-22, the actual number of authorised gaming machines was 86,747. For FY 2022-23, there's 87,328.

**Ms CATE FAEHRMANN:** What's that increase? Is it 600 and something more machines out there in the last financial year?

**TAREK BARAKAT:** Effectively, yes. We can probably take on notice to see whether we can get you any more detail around why there's that fluctuation. As I said, it can be around venues putting machines in storage for things like renovations and things like that, and then reopening back up and having those machines available again.

**Mr DAVID HARRIS:** I'm also told that some of the venues had put machines into storage during COVID, and they're progressively bringing them out of storage.

**Ms CATE FAEHRMANN:** Is the number of machines the highest that it has ever been—not entitlements but the number of machines?

**TAREK BARAKAT:** No, it's not. I can go back to FY 2018-19 here. In FY 2018-19 we had 91,288. In 2019-20 we had 90,098. And then in 2020-21, we had 87,696.

**Mr DAVID HARRIS:** That's the reduction that I was thinking of.

**TAREK BARAKAT:** It has increased since last financial year, but over the longer term, it has come down.

**Mr DAVID HARRIS:** It has gone down.

**Ms CATE FAEHRMANN:** Minister, how many machines are too many poker machines, in your view, in terms of trying to reduce the harm from poker machines?

**Mr DAVID HARRIS:** That will be for the panel to direct us on. I think you're asking me how long is a piece of string.

**Ms CATE FAEHRMANN:** Is it in the panel's terms of reference to look at the number of poker machines that the State ideally should have to limit harm from gambling?

**Mr DAVID HARRIS:** That is my understanding, but they also have the clause on any other matters they deem necessary. It's certainly in the road map. That will be looked into because, as I said, their direction is to look at all of those issues.

**Ms CATE FAEHRMANN:** So you're expecting them to come back to you with an ideal cap of how many poker machines New South Wales should have?

**Mr DAVID HARRIS:** I don't think you can have an exact number. I think that's not reasonable. In a gaming room you may have a whole set of machines that sit there and nobody plays. It's all about activity on machines. It's not about number of machines. I think there's a figure—and Tarek might correct me—that with Victoria they have fewer machines but in some venues their activity is actually higher. So it's not about the number of machines; how often people are using them is the issue.

**Ms CATE FAEHRMANN:** Yes, in terms of how often people are using them, I think the figure in the last six months of the last financial year was people losing not just what they are putting in but losing \$3.9 billion to pokies. That's probably too much, isn't it?

**Mr DAVID HARRIS:** That's what the gaming panel is looking at.

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**Ms CATE FAEHRMANN:** But it probably is too much, isn't it, Minister?

**Mr DAVID HARRIS:** That's what the gaming panel is looking at. They're an independent group. If I'm out there making commentary, then I make their job a lot harder. They have to advise us.

**Ms CATE FAEHRMANN:** You surely set your direction for them and what the Government would like to see. In a cost-of-living crisis, the people of New South Wales lost \$3.9 billion on poker machines over six months. Will you admit that that's too much?

**The Hon. MARK BUTTIGIEG:** Point of order—

**The Hon. Dr SARAH KAINE:** Point of order—

**The Hon. MARK BUTTIGIEG:** The member is trying to elicit an opinion on the quantum of machines, when the Minister has clearly answered it by saying there's an objective analysis going on that will inform his decision. The question has been answered. This is badgering.

**The CHAIR:** I won't uphold the point of order. The member was pressing the point. The Minister was answering, but it was verging on becoming repetitious and then not courteous. I would encourage the member to be mindful of that as we proceed.

**Mr DAVID HARRIS:** The Government is responding to community concerns through the reforms we have already started putting in place, and the panel will guide us on what else needs to happen moving forward. But other than that, if you create an independent panel and then you're outside the panel setting parameters, you're putting pressure on them. They've got to decide. They're the experts, in both areas: industry and harm minimisation. That is what we've tasked them with. The terms of reference are clear on what their responsibilities are, and we will look at the road map when they produce it.

**Ms CATE FAEHRMANN:** Thank you, Minister. A broad principle—as Minister for gaming, is the independent panel meeting to, at some level, reduce what people gamble on poker machines in New South Wales? Is that any kind of direction for them in terms of reducing harm, or are we expecting them to come out with recommendations that don't reduce what people are losing in those machines every single day, which I think at last count across New South Wales was \$23 million every day?

**Mr DAVID HARRIS:** The terms of reference say the panel will make recommendations on the use of the \$100 million harm minimisation fund, which will help facilitate the 12-month cashless trial, implement recommendations from the trial, reduce gaming machine entitlements and fund harm minimisation programs. That's written into their terms of reference. That would be what we expect that they will report to us on, and we await their deliberation.

**Ms CATE FAEHRMANN:** Thank you. That's very useful, because I don't think anything in those terms of reference talks about reducing the amount that people are putting into poker machines. Which part of the terms of reference deals with that?

**Mr DAVID HARRIS:** I'd say harm minimisation.

**Ms CATE FAEHRMANN:** Harm minimisation, so that is—

**Mr DAVID HARRIS:** Educating people. It's not illegal to gamble in New South Wales but what we have to do is make sure that when people make a choice, they make an educated choice, understanding the consequences of their choice. That's what harm minimisation is about.

**Ms CATE FAEHRMANN:** I'm not saying—

**The CHAIR:** Ms Fachrmann, your time has concluded.

**The Hon. SARAH MITCHELL:** I just want to go back, Minister, to some of your responsibilities as Minister for Central Coast. My colleague, Abigail Boyd, has just joined me and I think she'll be interested in this particular issue around Wamberal Beach and the seawall.

**Mr DAVID HARRIS:** As a coastie, yes.

**The Hon. SARAH MITCHELL:** My understanding, Minister, is that, prior to the election, Labor had made promises to the local community that it'd stop the seawall. I think you said that the State Government had no plans to transfer public land. Last month you told Triple M again that Government had no plans to transfer public land and that you'd look into it. Do you recall that?

**Mr DAVID HARRIS:** Yes.

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**The Hon. SARAH MITCHELL:** Then on 16 October there was a response from Minister Scully in response to a petition that, I think, was lodged by Abigail Boyd, effectively making it clear that the public land along there is control of the council. Why did you commit to not having the seawall progress when, clearly, that's not what's happening in practice? What's going on?

**Mr DAVID HARRIS:** The only commitment that I made as the shadow Minister for the Central Coast during the election campaign was that we would review the decisions that had previously been made. It is quite complex, through my review of the situation. We didn't do a formal review; it was me and my staff checking with council and with different government departments and making sure we understood planning laws, et cetera.

**The Hon. SARAH MITCHELL:** So this is after you'd been sworn in as the Minister? This was your office?

**Mr DAVID HARRIS:** After I was sworn in as the Minister. We found that there is no proposal to build the seawall on land that is entirely owned by the public. There are some parcels of land, that we weren't aware of at the time, that were already under the management of council. It wasn't about transferring it; it was already under the management of council. They are responsible, as the Crown land managers, for the maintenance of that land. What we discovered was—as is the right of any private citizen and council, because it is in their coastal management plan that was approved by the previous Government in 2016—that they, as a strategy, could put in place a hard wall—there was a particular terminology for it, which I can't recall at this particular moment—and that they have the right to submit a DA. That doesn't mean it will be approved; it has to go through the independent planning process. What we've been saying since is that if a DA is put forward by the council—which it hasn't been yet—then under those planning processes put in place by the previous Government, the community will have the opportunity to put in their opposition to any proposal.

**The Hon. SARAH MITCHELL:** Do you oppose the seawall?

**Mr DAVID HARRIS:** I have said that I've had concerns for a long time—and it goes right back to the old Gosford council days—in terms of some of the decision-making around that part of the Central Coast. It's no secret that I've said that. I have concerns about the impact back onto the lagoon community and we continue to ask those questions of council. I've written to council about the issue. The fact is there's, I think, already six residents who have a DA to build a wall. It went to the Land and Environment Court and there was a mediation so they can start tomorrow. Any private citizen or council has the right to submit a DA, which will be assessed and if it doesn't stack up, then I would assume that it would be refused.

**The Hon. SARAH MITCHELL:** To be fair, Minister, what we're certainly hearing—and I'll do a shout out to my colleague Adam Crouch—is that the community is pretty angry because I think the clear messaging, coming from not just yourself but the Labor Party more broadly in the lead-up to the election, was that you guys wouldn't support it and you promised to stop it. Clearly if council owns that land or, as you say, individual residents do, I think that there is a fair bit of anger around that because you really don't have power to do anything, which is what you're saying now. The residents are going to do it or council owns that land, so there wasn't really much you could do, despite committing that you would you guys would put a stop to it. I think that politics is concerning local people.

**Mr DAVID HARRIS:** Well, you would understand that in opposition we don't have access to all the information. It's only when you get into government.

**The Hon. SARAH MITCHELL:** Yes, but you've got to be honest about what you going to do or not do.

**Mr DAVID HARRIS:** Yes, and we said that we wouldn't support a wall on public land but we can't stop people privately. Are you suggesting that we would tell private citizens that they not allowed to put in a DA to help protect their property when it's actually in the plan that your government approved back in 2016? You guys put the rules in place and the council's following the rules that were put in place, but now you want us to somehow intervene and deny people their rights?

**The Hon. SARAH MITCHELL:** No. All I'm saying is that there is concern amongst the community about what was said before and what is happening after.

**The Hon. JACQUI MUNRO:** Just on that, on 28 June the member for Gosford met with the Save Our Sand group and told them that the Central Coast Labor caucus MPs opposed the transfer of the beach land to the Central Coast Council for the council seawall DA.

**Mr DAVID HARRIS:** That's before we found out how the land was being managed.

**The Hon. JACQUI MUNRO:** So what's changed?

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**Mr DAVID HARRIS:** Well, we found out that the council was already the Crown land managers of the land and responsible, as the Minister wrote in the letter, for the maintenance of that land.

**The Hon. JACQUI MUNRO:** The member for Gosford said—she's also the Parliamentary Secretary—that the response to one of your questions on notice about the review into the seawall, No. 959, was "a bureaucrat's response, not the Minister's". Is that an appropriate way to characterise the responses that we get to these questions?

**Mr DAVID HARRIS:** I didn't see her comments so I don't want to comment.

**The Hon. SARAH MITCHELL:** Can I just come back quickly to the review? I think that was announced on 12 April. Is that the same one that you just said did within your office? Well, it's not a broader review—

**Mr DAVID HARRIS:** No, we didn't promise a formal review because the Minister or the shadow Minister responsible would have had to do a review, which I assume would have been done by the Minister of the Environment because they do coastal management, so we never made an election commitment around that.

**The Hon. SARAH MITCHELL:** No, but this is on 12 April. This is post-election.

**Mr DAVID HARRIS:** What we said was we would review all of the information to see what the situation was. That was the only commitment that I made, and that's what we've done.

**The Hon. SARAH MITCHELL:** My dates say that on 12 April—so post-election—you then said that you would do a review.

**Mr DAVID HARRIS:** Yes.

**The Hon. SARAH MITCHELL:** Was that just within your office and your staff? That's not a more formal formalised review of everything?

**Mr DAVID HARRIS:** No, we never committed to a formal review. We've made no commitment of funds to a formal review. We just said we would review the situation.

**The Hon. SARAH MITCHELL:** And that's happened internally within your office?

**Mr DAVID HARRIS:** Obviously we been corresponding with other Ministers, other departments and council to find out the full context of the situation.

**The Hon. SARAH MITCHELL:** Right, but no plans for a formal review. As far as you're concerned, that review is finished and done and that's it now?

**Mr DAVID HARRIS:** Well, there's an upper House inquiry going on at the moment and I would certainly encourage people to put in a submission to that. That is the processes of the Parliament. To do a formal review you would have to do a review into coastal management for the whole State and that's outside of my portfolio responsibilities.

**The Hon. JACQUI MUNRO:** Moving on to Veterans. Minister, in your publicly released ministerial diary disclosures I couldn't find any mention of a meeting with RSL NSW. You have three pieces of legislation under your remit as the Minister for Veterans—the Anzac Memorial (Building) Act, the Discharged Servicemen's Badges Act and the RSL NSW Act—yet you didn't meet with RSL NSW in your first three months as Minister.

**Mr DAVID HARRIS:** That's not correct. I met with the president of RSL NSW. I attended their congress meeting just recently and—

**The Hon. JACQUI MUNRO:** Was that in the first three months?

**Mr DAVID HARRIS:** The meeting with Mr James?

**The Hon. JACQUI MUNRO:** Yes.

**Mr DAVID HARRIS:** Yes, absolutely.

**The Hon. JACQUI MUNRO:** And that's disclosed in your ministerial diary disclosures?

**Mr DAVID HARRIS:** As far as I'm aware they are, or should have been.

**The Hon. JACQUI MUNRO:** How many times have you met with RSL NSW?

**Mr DAVID HARRIS:** Formally, as a whole council?

**The Hon. JACQUI MUNRO:** Yes.



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**Mr DAVID HARRIS:** I was—they'd just gone through an election and they'd got a new council, so, formally, I was talking directly with Mr James as the president of RSL NSW.

**The Hon. JACQUI MUNRO:** So how many times have you met with them?

**Mr DAVID HARRIS:** With him?

**The Hon. JACQUI MUNRO:** Yes, or the full council.

**Mr DAVID HARRIS:** The full council, once, which was just recently, in Newcastle. I've met with Mr James on a number of occasions at a number of events and through a number of phone calls.

**The Hon. JACQUI MUNRO:** So have you sat down with him to understand the priorities of RSL NSW?

**Mr DAVID HARRIS:** Yes.

**The Hon. JACQUI MUNRO:** What are they?

**Mr DAVID HARRIS:** Their priority is to modernise the organisation so that it is responsive to, particularly, younger veterans. They, through New South Wales RSL LifeCare, are working on their plan to make sure that there is sustainability in the sector and that they can support their different organisations. As you would know, it is a federated model. So in order for them to make changes, they have to get agreement from all of their councillors from around the State representing all the different sub-branches. So they are working on that model to make sure that they are, in the longer term—some of these RSL clubs hold large amounts of money, and they are getting older. So they are trying to improve governance, they are trying to improve accountability back to their membership, and they are also trying to make sure that they can continue to support the welfare of their membership over longer term.

**The Hon. JACQUI MUNRO:** On that, something to do with the welfare of their members and certainly the veterans community more broadly is the matter of incarcerated veterans. Veterans are not asked, when they go into prison, whether they are veterans or not. I'm wondering if you would commit to a process that ensures that veterans would be able to identify themselves and then receive appropriate support through their incarceration and then also upon release.

**Mr DAVID HARRIS:** It's a really important area. It came up in discussion at the meeting of veterans Ministers, and it is something that we will have a look at. Obviously it is not in my portfolio area directly, but there is also a request that it be put onto enrolment forms of schools. I am not averse to that, so I am certainly prepared to advocate for those things.

**The Hon. JACQUI MUNRO:** I understand there is a difference between RSL NSW and the clubs, but there is a lot of crossover, particularly with patronage, and I am wondering how you are managing that conflict of interest between your responsibility for veterans and your responsibility to gaming and racing in New South Wales, particularly with reports that one in five veterans addicted to gambling have tried to commit suicide, which is in a recent study that came out?

**Mr DAVID HARRIS:** That is why we have been putting so much money into harm minimisation—why we have made the extra commitment.

**The Hon. JACQUI MUNRO:** But there are more poker machines.

**Mr DAVID HARRIS:** We understand it is an issue and we are not blind to it. Part of our strategy is to make sure that there is that support, and we are doing that not just through our support for harm minimisation. You may or may not be aware that, in partnership with the Federal Government, there are veterans' hubs being set up across the State, and part of their role is to make sure the welfare of veterans is looked after across a whole range of issues like mental health. The suicide levels are unacceptable. We're making sure that there are those interventions in place.

**The Hon. JACQUI MUNRO:** Would there be a specific component of the review that you are doing as Minister for Gaming and Racing that refers to veterans and harm minimisation?

**Mr DAVID HARRIS:** Probably broadly, in the sense of what work the hubs will do, but they are only very new. There is only one operating at the moment, in Nowra, and the others are being rolled out. Once that happens, we will be able to look more wholly at the issue.

**The Hon. JACQUI MUNRO:** They are federally funded, though.

**Mr DAVID HARRIS:** They are federally funded, but they are done in partnership with the NSW RSL and LifeCare. I have a veterans round table on 3 November on the Central Coast, at Wamberal, and they are the

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sort of issues that we are discussing. A lot of these issues fall into the federal sphere, so we have had the Federal Minister visit the Central Coast as well. We want to work in partnership with the Commonwealth and the Department of Veterans' Affairs to see how we can complement the work they do. Some of the things you're suggesting are currently looked after by the Federal Government specifically. But if there is the opportunity for the New South Wales Government to assist with that, we will certainly be open to looking at it, including if there was federal funding available to help with some of these things, then we can assist with rollout and implementation.

**The Hon. SARAH MITCHELL:** In relation to ILGA, I note that the budget papers show there is a 9.7 per cent decrease in the budget from the last financial year to the next one. In 2022-23 it was a \$5.4 million. In 2023-24 it is down to \$4.9 million. What are those savings? How have you found that \$500,000 cut?

**Mr DAVID HARRIS:** I might hand over to the secretary to answer that one.

**ELIZABETH MILDWATER:** I can get you that detail on notice, but I think the prior year was in the year before the NICC was stood up and while the external reviews and inquiries were underway. So the ILGA budget would have included funding that covered those things. In this current year the NICC and the ILGA are split out and it's just the operational budgets. If it would help, we can get you the detailed breakdown.

**The Hon. SARAH MITCHELL:** That would be good.

**ELIZABETH MILDWATER:** That would be the reason for it. We haven't reduced the funding of the underlying operation.

**The Hon. SARAH MITCHELL:** So your overall funding, in terms of your operation, hasn't changed. It's that difference.

**ELIZABETH MILDWATER:** It has not changed, no.

**The Hon. SARAH MITCHELL:** If you could get that on notice, that would be very helpful. Minister, can you walk us through the \$100 million fine for The Star casino? My understanding is that you have committed 50 per cent of that to harm minimisation. What is the intention with that money and where is that up to?

**Mr DAVID HARRIS:** We are using the \$100 million from the fine imposed on The Star casino to directly fund harm minimisation initiatives. Under the legislation, a pecuniary penalty is payable as a debt to the Crown. To date, The Star has paid 60 per cent of the penalty and the remainder is to be paid by 29 December 2023. Those funds are going to the Responsible Gambling Fund.

**The Hon. SARAH MITCHELL:** The entirety of that money will go to the Responsible Gambling Fund?

**Mr DAVID HARRIS:** It's extra. It's \$10 million—

**TAREK BARAKAT:** I can speak to the breakdown if you would like.

**Mr DAVID HARRIS:** Yes.

**TAREK BARAKAT:** The \$100 million has been committed, as the Minister said. This financial year, in the most recent budget, \$3.4 million of that is to support the independent panel to undertake the trial and advise Government on the recommendations

**The Hon. SARAH MITCHELL:** That is \$3.4million of that?

**TAREK BARAKAT:** That is \$3.4 million. Then there is \$6.4 million over the forward estimates to implement Government's commitments around facial recognition and third party exclusion in pubs and clubs. Then there is \$10 million that has gone into the Responsible Gambling Fund for the fund to determine how best to spend on harm minimisation initiatives. The balance is about \$21.7 million over the forward estimates, and that will be used to implement the recommendations of the independent panel. So that money has been committed in the budget over the forwards, and it will be used to implement whatever recommendations the Government accepts or the panel provides to Government in relation to gambling reform.

**The Hon. SARAH MITCHELL:** So \$21 million of that will go to the recommendations of the panel. Is that what you said?

**TAREK BARAKAT:** That is \$21.7 million over the forward estimates. It is \$65 million over the forwards, with the balance of about \$15 million from the \$100 million total in the planning years. So the whole \$100 million has been committed to—

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**The Hon. SARAH MITCHELL:** But not all of the \$100 million is harm minimisation, from what you are saying. Some of it has gone to facial recognition technology or setting up—

**TAREK BARAKAT:** That's in this first year. There is \$3.4 million to the panel, \$6.4 million to the facial recognition and third party exclusion and \$10 million to the RGF. The balance will be spent according to the recommendation of the independent panel.

**Mr DAVID HARRIS:** We would argue that facial recognition and those sorts of things—there's still a wider discussion to have about that—is actually around harm minimisation, and it will help that third party exclusion process.

**The Hon. SARAH MITCHELL:** Mr Barakat, I know you have just answered it but, on notice, could you give us a full breakdown of that \$100 million, what is going where and over which period of time? That would be really handy.

**TAREK BARAKAT:** Yes, no problem.

**The CHAIR:** Will you will take that on notice?

**TAREK BARAKAT:** I will take that on notice.

**The Hon. JACQUI MUNRO:** I just quickly wanted to note that, in your diary disclosures, no such meeting is present.

**Mr DAVID HARRIS:** Right.

**The Hon. JACQUI MUNRO:** Are you confident that you had that meeting within the first three months of you becoming Minister? Your diary disclosures are not accurate?

**Mr DAVID HARRIS:** I would have to check on that, but I definitely met with Mr James.

**The Hon. JACQUI MUNRO:** Could you just take on notice to check the accuracy of your diary disclosures because it's obviously a fundamental part of how we ensure accountability for our Ministers.

**Mr DAVID HARRIS:** Yes. It may have slipped through because I often have coffee with Mr James and—you know, on getting his advice et cetera—I don't necessarily do it in a formal way, so—

**The Hon. JACQUI MUNRO:** Do you think it's important to ensure—

**Mr DAVID HARRIS:** —in future I will make sure that our coffee dates are in there.

**The Hon. SARAH MITCHELL:** Be more diligent. If you speak about policy matters you actually have to disclose them, coffee or not.

**Mr DAVID HARRIS:** Fair enough.

**The Hon. JACQUI MUNRO:** That's right; it's a requirement.

**Mr DAVID HARRIS:** I'll be properly guided.

**The CHAIR:** Minister, the New South Wales Government has a commitment to Closing the Gap, and particularly the priority reform areas. Significant education within government agencies is critical to ensure the Government is upholding its obligations under the National Agreement on Closing the Gap. What mechanisms have been implemented to educate staff on Closing the Gap across all levels of government?

**Mr DAVID HARRIS:** I'm not sure we've got enough time. There's a whole range of initiatives behind the scenes in terms of engagement across government. One of those I mentioned earlier, which is the quarterly reporting. The Premier has committed to meet with the Closing the Gap council on a quarterly basis and I co-chair that council. There is a working group within Premier and Aboriginal Affairs, and a whole other group is fully engaged on looking at how government will implement the Closing the Gap targets. Now, in terms of your question about education across departments, that will be part of the process. At the moment it's the machinery issues that are being put in place and they are pretty extensive. I'm not sure if the secretary wants to talk specifically about it, or the deputy secretary?

**SHANE HAMILTON:** Each of the government departments meet, and we coordinate that, as Aboriginal Affairs. There are quarterly meetings and regular updates. We have our implementation plan, which includes all government departments that have responsibilities under Closing the Gap, and we're in constant contact and communication with each of those departments that have responsibility for that.

**SIMON DRAPER:** Perhaps, Chair, the only thing I'd add is that we've included Closing the Gap as one of the core elements of the Secretaries Board terms of reference as well.

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**Ms ABIGAIL BOYD:** I'm really glad that the questions about the seawall have already been covered, so can I just clarify—we've got those six parcels of land—I think it was six?

**Mr DAVID HARRIS:** Five. I think it's five.

**Ms ABIGAIL BOYD:** Five that there was concern about being transferred. Is what you're saying that that was not actually a transfer, it was already sitting with council?

**Mr DAVID HARRIS:** That's what we've discovered, yes.

**Ms ABIGAIL BOYD:** So there was no transfer or no approval of that transfer from Mr Scully?

**Mr DAVID HARRIS:** No, so the Government has not sold or moved land. It is still Crown land, but, like a lot of Crown land, it is managed by a Crown land manager, and in this case it is council.

**Ms ABIGAIL BOYD:** Was there any approval involved in that land from Minister Scully in the last however many months you've been in government?

**Mr DAVID HARRIS:** That's a question for Mr Scully, I am sorry.

**Ms ABIGAIL BOYD:** Okay. What I understand you were saying in response to my colleague's questions is that there's basically nothing you can do now because there's a DA process, but you also said that these rules were put in in 2016 by the previous Government. You're now in government. We have a council under administration, which is not democratically elected. We have laws that can now be changed through Parliament, should you so wish. It's not true to say that you can't do anything about this; you could pass a law, with the consent of the rest of the Parliament—

**Mr DAVID HARRIS:** Yes.

**Ms ABIGAIL BOYD:** —in November, to stop a seawall being built at Wamberal, couldn't you?

**Mr DAVID HARRIS:** That's a question for the Minister for the Environment, who looks after coastal management. Look, all I can say is that, in our discussions with council, they have a plan of management, a coastal management plan, that says that this is what they can do. The previous Government put in place an expert panel which made a recommendation that this is what should happen and the council, through the administrator, moved a motion that any work can only happen on private land. Our understanding is that's what they're proceeding with. It's very, very hard. As I said, tomorrow I think six of the landholders can start building a wall, and you can't retrospectively move legislation that says, "No, now you can't do it", because that was a decision of the Land and Environment Court.

**Ms ABIGAIL BOYD:** They haven't even put in their plans, have they?

**Mr DAVID HARRIS:** No.

**Ms ABIGAIL BOYD:** So that's not going to happen tomorrow, so you will have time.

**Mr DAVID HARRIS:** Yes. Look, you'd have to ask the Minister for the Environment because all of these things have implications. It's bad practice to move legislation for specific places, unless it's absolutely crucial—

**Ms ABIGAIL BOYD:** I think the residents would argue it's crucial.

**Mr DAVID HARRIS:** There would be members with areas in their electorates that would be having similar issues. It's an issue that government has to look at more widely. I have to say we looked at it in 2010 and the then Opposition initially gave bipartisan support and then withdrew it and played politics with it, and it got scuttled. And then the previous Government sat there for 12 years, they approved the plans and council is doing what the plans say. We can't direct council what to do either because it's independent. They've made decisions based on court rulings and a whole range of things, so it's just a really, really terrible situation that we've been left with.

**Ms ABIGAIL BOYD:** It is. You know as well as I do that the 2017 government report that actually considered the different alternatives with different walls or no wall very clearly came out favouring no wall as being the best thing for the future of Wamberal. But the council's subsequent report and considerations only considered what type of wall, rather than whether there should be a wall at all. When the process is so flawed, what do you expect residents to do, other than to come to you and ask you to intervene?

**Mr DAVID HARRIS:** Yes, and what I've said is they have to submit their objections to the process. You can't have an independent process, you know, and then say, "Oh, by the way, don't use it." If people want to

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put their objections in, they do. You've got to remember too that the response from the previous Government when those storms hit in, I think, 2020 or 2019 was to put together the expert panel, which recommended the wall.

**Ms ABIGAIL BOYD:** Yes.

**Mr DAVID HARRIS:** So that's what we're left with. I mean I'd love to say we can come into government and fix all the previous Government's problems in seven months but, you know, it's not realistic.

**Ms ABIGAIL BOYD:** I will move on in the time available. I wanted to ask you about Wentworth Park. I understand that the lease for the Wentworth Park track is ending in 2027.

**Mr DAVID HARRIS:** Correct.

**Ms ABIGAIL BOYD:** Has the Government already been looking at identifying alternative venues? What is the status of that?

**Mr DAVID HARRIS:** My current understanding is that there have been some very superficial discussions and that we haven't actually got a clear indication, in terms of in writing, from GBOTA and Greyhound Racing NSW of what they want to do. We've had discussions—as I said, very superficial—but that's something that we will be turning our mind to. It covers a lot of portfolios, so that discussion will be in conjunction with a number of other Ministers and departments.

**Ms ABIGAIL BOYD:** There were three serious injuries of greyhounds recorded at the Million Dollar Chase this year. Why is the Government still funding it?

**Mr DAVID HARRIS:** It's an industry that is not illegal and that we're—

**Ms ABIGAIL BOYD:** It might not be illegal, but does it need your help?

**Mr DAVID HARRIS:** It was a decision that racing would continue. Our job, and my job as Minister, is to make sure that we have a very, very serious eye to animal welfare. All the discussions I have with GWIC, with Greyhound Racing NSW and GBOTA are about animal welfare. They know that it is a keen interest of mine. We have to make it as safe as we can.

**Ms ABIGAIL BOYD:** You were reported as being within the TAB tent, I think, at The Everest race?

**Mr DAVID HARRIS:** Yes. About 7½ minutes, yes.

**Ms ABIGAIL BOYD:** Do you think there is an inherent conflict of interest in having responsibility for both the gaming and the racing industries when it comes to adequately regulating the gambling companies?

**Mr DAVID HARRIS:** No, I don't. I have to talk to all the participants. I talk to participants and I talk to harm minimisation people and I seek advice from the different departments and the different organisations. That's my job as Minister. I don't think there is inherent conflict. You're not doing your job if you're not talking to all of those different organisations. They, of course, have their own view of the world and you have to put that in the context of everybody else's view of the world. My job at the end is to, if you like, be the adjudicator and take forward a policy that's reasonable and sensible. I am very risk averse, and so I always try to make sure those processes are quite robust.

**Ms ABIGAIL BOYD:** In relation to Greyhound Racing NSW's culture, there have been some reports of an exodus of staff, and some grievances lodged by employees with Fair Work Australia. What have you been doing as Minister to ensure that the culture of Greyhound Racing NSW is appropriate?

**Mr DAVID HARRIS:** Unfortunately you missed the discussion earlier. As soon as I was made aware of concerns, I immediately wrote to the board of Greyhound Racing NSW. They instituted an independent review of the complaints and I received, yesterday, a letter back from them. They didn't waive their legal right over the report, so I can't talk about what's in it, but they are responsible directly for staff and I have made it clear to them that if there were issues they need to take action. They have done that. There are still some of those complaints ongoing, so it would be inappropriate for me to comment further than that.

**Ms ABIGAIL BOYD:** I will just ask one final question and then hand over to my colleague. You have a real hotchpotch of different portfolios. But when it comes to medical research, what is the status of the review of the code and the relevant legislation?

**Mr DAVID HARRIS:** Sorry?

**Ms ABIGAIL BOYD:** Sorry, I will say that again, because that was not very useful. The NHMRC code for the use of animals has not been reviewed in 10 years. It's in need of urgent review. Are you supporting that review and what are you doing in the context of legislation when it comes to medical research?

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**Mr DAVID HARRIS:** I understand that's outside my portfolio. But I'll hand over to Jean-Frédéric—

**Ms ABIGAIL BOYD:** Whose portfolio is it in?

**JEAN-FRÉDÉRIC LEVESQUE:** It's the Department of Primary Industries that regulates within New South Wales the welfare of animals, but we are coordinating with the NHMRC around various policies that relate to health and medical research. We don't duplicate what is already in the policy from NHMRC on our website, but we are participating in various committees and, of course, are supporting the committee discussions with evidence reviews around an alternative to the use of animals in research through our work as well.

**Ms ABIGAIL BOYD:** Thank you. I hand over to Cate.

**Ms CATE FAEHRMANN:** Minister, I just wanted to turn to the ClubGRANTS scheme again. Is it your understanding or your view that a review of the ClubGRANTS scheme will look at what seems to be an unfair weighting to category 2 expenditure within that grant, which can go to professional sporting bodies such as league clubs, and give more weighting to category 1?

**Mr DAVID HARRIS:** We are about to release the terms of reference for that review. It's a review that is being done in partnership with Treasury and the Cabinet Office, and they will be looking at all of those sorts of issues. Again, I would encourage people to make submissions to that review. A commitment that we made to NCOSS, very soon after being elected, in my first meeting with them, was to undertake a review because, as you would know, they had walked away from the process under the previous Government. We want to make sure that the system, if it continues to operate, operates in a fair way. So that is certainly within the terms of reference.

**TAREK BARAKAT:** Ms Faehrmann, I can add that the terms of reference are actually published now. They are on our website. It has only been recently, so you might not have had a chance to look at them yet, but they are available now for all to see. So the next steps for us will be to finalise a discussion paper and then get that out for public consultation, probably before the end of next month. We anticipate that that would be open for a number of months, probably up until at least the end of February, to give people the time to make those submissions.

**Ms CATE FAEHRMANN:** Right. Minister, what has been happening is that some of the very wealthy leagues clubs, such as—the Canterbury-Bankstown Bulldogs Rugby League Club has basically been getting millions of dollars each year given to them by Canterbury League Club under the guise of this community grant. Does that seem fair to you when other community groups within that same area might get, say, \$5,000?

**Mr DAVID HARRIS:** Interestingly it wasn't just NCOSS that raised concerns. There were actually other industry members that raised concern about some of the practices. That is why we are having the review. We will come back after that review with a set of recommendations and the Government will look carefully to make sure—and I know the Treasurer is deeply committed to this—that there is actual value for money that is getting to the right places and that the scheme, if it continues, will continue in the way that the community would more broadly expect.

**Ms CATE FAEHRMANN:** In terms of the broad expectations of the community, are you saying that would be that Canterbury Bulldogs, for example, who had a consolidated entity profit last year of \$10 million, also gets a tax-free grant of \$2.6 million that same year? That's what you mean by community expectations should drive change in this area?

**Mr DAVID HARRIS:** I'm not going to talk about individual cases here today, but what I say to you is we have heard, loudly, that there are concerns and we are doing a review because of that.

**Ms CATE FAEHRMANN:** So we can expect some changes, but you're saying this doesn't meet community expectations of what ClubGRANTS should be? Don't even talk about an individual—

**Mr DAVID HARRIS:** I'm sure the review will show us that there needs to be changes, and we will look at those recommendations and make the decisions then.

**Ms CATE FAEHRMANN:** Sure, the review will say there needs to be changes. But from your view, as a Minister, several millions of dollars going to these wealthy leagues clubs from community grants, that is what you mean by it doesn't meet community expectations?

**Mr DAVID HARRIS:** As I said, I've had a number—not just that, a number of issues raised with me. That's why we've put in place this review. I spoke very early on with the Treasurer and we gave the added, I suppose, parameter that the cashless gaming panel can also look at ClubGRANTS as well. That was a commitment we made, so I am sure they will have input as well. I am not going to talk more broadly than that, other than to say that this scheme has been operating for a long time. In a sense, it was getting tired and some

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people were pushing the parameters. That's why we're having a review, because we understand that there is a different expectation.

**Ms CATE FAEHRMANN:** Okay, well, given that you're putting everything into the review and don't seem to have Government policy on it, let's hope that that review receives submissions from the community and not just the industry.

**The Hon. Dr SARAH KAINÉ:** Point of order—

**The CHAIR:** A point of order has been taken.

**The Hon. Dr SARAH KAINÉ:** The member has asked the same question of the Minister several times and has received an answer. Failing to get the answer she wanted, she is now badgering the witness and trying to put words in his mouth. I ask that you request that she refrain.

**The CHAIR:** I uphold the point of order. It's been going very nicely until now, so we'll just remember to be courteous to the witnesses and allow them to answer the question in the way they see fit, without interjecting. Ms Faehrmann, you've got 38 seconds left—no, 36, 35, 34.

**Mr DAVID HARRIS:** Chair, I was just going to add that the assertion that we don't have any policies is clearly wrong because in the interim we've made changes to the guidelines that went out just recently. We've already acted, but we then had committed to that more wideranging review and we will await the recommendations that come back from that review. It includes everyone. It was actually at the request of NCOSS.

**The Hon. STEPHEN LAWRENCE:** Minister, returning to your Aboriginal Affairs portfolio, as someone who worked for many years in an Aboriginal-controlled community organisation, I'm particularly interested in knowing what the Government is doing to support Aboriginal-controlled organisations.

**Mr DAVID HARRIS:** Aboriginal Affairs NSW administers a number of grants that support Aboriginal-controlled organisations, and under Closing the Gap there's what's called Community and Place Grants Program. It aims to deliver tangible local benefit and impact to Aboriginal communities against the Closing the Gap socio-economic outcome targets. It recognises that Aboriginal communities have local solutions to problems or issues within their community. I think that's a really important grant program. It shows the commitment to Closing the Gap and understanding that self-determination and the research that shows that where Aboriginal organisations are delivering programs to their own community, there are better outcomes. That's a really important program for those Aboriginal-controlled organisations.

In the 2022-23 grant round, there were 268 applications and 143 organisations were awarded funding totalling over \$20 million. The second round of Community and Place grants, which we were able to announce at the Koori Knockout recently in my electorate at Tuggerah, commenced on 2 October with \$10 million of \$15 million allocated in the last budget. Successful applicants will be advised from May 2024 and the projects will be delivered from 1 July 2024 to the following year. An innovation fund is under development with the remaining \$5 million. We really want to support Aboriginal-controlled organisations. It's a key part of Closing the Gap and they need to deliver the programs they need on the ground. They need support, so we're really pleased to be able to offer those grants to support the hard work being done in communities right across the State.

**The Hon. STEPHEN LAWRENCE:** Thank you, Minister. Moving then to private sector activity, what is the Government doing to support Aboriginal businesses?

**Mr DAVID HARRIS:** This is a really exciting area. I was actually out at the NCIE this week and we were joined by our colleagues from across the ditch, the Maori businesses, to talk about how Indigenous businesses can engage in exporting. It was the fourth business roundtable. There have been a number of other ones—one focusing on local government, one developing the business road map—and it's all part of understanding that a key part of Closing the Gap—and New South Wales is the only jurisdiction that has priority No. 5, which is around economic development—is supporting Aboriginal businesses. It's one of the biggest enablers of improving all of our outcomes. If you're employed or you own a business, you're more likely to have better education, health outcomes, housing outcomes right across the board. We're really pleased that New South Wales has that fifth priority reform.

There's been \$10 million allocated over four years and there's \$1.73 million that was committed in the current budget. The roundtables have been really important, not just for networking across Aboriginal businesses but also to hear concerns around a range of issues about how difficult it is to do business if you're an Aboriginal business owner, particularly those businesses in rural and regional New South Wales. Earlier this year I went to Dubbo and spoke to people out there. But the other side of it is to learn about the amazing Aboriginal businesses that are out there. At the roundtable this week we heard about Cooee Cookies. Those cookies, apparently, anyone can eat, even if you're vegan, vegetarian, you've got different allergies and things.

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**The Hon. JACQUI MUNRO:** Gluten free.

**Mr DAVID HARRIS:** Apparently, anyone can eat them. They have Aboriginal flavours and they've just recently gone to a trade show and potentially have tens of thousands of orders. This is a mum who set up this business and it's just growing exponentially. I know that currently they're manufactured in Tullamarine but they're actually in discussion with Regional NSW and moving their production to Gosford on the Central Coast. That was good news, too, that I learnt at that. The other big thing we announced at that particular roundtable was the Aboriginal Business Taskforce and that's designed to provide independent advice, develop strategic approaches and coordinate and drive initiatives under priority reform No. 5. Expressions of interest are open for that, and for all the thousands of people who are watching the broadcast today—

**The Hon. SARAH MITCHELL:** Hundreds of thousands, surely.

**Mr DAVID HARRIS:** —we encourage them to go to the Aboriginal Affairs website and register their interest to be part of that advisory group.

**The Hon. MARK BUTTIGIEG:** Minister, can I just ask by way of clarification? The answer you gave in that line of questioning on the Wamberal sea wall—the upper House inquiry you referred to, I understand, is about the planning system and climate change impacts. Is that the one you're referring to?

**Mr DAVID HARRIS:** That's the one I'm referring to, yes.

**The Hon. MARK BUTTIGIEG:** Okay, great. Thanks.

**Mr DAVID HARRIS:** Thank you for the clarification.

**The Hon. MARK BUTTIGIEG:** I think there may have been some ambiguity surrounding the question over the funding for the racing industry. The racing industry is fully self-funded, isn't it?

**Mr DAVID HARRIS:** Self-funded. That's correct.

**The Hon. MARK BUTTIGIEG:** Okay. The terms of reference for the clubs grants inquiry—I understand that's been published on the website. Is that right?

**Mr DAVID HARRIS:** Yes. Tarek corrected me. They have actually gone up. It must have been in the last little while.

**The Hon. SARAH MITCHELL:** Very helpful.

**Mr DAVID HARRIS:** It's good that they're up there. We really want to get that inquiry moving and get the results back.

**The Hon. MARK BUTTIGIEG:** Great. Thank you, Minister.

**Mr DAVID HARRIS:** Can I also clarify this thing about Ray James? I serve as the Chair of the memorial trust and Ray is one of the trustees. A lot of the meetings or discussions I have with people is when I'm at events, but the actual meeting—it was the coffee one and it was across the road at Chifley—was after 30 June so it will be in the next lot of disclosures—I'm corrected. But Ray as the president of the RSL obviously attends all of the commemorative events that I attend as well. At those events, we have informal discussions with other board members from RSL, et cetera. We do talk all the time.

Do I need to have a formal sit-down just so that it's recorded properly? I find it more valuable, actually, talking to people when an opportunity comes up. It's when you get the best information and it also means that I'm responding directly to their concerns. Ray can ring me any time of the day or night and so can the new president, Mick Bainbridge—congratulations—who's just been elected, as a former Afghanistan veteran, and I will have that same invitation to him. I suppose I'm a bit casual—you'll probably see today. It's the way that I am, but I'm very much across what I do and I talk to people all the time. If you want me to sit down and have a formal meeting so it's recorded in the diary, we can do that, but I'd rather make sure that I'm constantly in contact with people. The commitment I made in politics is that I'm always available. Probably, my staff would tell me too many people have my phone number, and a lot of people use it, including the shadow Ministers, which I welcome as well, because decision-making in my portfolios—I've said this publicly—should be bipartisan. They're too important across all of them. I welcome the input from the shadows and I talk to former Ministers. I value the contribution they have in helping me to do my job better.

**The Hon. Dr SARAH KAINE:** Minister, I have a question to do with licensed venues. I just wanted to know a bit more about what the Government is doing to address and prevent drink spiking in licenced venues.

**Mr DAVID HARRIS:** It's a really, really important area. We actually had a petition debate in the Parliament earlier this year. I have to admit—I have two 20-year-old daughters—it wasn't something that I had



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thought about a great deal, but I was very much educated there. We made the commitment, after meeting that group, that we would look at that area. I know the police Minister too is very much committed to this, because we had a discussion about it. The Government, through its reforms and the Minister for the night-time economy, the Hon. John Graham, obviously demonstrates the Government's commitment to having a vibrant night-time economy. But part of that is making it safe. Part of that is making sure that people aren't exploited. So we have to proactively address issues such as drink spiking, through improved education, training and awareness. Staff and security personnel who work at licensed premises are required to take Responsible Service of Alcohol training. The content for the training course on drink spiking is currently being updated. So we've listened to what people have said and that curriculum is being improved.

Liquor and Gaming NSW, with support from the New South Wales police, developed a campaign to raise awareness of drink spiking in licensed venues. The Think Safe to Drink Safe campaign has been relaunched on 11 October, with an invite to all venues to roll out the expanded creative assets and content to help educate their staff and patrons about how to protect themselves and their friends. We encourage people to be alert and be aware and look after themselves. But this is a message for friends: look after the people that you're out with. Don't leave drinks unattended. But, if you have trouble, then certainly talk to staff at venues. If there is an instance where things have gone really wrong, then please report it to police. I think this is a hugely unreported crime. We need people to actually be reporting it to make sure that there's a proper response overall.

**The Hon. Dr SARAH KAINE:** Thank you, Minister. I guess, maybe on a more positive note to end—I know there will be crossover with other Ministers. What's the Government doing in the approach to promoting a balanced, vibrant hospitality sector?

**Mr DAVID HARRIS:** One of the benefits I had, when we were in opposition, was spending a lot of time with the Minister for good times, the Hon. John Graham, who's very, very passionate about this area. There's been an announcement just recently of the Government's commitment to introducing those vibrancy reforms but in a way that is safe. This is all around safety and making sure that, when we encourage people to go out and have a good time, they do so in a safe way and that they can do it in a secure way. We're looking at a whole range of reforms—from hospitality, live music, entertainment and cultural sectors, to encourage a vibrant economy.

I want to thank the department for the work that they've done. They've been heavy lifters on these reforms. Their knowledge and expertise have been absolutely vital in making sure that we are putting forward some really good reform. We want to make sure that venues have their red tape cut so that they can get on with the business of actually entertaining people. We want to make sure there are precincts where people can go safely and enjoy being out and around. Of course, that flows back into the economy. But we also want to make sure that at the forefront of our thinking is harm minimisation. So we have to understand that this has to be done in a safe way. That's why the Hon. John Graham has particularly been looking at how we improve venues to have live music, by offering incentives for those venues.

One of the big things we're doing is streamlining the noise regulation for licensed venues. That's not taking the rights of people to be able to live a peaceful lifestyle but it has to recognise that some venues have been in place for a long time and that they should be allowed to do their business, as long as they're doing it in a respectful, positive way. I think these reforms are going to be absolutely fantastic. The Central Coast and Newcastle and Wollongong have now been included under the 24-hour commissioner. We're looking forward in the regions to having reforms rolled out, as well. I think a big part of our economy is people having the ability to go out, listen to live music, relax and enjoy their local environment.

**The CHAIR:** Thank you very much, Minister. The time for questioning is over. We very much appreciate your testimony this morning. Thank you for attending. We have finished with the questioning now. Any questions taken on notice—you will receive a transcript that highlights those. We will now break for lunch and reconvene at 2.00 p.m.

**Mr DAVID HARRIS:** Thank you, Mr Chair. I thank all of the Committee members.

**(The Minister withdrew.)**

**(Luncheon adjournment)**

**The CHAIR:** The time being 2.00 p.m., we will reopen the Portfolio Committee No. 1 budget estimates hearing. We will begin with questions from the Opposition.

**The Hon. SARAH MITCHELL:** Thank you, Chair. I want to start back on the issue around Closing the Gap and the LECC report. Obviously I appreciate that the LECC is an independent agency, but I want to get some clarity or information on what the relationship is like between Aboriginal Affairs within the Premier's

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Department and the police as an organisational wing around Closing the Gap targets. Are there regular meetings or discussions? How does that work in terms of those issues? I am happy for either Mr Draper or Mr Hamilton to answer—whoever is best placed.

**SHANE HAMILTON:** I am happy to answer that. I might just start by talking about the structure.

**The Hon. SARAH MITCHELL:** Yes, I was going to get to that.

**SHANE HAMILTON:** Within the structure of the implementation of Closing the Gap within New South Wales, we have a joint council which is joint-chaired by the Minister and the CAPO co-chairs. The members of that are the secretaries of each of the departments and myself as deputy secretary and the CEO of the New South Wales Aboriginal Land Council, and then obviously other CAPO members. Then there's a partnership working group, which has a government representative and a CAPO representative. I actually chair that meeting. We have other deputy secretaries, CAPO reps and local government and NCARA representatives there. Then there's a number of different officer-level working groups depending on the different priority reforms and the different pieces of work, and the police are part of those.

**The Hon. JACQUI MUNRO:** What are the different responsibilities between the joint council and the partnerships level?

**SHANE HAMILTON:** At joint council it is the Minister and the CAPO chairs, and then the secretaries of each of the departments, and then CAPO memberships.

**The Hon. JACQUI MUNRO:** Kind of like higher level decisions are being made there that are then implemented?

**SHANE HAMILTON:** Yes.

**The Hon. JACQUI MUNRO:** And then the partnerships groups are more about that implementation, to a degree?

**SHANE HAMILTON:** Yes, officer level is that implementation at a department level and a CAPO membership level.

**The Hon. SARAH MITCHELL:** I take from what you're saying that there is a lot of interaction and engagement. If a particular issue was to arise in a certain portfolio area, that is quite constant communication—that those meetings would occur and that working together happens frequently, from what you've said.

**SHANE HAMILTON:** Yes. In addition to that—what I just outlined is Closing the Gap, but we also have local decision-making, and the police are part of local decision-making. Particularly around accords, where they are working directly with those local decision-making alliances, there is interaction with the police on those as well.

**The Hon. JACQUI MUNRO:** Just on that local decision-making aspect, obviously on the website it says that it is being reviewed at the moment. What is the review and how long is that going to take to occur? How deeply does that go, that review?

**SHANE HAMILTON:** We've finished the review on local decision-making, and we're obviously re-engaging with each of the alliances. We've got nine of those across the State. It is just a reset on that relationship; the funding continues. And really around aligning the work of local decision-making and how it lines up with Closing the Gap. The best way to—sort of how it works, really, is local decision-making is those organisations and people on the ground within community working through whatever their particular issues are from a local decision-making perspective and then feeding that up into the local decision-making process. But what we've done is looked at the work that they do in local decision-making and how it aligns with Closing the Gap. They are coming from a ground-up perspective and really Closing the Gap, through CAPO, is at the organisational level.

**The Hon. SARAH MITCHELL:** Making sure that each are listening to the other in terms of the way that that is working.

**SHANE HAMILTON:** Yes, the voice is coming through local decision-making, but also what you find on the ground is actually organisations are members of CAPO and of local decision-making.

**The Hon. SARAH MITCHELL:** Yes.

**SIMON DRAPER:** Sorry, I'll just add to that. I mentioned earlier that the Secretaries Board now has in its terms of reference Closing the Gap as one of the key themes for that body. It certainly doesn't supplant the structure that Mr Hamilton was just describing, but just to confirm that the police commissioner is also a member of that body as well.

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**The Hon. JACQUI MUNRO:** How often is that joint council meeting?

**SHANE HAMILTON:** Quarterly, I think it is. Yes.

**The Hon. JACQUI MUNRO:** Do you think that is enough?

**SHANE HAMILTON:** The other one I didn't mention is there's a national one as well, which the Minister attends and obviously CAPO attends as part of the national peak conversation.

**The Hon. JACQUI MUNRO:** So you're meeting before the national one to inform what goes to national?

**SHANE HAMILTON:** Yes, generally the joint council is slightly before the national one. But I think the rhythm that we have at the moment is fine, and we have plenty of oversight of the program.

**The Hon. SARAH MITCHELL:** I want to start on some of the broader machinery of government changes, and then my colleague will take over. In terms of the split between the Premier's Department into Cabinet Office—when I was Minister for Aboriginal Affairs it was in Education and I was very much supportive of it moving into DPC. I think it makes sense to be in a central agency and for the delivery mechanisms. We're just keen to unpack a little bit—and I know we've used it in reference to that particular piece of legislation that was passed recently. Just in terms of the structural changes, given that now the old DPC has become those two agencies, obviously Aboriginal Affairs is within the Premier's Department.

**SHANE HAMILTON:** Correct.

**The Hon. SARAH MITCHELL:** Are there any other kind of machinery of government—could you just talk us through what is different now, as opposed to, say, 12 months ago?

**SIMON DRAPER:** Overall? The creation of the two departments, Cabinet Office and the Premier's Department—the Cabinet Office is, as you'd imagine, focused primarily on the Cabinet process and providing advice to the Premier on all items going up to Cabinet, and also sort of corralling other agencies when there's a whole-of-government solution required or whole-of-government approach to policy. Their primary focus—it is quite an enterprise, if I can put it that way. The Premier's Department is more focused on delivery and leading the public service—and delivery in normal times. Programs that are going to take a long time, like the Closing the Gap sort of programs, but also things which occur in times of emergency, or great urgency at the very least, when events arise, and making sure the whole government is participating in solving those issues and making sure the Premier is suitably advised and engaged in that process as well. And you're right, Aboriginal Affairs sits within the Premier's Department and in fact is probably the largest single element within the Premier's Department.

**The Hon. JACQUI MUNRO:** Why are those two things now separate? What was the need to separate the Premier's Department with the Cabinet Office?

**The Hon. STEPHEN LAWRENCE:** Point of order: I'd say that that is seeking an expression of opinion on Government policy. It was obviously Government policy to split them, and a decision of the Executive Government.

**The CHAIR:** I uphold the point of order. I do think that is seeking an elucidation of Government policy. Maybe you can reframe the question?

**The Hon. JACQUI MUNRO:** What is the functional difference between both of those groups? Because what you have just described seems—they are quite similar in many ways, and you want a whole-of-government approach, for example, to Aboriginal Affairs, which you described as being part of the Cabinet Office side of things. I just want to understand what the functional distinction is.

**SIMON DRAPER:** Maybe one way to say it is that I used to be deputy secretary in DPC in the times when it was together, back in 2014 to 2018, and there was always two quite distinct roles we played. One was what I described earlier, sort of corralling new policy initiatives and working across government with other Ministers and agencies, and helping the Premier guide those and get them through the Cabinet process. The other was always—there was always quite a strong focus also on making sure that much more near-term delivery and implementation issues were dealt with. That required a very high degree of collegiate activity with other parts of government—working with them and making sure they understand what the priorities of the Government were and, where there wasn't effective communication or collaboration from different parts of government, bringing them together. Those two things still exist, but to some extent we've separated them within the two departments.

It's not a very hard line. We still work quite closely together. As central agencies, we work very closely together and also with Treasury—that's the other key central agency. They are the main differences. Aboriginal Affairs is both a source of policy development but also has very big delivery responsibilities. You've been referring

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particularly to Closing the Gap. That's a huge area for delivery and implementation. That's why it sits in the Premier's Department rather than the Cabinet Office.

**The Hon. SARAH MITCHELL:** How does that work? You might have just touched on that a little, Mr Draper, but, say, for a policy initiative like—I'll use Aboriginal cultural heritage because that was an example we talked about this morning. If there's work happening there on legislation, obviously the Minister is involved and, clearly, the Minister for Environment and Heritage and, hopefully, the Minister for Agriculture. That work would be done in a policy sense within the Premier's Department. Or was that within Cabinet Office, and then you feed into that as one of the agencies contributing? I'm trying to unpack that.

**SIMON DRAPER:** Yes. To the extent that that requires coordination between agencies to deliver that policy to be taken to Cabinet and to make its way into legislation, that's a role for the Cabinet Office.

**The Hon. JACQUI MUNRO:** Perhaps you could give a little bit more information about how Aboriginal Affairs is structured within the Premier's Department, Mr Hamilton.

**SHANE HAMILTON:** Yes. We're in the Premier's Department. We have responsibility for Aboriginal Affairs.

**The Hon. JACQUI MUNRO:** How many staff?

**SHANE HAMILTON:** How many staff in Aboriginal Affairs?

**The Hon. JACQUI MUNRO:** Yes.

**SHANE HAMILTON:** It is 220.

**The Hon. SARAH MITCHELL:** That is based across the State?

**SHANE HAMILTON:** Across the State, yes.

**The Hon. SARAH MITCHELL:** I'm happy for you to provide it on notice—maybe a breakdown of those positions, what levels and where they are based, if possible. If you have something that you could provide on notice, that would be great.

**SHANE HAMILTON:** Yes, we can provide that.

**The Hon. JACQUI MUNRO:** Do you have requirements for the amount of people who are identifying as Aboriginal and Torres Strait Islander people within that office?

**SHANE HAMILTON:** Yes, I can provide that. Of the 220 staff in Aboriginal Affairs, we have 125 identified roles and 41 targeted roles. More than 40 per cent of our staff are Aboriginal. Eighty per cent of those people hold executive positions identified as Aboriginal. Thirty-nine managerial positions are held by women, and 50 per cent of those women identify as Aboriginal.

**The Hon. SARAH MITCHELL:** I want to go to the issue of land claims, which I know was spoken about prior to the lunchbreak. Obviously the Minister for Lands and Property has responsibility, and if you don't have them, that's fine. The figure on how many we have currently outstanding—is that something you have access to, Mr Hamilton?

**SHANE HAMILTON:** Yes, I do. I can give you that from a date. As of 31 August this year, there were 38,518 Aboriginal land claims waiting for assessment.

**The Hon. JACQUI MUNRO:** You suggested earlier, Mr Draper, that the reason that there was a removal of Aboriginal Affairs as a reference in the Aboriginal Land Rights Act was because it was essentially not necessary. Do you have any insight as to why it was included originally?

**SIMON DRAPER:** To be honest, I'm quite surprised about the reference in the legislation and how it was done originally. What it referred to was a branch within DPC. That's quite unusual because those branches change, not all the time but with reasonable frequency. So updating legislation to keep pace with that is not that practical. I think the current reference to the Premier's Department is probably the better practice in terms of references in legislation. As a matter of practice, where those things were brought to us, we would certainly be using Aboriginal Affairs as the part of the department that would take carriage of that.

**The Hon. JACQUI MUNRO:** Do you have information about the funding of the Aboriginal Affairs division within the Premier's Department this year and into the forward estimates?

**SIMON DRAPER:** Yes, I've got the number for this year. I think Shane has the same number there. It is \$145 million in recurrent expenditure in this financial year. The previous year was \$115 million. I don't have the numbers for the following years but, if you like, we can get them.

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**The Hon. JACQUI MUNRO:** That would be helpful.

**SIMON DRAPER:** When the Government publishes the budget, it's done at an aggregate level by agencies, so it won't have that breakdown. We form our own views on how that gets allocated. That's the current allocation.

**The Hon. JACQUI MUNRO:** And that includes staff, for example, in addition to the delivery mechanisms?

**SIMON DRAPER:** Yes, employment related costs, other costs and grant programs and those sorts of things.

**The Hon. SARAH MITCHELL:** I have a couple of questions about funding for the treaty process. My understanding is that \$5 million has been allocated by Government. Is that over a two-year period or over the 12 months?

**SHANE HAMILTON:** Over the next two financial years.

**The Hon. SARAH MITCHELL:** The PBO costings prior to the election had said that that money would come from existing resources—that it wasn't additional money. Is that what has happened in practice or has that been found within?

**SHANE HAMILTON:** It's contained within the \$145 million.

**The Hon. SARAH MITCHELL:** In the budget papers, in the material measures, the additional funding for the Stolen Generations Keeping Places program—could you let us know, Mr Hamilton, how much has been allocated for that and what other projects or programs will be funded through that additional money?

**SHANE HAMILTON:** Yes. It is \$6.3 million in total as part of our overall budget of \$151.5 million, which is for capital and relates directly to the project of keeping places. At the sites of the former homes, we've done a whole series of maintaining the integrity of the buildings, as we work through the transfer of those sites to the Stolen Generation organisations and then the future development of those sites.

**The Hon. SARAH MITCHELL:** That's Coota Girls, Kinchela Boys and Bomaderry? Is it those three?

**SHANE HAMILTON:** Yes, and Parramatta.

**The Hon. SARAH MITCHELL:** What's the progress or time frame on that handing over back to the organisations?

**SHANE HAMILTON:** If we look at the Unfinished Business we started in 2016, it's a 10-year program. We're in year seven of that, so there are three more years. In the next three years we're in the land dialogue process. Because the land councils own those sites, we're working through a process to negotiate the transfer of those sites. Each of the sites have engaged their own consultants and architects to design what the future use of those sites might be. That has formed part of the business case that we put up last year.

**The Hon. SARAH MITCHELL:** You are hopeful that that process will be done within that three-year period?

**SHANE HAMILTON:** Yes.

**The Hon. SARAH MITCHELL:** As I said, as a former Minister—and I was a member of the committee when we did the inquiry—I think particularly for healing, and I'm not telling you anything you don't know, that's really important. So it's good to see that that's progressing well.

**The Hon. JACQUI MUNRO:** According to the New South Wales submission to the Review of the National Agreement on Closing the Gap in mid-2023, the Premier's Department led an omnibus budget submission seeking approval of a Closing the Gap funding package for the partnership-approved initiatives. Are you aware of that?

**SIMON DRAPER:** That would've been before my time, I think.

**The Hon. JACQUI MUNRO:** It was submitted in June this year. I have a copy of it here if you'd like to see it.

**SIMON DRAPER:** I'm not sure if that'll help me to look at that because that was before I became secretary, but I suspect that the outcome—that what they're referring to—is what's ended up in the budget—that is, the numbers we were referring to earlier.

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**The Hon. JACQUI MUNRO:** That was part of my question. It was partly around—did the Minister contribute to the process? Are you aware, Mr Hamilton?

**SHANE HAMILTON:** Yes, we did. We initially had \$189.6 million and then there is a repurposing of \$31.2 million, which gives you the total number for the Closing the Gap as \$221 million. This year is \$74 million for Closing the Gap.

**The Hon. JACQUI MUNRO:** That's over forward estimates?

**SHANE HAMILTON:** Yes. It was \$74.166 million.

**The CHAIR:** Do we have The Greens online?

**Ms CATE FAEHRMANN:** Yes.

**The CHAIR:** You've got 20 minutes.

**Ms CATE FAEHRMANN:** Mr Crawford, you've heard the several questions that I asked this morning to the Minister in relation to your correspondence to the former Government in which you alerted them to this investigation into club and hotels that uncovered a concerning level of money laundering. Of that suspicious money laundering, 41 per cent was in 10 venues. Could you tell the Committee what has happened, since you alerted the Government to that report, in those 10 venues, for example?

**PHILIP CRAWFORD:** Those letters were written in the shadow of the handing down of the Bergin inquiry. I received a report from Liquor and Gaming—that's the report I referred to in the letter—so I wrote to my Minister and just before Christmas 2021, in December, a meeting was convened with the then Premier and the Minister. There would have been four or five other very senior police from NSW Police Force there. I was there but I'm not sure—can I recall anyone else? There was about a dozen people at the meeting. I was pressing for some sort of inquiry. The reason for that was that I'd obtained advice on the legislation and the legislation really didn't give the independent regulator, at that stage, the powers to convene an inquiry of the type that you saw under the Casino Control Act. It seemed to be appropriate that there be some sort of inquiry. That's why I wrote to the Minister, based on senior counsel's advice, to try to get a special inquiry.

At the end of that meeting—and this was probably the second week in December or certainly earlier in December—the Premier said he would give it some thought and get back to me the following week. The meeting would have been on a Thursday or Friday because it was around my birthday time, and on the Monday the Crime Commission inquiry Islington was announced by the Government. As far as I was concerned, my request fell away and the subject matter of that inquiry was pretty much the subject matter of my letter to the Minister at the time. Subsequently, as I understand it, this Government has put in place this taskforce to deal with the issues identified by the Crime Commission Islington report.

**Ms CATE FAEHRMANN:** Is it your understanding that all of the information and evidence that you gathered and all the information you received in this report of project Islington—the Crime Commission was able to examine all of that?

**PHILIP CRAWFORD:** Yes, absolutely. I had several chats to Michael Barnes after the inquiry got underway, but he certainly had the full support of Liquor and Gaming. The report I received was a very preliminary report. It needed further investigation. There was no doubt in my mind about that. That was the foundation for his inquiry called Islington.

**Ms CATE FAEHRMANN:** We've had a New South Wales Crime Commission report back about extensive money laundering and you were, in fact, calling for a special commission of inquiry because you were so concerned. The response now is with an independent panel made up of a fair bit of industry, some harm reduction experts and other stakeholders, but they're not looking at all of the issues that you raised in your report and all of the issues that project Islington raised in terms of coming up with the recommendations that a special commission of inquiry would come up with, are they? Do you see a difference there?

**PHILIP CRAWFORD:** I think all the issues I was concerned about are covered by the taskforce and its terms of reference. Cashless has a couple of real benefits—if they move towards cashless. I think inevitably our society will, so they better get on the program otherwise they'll be left behind. A card will assist in terms of identifying customers and players. If there's enough thought given to the card, it will restrict hours of play so it will be very useful in terms of harm minimisation techniques as we develop those. The terms of reference are really good. I think it's unpicking it from a society that has—we have so many poker machines in this State and woven throughout the State. Just banning it wholesale is not the answer. We need to come up with some more nuanced responses to doing things better, and that means minimising the involvement of organised crime and also doing the right thing by our society by adopting much better harm minimisation techniques.

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**Ms CATE FAEHRMANN:** In the letter that was uncovered by way of an order for papers in both Houses of Parliament earlier this year, you wrote to the then Minister, Victor Dominello, on 30 November expressing your serious concerns and suggesting a special commission of inquiry. You wrote again on 10 December that same year, so very soon after.

**PHILIP CRAWFORD:** Yes.

**Ms CATE FAEHRMANN:** You nodded as though you recall the second letter. Is there a reason why you wrote again to the Minister just 11 days after your first letter? You say, "Further to my letter of 30 November 2021, in which I relayed my concerns about evidence of significant money laundering activity in hotels and registered clubs, I write to you requesting"—and then you list some actions. The first action was the "introduction of compulsory cashless gaming by way of a card linked to identity and an Australian bank account, thereby immediately eradicating cash from hotels and registered clubs".

**PHILIP CRAWFORD:** Yes, I remember that. Sorry, what's your question? I remember writing it at the time.

**Ms CATE FAEHRMANN:** So you wrote that at the time. That's less than two years ago, Mr Crawford. Do you still maintain that that's the best way to immediately eradicate this cash from hotels and deal with the money laundering that is clearly still occurring?

**PHILIP CRAWFORD:** The first point to make is that I recall speaking with Michael Barnes during the course of Islington. What transpired was that he did not find in Islington the wholesale infiltration of pubs and clubs by organised crime to the extent we'd found in casinos. A lot of the casino money laundering was undertaken by very significant crime gangs—a lot of them linked to the junket operators. I think there were 15 identified by Bergin. That was being undertaken at industrial level. Michael Barnes did not find that infiltration by that level of organised crime in pubs and clubs. I recall having a discussion with him about that. Notwithstanding that, there is still plenty of black money and cash money going through machines. But that's alleviated my concern a bit because legislation now prohibits junket operators, so that immediate and very substantial risk has been largely eliminated.

I think that the response that this Government—by the taskforce, is probably broader than my original remit. I was probably frustrated at the time that the legislation that I was operating under had been watered down over the years. There had been powers, for instance, in the Registered Clubs Act, for the authority to conduct inquiry. Those sorts of provisions had been taken out about 2010, about a decade before I got involved—well, more than that. So it was a bit frustrating to have this problem and not be able to do anything with it. That is why I wrote to the Minister saying we need a special commission of inquiry. I think the response to Islington identified that some of the concerns in the initial report I had certainly described some really weird behaviour, but it wasn't to the extent that we'd found in the casinos, so I wasn't quite as concerned. Nevertheless, I think this taskforce that has been set up is very fairly balanced in terms of interests and it is addressing the issues that I was concerned about.

**Ms CATE FAEHRMANN:** Really? So the report that you're referring to before the Islington report was the one that was undertaken by the then director of investigations—intervention review. That was a shorter report which, I understand, in 2021, you attached to your letter to then Minister Dominello. In that report, which you described as deeply concerning, it said that it provides evidence that, between 11 October and 29 November 2021—a period of six weeks or so—4,308 suspicious transactions were identified across 178 venues located in Greater Sydney exceeding, in total, more than \$5.5 million, and 10 of those venues account for 41 per cent of that total amount. Are you suggesting that project Islington didn't find things like that, with that level of detail? Clearly, that's what Liquor and Gaming staff found. There is no disputing that the data, is there?

**PHILIP CRAWFORD:** There was a lot of money moving around, but it wasn't quite the organised money laundering that I'd seen in the casino space. And it wasn't scientific. It needed further investigation, I think. The concern I had at the time was that we'd come off the Bergin inquiry and, as we clamp down on the casino industry, people who want to do money laundering are going to look for somewhere to do it, so there's obviously concern they're going to move into, in a more wholesale way, the pub and club industry. But it was a very preliminary report. I think it needed further investigation and proper interrogation, and that's what it got through the Islington inquiry, as I understand it.

**Ms CATE FAEHRMANN:** Isn't the issue here, Mr Crawford, that you were trying to influence the Minister at the time, or recommend that you didn't have the powers to inquire into this in terms of pubs and clubs? You stated this in your letter.

**PHILIP CRAWFORD:** Yes, I agree with that.

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**Ms CATE FAEHRMANN:** An independent panel made up of industry, in the majority, doesn't solve your problem, does it?

**PHILIP CRAWFORD:** I think all the levers that we, as a regulator, and the Government can use to minimise those risks are all available, and I think they were all on the table with this inquiry. They would make recommendations. I have discussed it with the Minister. The terms of reference speak for themselves. I think they are adequate for purpose, for getting to the bottom of stuff we can do as a regulator or the Government can do to minimise harms and ensure that the poker machine industry is conducted with a degree of integrity that, in some instances, might not be there.

**Ms CATE FAEHRMANN:** It is not going to give you the public hearings that you were wanting, is it? The fact that the whole issue, if you want to explain, is that you were urging the Minister to do this, because—

**PHILIP CRAWFORD:** That gives rise to two issues. One is, don't think that Michael Barnes did not conduct inquiries. He has very extensive powers. As I understand it, there were quite a few inquiries he undertook and examinations in Canberra. Apart from that, one of the issues that this taskforce, I assume, will throw up will be recommendations to government about the need to change any legislation so that some of the powers that I was bemoaning I didn't have might be available for future regulators.

**Ms CATE FAEHRMANN:** Again, coming back to the letter—I'm just pressing on it because I don't feel much has changed since you wrote that.

**PHILIP CRAWFORD:** It dropped away. Literally I had a meeting—it would have been a Thursday or Friday—with the Premier and other people. On the Monday, I was expecting a call back on the Tuesday or Wednesday. This Islington—so my request fell away. I spoke to my Minister and the Government had made a decision to go with Islington and the Crime Commission, not with what I'd suggested.

**Ms CATE FAEHRMANN:** I want to see whether this paragraph in the letter that you wrote still stands.

**The Hon. Dr SARAH KAINE:** Point of order: The line of questioning is deviating into not treating the witness with respect as per the resolution. Mr Crawford has answered four or five versions of the same question and I think he has dealt with the issues that Ms Faehrmann has raised. I'd ask that you direct her to move on.

**The Hon. STEPHEN LAWRENCE:** To the point of order: I would also suggest that it seems to be straying into seeking opinion on a matter of Government policy, in the sense that it essentially seems to be asking for his opinion on the current regulatory environment as opposed to the issues raised in the letter. I accept that it's a fine line, but I think it is headed there.

**The CHAIR:** I don't uphold the point of order. It is a fine line. The member was just going to paraphrase or refer to a section of the letter. I think she is entitled to press the point, as long as she is not seeking an opinion and not badgering a witness with a repetitious line of questions. Mindful of that, I'll allow the member to continue with the question.

**Ms CATE FAEHRMANN:** Thank you, Chair. Mr Crawford, you did just say that there was a significant legislative gap in the way that we regulate gaming at The Star casino, for example, which has approximately 1,500 gaming machines, to the way we regulate gaming at hotels and registered clubs, which, as you know, are authorised to have more than 94,000 gaming machines across the State. You said:

Our concern is that organised crime will take advantage of the spread of gaming machines across NSW, in the context of this regulatory gap, in pursuing its money-laundering activities.

Is that regulatory gap still there?

**PHILIP CRAWFORD:** The gap I was talking about is the inability of the regulator to hold inquiry into aspects of that particular industry. The inquiry I was wanting—the legislation, I don't think, has been fixed. So the first question might need to be looked at some later time. Probably this Committee will throw that up. I thought it was appropriate there be an inquiry into pubs and clubs, insofar as they offer poker machines to the public, to look at the issues I was concerned about. That happened with Islington, as a matter of fact, so my request fell away when that was announced.

**Ms CATE FAEHRMANN:** Thank you, Mr Crawford. I might come back to that later. I want to ask some questions now in relation to The Star casino's \$100 million fine that we've already talked about.

**The CHAIR:** Ms Faehrmann, just in case you can't see or know—

**Ms CATE FAEHRMANN:** Yes, I can't.

**The CHAIR:** You've got two minutes.



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**Ms CATE FAEHRMANN:** Right. I thought you meant I can't see the witnesses, because I can't see them either, but whoever responds, I was wondering about the \$3.4 million for the independent expert panel. That is over 12 months. Could you please tell the Committee what the salaries are of the people on that panel? I understand there are a couple of commissioners. How much of that is going to salaries and what are the salaries?

**ELIZABETH MILDWATER:** Perhaps I could start in terms of the independent panel.

**The CHAIR:** Yes. It is Ms Mildwater answering, Cate.

**Ms CATE FAEHRMANN:** Thank you.

**ELIZABETH MILDWATER:** So the Chair, Mr Michael Foggo, earns \$50,000 and the other two members of the executive committee, Dr Ursula Stephens and the Hon. Niall Blair, each get \$25,000.

**The CHAIR:** So \$50,000?

**ELIZABETH MILDWATER:** And 25 and 25.

**The CHAIR:** And \$25,000 each.

**ELIZABETH MILDWATER:** Most of the other members are unpaid, but the person with lived experience receives \$5,160. The other members are unpaid.

**Ms CATE FAEHRMANN:** And the three—are they chairs, did you say?

**ELIZABETH MILDWATER:** There's one chair. There is something called an executive committee, so they meet more frequently and do more work. The chair of that is \$50,000 and the other two members are \$25,000.

**Ms CATE FAEHRMANN:** How often does the executive committee meet? I understand the panel itself meets monthly at this stage. There have been two communiqués put on the website so far. How often does the executive committee meet?

**TAREK BARAKAT:** Thanks, Ms Faehrmann, it's Tarek Barakat here. The executive committee meets on a more ad hoc basis. It does meet before each panel meeting. There's a panel meeting next week, for example, and the executive committee will convene tomorrow to discuss its views but, aside from that, the committee does a fair bit more work outside of those meetings. We're in regular contact with the executive committee, providing them with papers, having them review minutes and things like that. They meet on a more ad hoc basis, it's not as structured as once a month, but they do other things outside of that as well to inform the deliberations of the panel.

**Ms CATE FAEHRMANN:** Yes. The reason—

**The CHAIR:** Your time is up, Cate. You will get another 20 minutes in 20 minutes.

**The Hon. JACQUI MUNRO:** Going back to the question that was last answered about the budget and the forward estimates, would it be possible to get a table of those budget items, the forward estimates, on notice?

**SHANE HAMILTON:** For Closing the Gap?

**The Hon. JACQUI MUNRO:** Yes.

**SHANE HAMILTON:** Yes.

**The Hon. JACQUI MUNRO:** The NSW Treasury is doing a review into the New South Wales Aboriginal Procurement Policy. Is there an idea of when that will be delivered, and will it be made public?

**SIMON DRAPER:** I think you probably should direct that question to the Treasury officials when they come along.

**The Hon. JACQUI MUNRO:** Is there any input from Mr Phillips, your office or the Premier's Department into that procurement policy?

**SHANE HAMILTON:** I'm sure they'll consult with us in the process, yes.

**The Hon. JACQUI MUNRO:** But you're not aware that they have consulted with you yet?

**SHANE HAMILTON:** Not yet.

**The Hon. JACQUI MUNRO:** On that, I suspect you would believe that there's more scope for the Government to procure more goods and services from Aboriginal businesses. Is it something that your team is looking into at all? I mean it is part of the Closing the Gap targets to encourage economic empowerment. Is government procurement one of those key areas to achieve that?

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**SHANE HAMILTON:** It is, but it's not something that we're directly engaged in. Obviously, we would encourage that, we'd talk to our colleagues at Treasury about that in reviewing the policy, but it's not something we're directly responsible for.

**The Hon. JACQUI MUNRO:** Possibly this is for Treasury as well, but there is a Treasury circular TC18- 03 which requires program evaluations be completed by New South Wales government agencies where clusters are required to produce a forward plan. That was something that occurred under the former Government and it was to prioritise evaluation of recurrent Aboriginal-specific programs and also to support the identification of new opportunities or to reprioritise. Is that something that is continuing and that you have any input into?

**SHANE HAMILTON:** Yes, I think that's part of the commitments under Closing the Gap which New South Wales delivered last year, and I think there is another similar review that's undertaken, so it's part of the national partnership agreement that we have with the Commonwealth.

**The Hon. JACQUI MUNRO:** Are you aware if there will be some similar document delivered by the end of this year? I mean it was December last year. Do you know if something will be delivered in December this year?

**SHANE HAMILTON:** I'm not sure of the exact dates of when that has to be delivered as per the national agreement, but there'll be a requirement for that to happen. I can get that date, but I don't have that date.

**The Hon. JACQUI MUNRO:** So that's part of the national agreement?

**SHANE HAMILTON:** Yes, Closing the Gap.

**The Hon. JACQUI MUNRO:** Are you working with Investment NSW on the Aboriginal employment and enterprise strategy?

**SHANE HAMILTON:** No.

**The Hon. JACQUI MUNRO:** Are you aware of that being undertaken? Sorry, Ms Mildwater?

**ELIZABETH MILDWATER:** Yes, by coincidence, I can probably speak to it.

**The Hon. SARAH MITCHELL:** We're happy for anyone to answer.

**The Hon. JACQUI MUNRO:** Yes.

**ELIZABETH MILDWATER:** Our team at Investment NSW does have the lead on a couple of priority actions. One is Priority Reform No. 5, which is the employment, business growth, and economic prosperity priority reform. Another one is Outcome 8: socioeconomic, aiming for a strong economic participation and development of Aboriginal people and their communities. So we do have a team working on those.

**The Hon. JACQUI MUNRO:** Do you know anything about the delivery time line for those, by any chance?

**ELIZABETH MILDWATER:** I guess, on the employment one, the target is to have 75.2 per cent of First Nations people in New South Wales between the ages of 25 to 64 years in employment by 2031.

**The Hon. JACQUI MUNRO:** I was just referring to the strategy rather than the target itself.

**ELIZABETH MILDWATER:** Yes, so that one is on track. In terms of the socioeconomic outcomes, what we've doing is some research first to then work out the next steps in the strategy. I got a briefing on this late last week. We are at a bit of a milestone where the research and the initial work has been done. I think the next step is to take those findings up to the broader working group to work on the more detailed strategy, but it's just sort of crossed that milestone.

**The Hon. JACQUI MUNRO:** Will that research be made public?

**ELIZABETH MILDWATER:** I can take that on notice, if you like?

**The Hon. JACQUI MUNRO:** That would be great. Also when that final piece is going to be delivered, which I presume would be public, but if there's a deadline or not?

**ELIZABETH MILDWATER:** I can take that on notice as well.

**The Hon. JACQUI MUNRO:** Could you also take on notice when the Aboriginal employment and enterprise strategy will be delivered and made public?

**ELIZABETH MILDWATER:** Yes, certainly.

**The Hon. JACQUI MUNRO:** That is very helpful.

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**The Hon. SARAH MITCHELL:** I would like to get some details now around the Stolen Generations Reparations Scheme. Obviously, that started a few years ago, that support for survivors, and my understanding is that it closed on 30 June this year. I think it was open maybe for a five-year period. It started when I was the Minister, so I do remember it, but I am keen, Mr Hamilton, if you have any data in terms of how many survivors were eligible for those reparations payments and anything you can tell me about how that process has been delivered.

**SHANE HAMILTON:** As you say, the reparations scheme ended on 30 June this year. We had a number of applications towards the end of the scheme, as you probably would expect to happen. We're still working our way through those applications because there's a process we've obviously been following. We think that work will probably take us another year to get to the end of all of those applications. So the ones that we would have been doing and a rush of applications towards the end of the scheme, we're continuing that work, and then there'll be some aspects of that program that we'll review over the next 12 months. Sorry, I'll just get—

**The Hon. SARAH MITCHELL:** That's fine, take your time. Any data that you have would be useful.

**SHANE HAMILTON:** The five-year scheme we extended to 30 June this year. The scheme provides apologies and monetary reparations of 75,000 Aboriginal people whose children were removed from their families under official policies of assimilation. The scheme has received an estimated total of 5,231 applications as of 30 September 2023, of which approximately 1,090 claims are yet to be registered. So that's the number of claims we're sort of working our way through.

**The Hon. SARAH MITCHELL:** That's the ones you're working through?

**SHANE HAMILTON:** Yes.

**The Hon. SARAH MITCHELL:** Okay.

**SHANE HAMILTON:** As of 28 September 2023, 1,106 Stolen Generations survivors have received reparation payments totalling \$82.95 million, with an additional \$7.9 million paid in funeral assistance. That's because survivors who receive a Stolen Generations Reparations Scheme payment are eligible to receive a \$7,000 Funeral Assistance Fund payment.

**The Hon. SARAH MITCHELL:** I know you just mentioned there were some later in the piece applications and, obviously, there are many reasons why people may need to take time to come forward and go through that process. I think it is incredibly important that the process has been respectful of that. I did notice when I was looking at the website a couple of weeks ago that there is a possibility, under some circumstances, for late applications to be considered. Is that something that's at the discretion of the part of the agency that's rolling that out? How is that going to work? I'm assuming some people, for trauma or whatever reasons, may be eligible but didn't apply even within that extended time period. What happens in that circumstance?

**SHANE HAMILTON:** I think we had a pretty hard and fast rule on it because we had extended the date, so 30 June was our cut-off. I think that was probably part of the reason why we did get a rush of applications towards the end.

**The Hon. SARAH MITCHELL:** Obviously, that was well communicated out to the community?

**SHANE HAMILTON:** Yes.

**The Hon. SARAH MITCHELL:** Quite a large number of survivors have been able to access those reparations, which is incredibly important. Do you think that, after you look at the process in the next 12 months—I mean, obviously, it's a matter for the Government—that potentially this might be a scheme that needs to stay open for longer, or reopen, or receive more support, depending on what you see? You said were you going to review how it's worked in the past 12 months. I'm not asking you to anticipate, but I'm curious, once you review how the scheme has operated will that then be advice that is provided to the Minister?

**SHANE HAMILTON:** Yes. I think what's important to remember with the reparation scheme or the Stolen Generation, our survivors, is that we looked at the date upon which the former Aborigines Welfare Board closed, which was 1969, so there were applications that fell outside of that scheme. And so part of the review will be to see to what extent that was. Also, it's probably important to remember that a lot of people were displaced around the State and they didn't necessarily go to institutions. There were a lot of people who were displaced and sent to other parts, out of country, and we will review that as well because we know that that's affected a lot of Aboriginal people across New South Wales.

**The Hon. SARAH MITCHELL:** I think it goes without saying, obviously, there was good bipartisan support for that scheme when it was first set up and any insights or work of that review that might inform future policy is really important. So that's good to hear that that's happening. I want to turn now to Aboriginal languages

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and also acknowledge that it is Aboriginal Languages Week. I put on the record that I agree with the Minister when he says "your children teach you more about it"; my five-year-old and 10-year-old often come home and teach me new words in Gamilaraay that I never learnt, so I'm grateful for that. I think it's important to learn from your kids. But in terms of the work of the trust and the grants that are available, are there any particular projects or initiatives that are coming through that that are looking at the teaching of languages, particularly in schools? Again with my former hat on, there were changes to the syllabus so that more Aboriginal languages would be spoken in schools, depending on the local language, but one issue was around having Elders or other people who could come in to teach them. Is there anything that the trust is doing in that space around the provision or teaching of languages, particularly for school-aged children?

**SHANE HAMILTON:** Yes, I guess, part of the role of the trust is to try to expand that language knowledge across the State, obviously, and those grants go some way towards that. But I'll just touch on some figures around—so, at the moment, our census demonstrates that we have 5,196 people who use Indigenous languages at home. This has been a significant growth—almost tripling the 2016 census of 1,791 people.

**The Hon. SARAH MITCHELL:** That's great.

**SHANE HAMILTON:** New South Wales is home to more than 35 Aboriginal languages, and of the top 10 Aboriginal languages being renewed in Australia, six of those languages are in New South Wales: Wiradjuri, Bundjalung, Gamilaraay, Gumbaynggirr, Yorta Yorta and Paakantyi. There is a new Aboriginal languages syllabus from kindergarten to year 10. That was announced in late 2022 as a major redevelopment of how Aboriginal language is taught in our schools. I'm not sure if that answers your—

**The Hon. SARAH MITCHELL:** I was the education Minister when we did that. But as I said, one of the things that we hear sometimes from school communities is, I guess, a desire to have language taught in schools but just not having perhaps enough people who are in a position to be able to teach it. It's not an issue that you can solve easily, but I just wondered whether there was anything, particularly in the grants program, around a process to have more people to be able to do it. Obviously, schools engage locally and through their AECGs and whatnot.

**SHANE HAMILTON:** Yes.

**The Hon. SARAH MITCHELL:** That's fine. That sort of covers—

**SHANE HAMILTON:** The only thing I'd say about that is the important bit in what the Languages Trust tried to do is to engage communities in a way where they're determining: How should we go about doing this? Is it more teachers in schools? There'll be more organisations developed over the coming years as a result of some of the funding that we've got going into languages, so the creation of more organisations that are particularly focused on Aboriginal language. It's early days still, I think, and there is more work to be done, but it's really driven around self-determination of how communities determine how they do that.

**The Hon. SARAH MITCHELL:** That leads on to the next thing I was going to ask. Again, you might not be across this and it's fine if you're not. I visited a school on the North Coast, the Giingana Gumbaynggirr Freedom School. It is bilingual—to anyone who hasn't been there, I highly encourage you to go. Clark Webb and the team do a great job up there. I know he's on the board. Are you aware of any other initiatives around—I mean, as you say, that was a locally-led formation of that school. Are there other communities that are looking at doing anything in that sort of education delivery space that you're aware of? If not, that's fine. I'm just curious more than anything.

**SHANE HAMILTON:** Yes, the Minister touched on it today—in La Perouse, the school there, which is where the Minister launched Languages Week. And the Gujaga Foundation are another organisation that is working with schools and others—corporates and other parts of the community—around language. So, yes, they're probably the only other example I've got of that.

**The Hon. SARAH MITCHELL:** That's great. Thank you.

**The Hon. JACQUI MUNRO:** I wanted to ask how OCHRE is going. It's difficult to find information online at the moment, so I just wanted to understand what the progress was?

**SHANE HAMILTON:** We're currently looking at doing a reset on OCHRE. Of course, Local Decision Making is one program that was, sort of, brought out of OCHRE, if you like. And I think, probably, to be honest, more than ever one of the things OCHRE brings is, if we go back to when OCHRE was developed, that was the voice of the community. It's what the community told us they wanted. And, of course, programs like Local Decision Making have formed out of that. So part of that reset is going back to that: How do we bring the voice of the community through those principles of OCHRE in all of the pieces of work that we do within Aboriginal Affairs? But, more importantly, how do we influence that with our government colleagues across government?

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**The Hon. JACQUI MUNRO:** Was there some deviation from the original intent that's happened?

**SHANE HAMILTON:** I just don't think it's gone far enough. I think we've had some success but haven't really embedded those principles right across government, it's probably fair to say. We've had OCHRE reviewed, and so, taking the contents of that review to say: How do we strengthen the principles of OCHRE and embed it? One of the ways is if we, as a department, can demonstrate how those OCHRE principles are embedded in our work, we can influence our colleagues across government.

**The Hon. JACQUI MUNRO:** Is there a new strategy that will be coming out?

**SHANE HAMILTON:** We're in the process of working through that, yes.

**The Hon. JACQUI MUNRO:** Do you know when that will be delivered?

**SHANE HAMILTON:** It will be sometime soon—next year. We haven't nailed an exact date.

**The Hon. JACQUI MUNRO:** Is that designed to be a strategy that's like a two-, a four-, a 10-year strategy?

**SHANE HAMILTON:** It's probably more around a principle-based—if you take the components of OCHRE and use them as principles, it's more an implementation plan, I'd say, of how do you actually embed that into the work and the practices of government?

**The Hon. JACQUI MUNRO:** On the Aboriginal Affairs website, there are no ministerial media releases that have happened since the election. I'm just wondering if you know why that is.

**SHANE HAMILTON:** We probably just haven't updated it, and we're in the process of also looking at reviewing our website because we've got a new strategic plan and there's a whole lot of stuff that we want to put up there.

**The Hon. SARAH MITCHELL:** In terms of the whole-of-government targets around reduction of senior executives, is that something that you have to look at within Aboriginal Affairs or are you captured by the Premier's Department more broadly? Are you anticipating that some positions might have to be restructured, or what? I'm happy if Mr Draper can answer that better.

**SIMON DRAPER:** Those targets are a global level, across all of government, so they're not having to be met by every organisation. As a matter of fact, at the moment—Mr Hamilton can speak to it—Aboriginal Affairs is growing in that regard because of the needs there.

**The Hon. SARAH MITCHELL:** So you're covered in terms of your staffing will be okay. That's good to hear.

**The Hon. JACQUI MUNRO:** Are you aware that Ministers have been given specific responsibilities under the Closing the Gap targets or requirements that are coming out of Aboriginal Affairs or the Premier's Department that relate to those targets? Have you been developing any of those?

**SHANE HAMILTON:** Well, I'd say if you look at the deliverables under Closing the Gap and you look at each department that's responsible for delivering that, of course that goes up to ministerial level so I think, yes, Ministers have responsibility as part of oversight of those departments.

**The Hon. JACQUI MUNRO:** Okay, but you're not aware of a specific ministerial direction that came from the Premier's Department?

**SIMON DRAPER:** The Premier's Department wouldn't direct Ministers. That would come from the Premier himself.

**The Hon. JACQUI MUNRO:** Yes. It was more about engagement in that process.

**SIMON DRAPER:** Yes.

**The Hon. JACQUI MUNRO:** So no engagement in a process like that.

**SIMON DRAPER:** Oh, yes—a lot of engagement with lots of parts of government going on around this, yes.

**The CHAIR:** I've got just one series of questions to Ms Mildwater. The department says that it brings together the best people across enterprise, investment, trade, the arts, the visitor economy, hospitality and racing for the betterment of all those sectors and of the people of New South Wales. In doing so, does the department consider the fact that we are in a global economy and it's a competitive world? Does it consider what other jurisdictions similar to Australia are doing in those areas?

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**ELIZABETH MILDWATER:** Yes, we do, in different ways in different parts of that portfolio. As you mentioned, there's a few different aspects to it. In the trade and investment space, it's probably the most obvious that we do, and we're currently going to look at a new industry strategy altogether, which will come out in the middle of next year probably, outlining what our target industries are and therefore what the Government should do in each one. We're also reviewing our trade policy alongside that to see how we do it. Is that—

**The CHAIR:** Yes, that is one of the elements of my line of questioning. Are you aware that there is massive global trade in cannabis?

**ELIZABETH MILDWATER:** I'm not an expert in that area. We don't focus on that as an industry in our area.

**The CHAIR:** You don't focus on the multibillion-dollar global legal cannabis industry?

**ELIZABETH MILDWATER:** That's not one of our target industries, no.

**The CHAIR:** You are not aware that it's one of the fastest growing industries in the world?

**ELIZABETH MILDWATER:** As I said, that's not one of the industries we look at so I wouldn't be able to comment on those statistics.

**The CHAIR:** What about cannabis tourism—the fact that California, New York, Canada, the EU, Thailand are experiencing a massive growth in tourism and hospitality associated with legalised adult use of cannabis? Is that something that the department is cognisant of?

**ELIZABETH MILDWATER:** It's not something we look at, no, because it's not Government policy.

**The CHAIR:** But whether or not it's Government policy, do you analyse what other areas are doing to see what impacts it's having in terms of our competitive advantage?

**ELIZABETH MILDWATER:** We only look at the areas that we want to compete in and then look at how we do compete in those areas. So Destination NSW does look at how we're competing for tourists but in the areas that we want. For students, for example, we look at the competitive international arena and across Australia—how we compete—because they're the industries that we're interested in.

**The CHAIR:** I'd say that you're not interested in the global legalised cannabis market.

**ELIZABETH MILDWATER:** It's not a focus of our work.

**The CHAIR:** What about medicinal cannabis, which is legalised, and it's a growing sector? It's now worth \$300 million in Australia. The Victorians have a medicinal cannabis policy that's driving the growth in their sector. New facilities are growing there. It is an innovative area with lots IP, a lot of jobs, a lot of capital expenditure. Is that an area the department is paying attention to?

**ELIZABETH MILDWATER:** It's also not one of our focus areas at the moment but you might want to speak with Health as well in terms of the subject matter of that.

**The CHAIR:** I appreciate that. Thank you very much.

**Ms SUE HIGGINSON:** Mr Hamilton, I am just wondering if you could give us some insight into what the department is currently doing in relation to FPIC in terms of the treaty process, and if anything is happening in terms of that concept within the whole of the department.

**SHANE HAMILTON:** I wouldn't say there's a specific focus on it, as such. It is something that we obviously do practise. I would say that. Yes, we are considering it as part of treaty. We certainly use the principles of FPIC in our work with our survivors of the Stolen Generation, but there's not a particular specific policy as such on it.

**Ms SUE HIGGINSON:** So there isn't anything. Are you considering that that would be a necessary step—to have FPIC articulated in a way so that everybody who is focusing and commencing on the treaty process would understand? I suppose it's about benchmarking or whatever the term is.

**SHANE HAMILTON:** Yes, I think it's definitely something that's important and we are considering that as part of a means of consultation and engaging with people, definitely.

**Ms SUE HIGGINSON:** So there's nothing yet in terms of how that will progress?

**SHANE HAMILTON:** No.

**Ms SUE HIGGINSON:** Do you think that it's likely the department will have an open process? My understanding is that it's such a fundamental concept of UNDRIP and that there are many people in the community

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who are very focused on and hopeful about the treaty process, and that the discussions have been that FPIC will be a very important concept. But if there isn't clear understanding about what the role of FPIC is or how FPIC will be driven and implemented, as a kind of fundamental principle, then will we start backward, so to speak?

**SHANE HAMILTON:** The idea of FPIC being used in treaty is something that we've obviously looked at as part of what else has happened in other jurisdictions when it comes to treaty. But the decision on how that will be taken forward will really be made by the treaty commissioners once they're appointed. So what we would say is, yes, we think this is a good principle that should be used—we've seen it used in other jurisdictions; we've seen the success of that—but that should be given to treaty commissioners to consider, given that they will drive the process of consultation with the community.

**Ms SUE HIGGINSON:** So you think it will start when the commissioners are—and not before. I think there's just some real concern that, if the process starts with the commissioners or the appointment of the commissioners, the opportunity for that input and clear understanding of how FPIC will manifest in this process—that may be quite late in the process rather than the initial—

**SHANE HAMILTON:** I wouldn't say it's going to be late in the process, but we won't be doing any work on any level of consultation or engagement until treaty commissioners are appointed.

**Ms SUE HIGGINSON:** So we do think that is the first step, the treaty commissioners.

**SHANE HAMILTON:** Yes. That'll be part—treaty commissioners will be appointed. That'll be part of what they would consider of how they'd go about doing consultation. FPIC, obviously, would be part of that.

**Ms SUE HIGGINSON:** Is your understanding with the treaty commissioners—is the department not the secretariat service or support for the commissioners?

**SHANE HAMILTON:** Yes, we will be.

**Ms SUE HIGGINSON:** But there's no kind of work before the commissioners get appointed. That's what we're saying.

**SHANE HAMILTON:** Yes. That's right.

**Ms SUE HIGGINSON:** That's the understanding?

**SHANE HAMILTON:** What we've got to work out is what's the process to appoint the treaty commissioners and what are the processes that we have to follow.

**Ms SUE HIGGINSON:** Perhaps that's my question. Are we envisaging that FPIC will be part of that first process?

**SHANE HAMILTON:** Yes. It'll be part of the consideration, to say this is a way of engaging and principles around engaging with Aboriginal and Torres Strait Islander people. That should be considered, but it'll be considered by the treaty commissioners once they're appointed.

**Ms SUE HIGGINSON:** As you're saying, with that initial consultation, is there any machinery yet about what the consultation will look like before the commissioners are—

**SHANE HAMILTON:** No.

**Ms SUE HIGGINSON:** With the Minister earlier, though, suggesting that that would be sometime next year, that the commissioners would be appointed, do you think—I suppose it's just really hard to understand what's actually happening. I suppose I'm just trying to work out. At this point, what it sounds like is that the Minister may just appoint the commissioners and then that will start the process, as opposed to how the commissioners will get appointed by community or a process before that.

**SHANE HAMILTON:** That's what I mean. We haven't worked out how they'll be appointed. That's part of the work that we're doing now. How do you establish treaty commissioners where the Minister can—the government process, I guess, of appointing treaty commissioners. What is the process? How do we put that into place? Then, what is the time line? What does that look like? We're working on the basis of the commitment is to undertake a 12-month consultation and to appoint three treaty commissioners.

**Ms SUE HIGGINSON:** Three treaty commissioners at the end, at the beginning or in—this is what, I think—

**SHANE HAMILTON:** No. The three treaty commissioners to undertake a 12-month consultation with community. That's it.

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**Ms SUE HIGGINSON:** Do you anticipate, then, that the treaty commissioners—it may just be by public notice or invitation or nomination?

**SHANE HAMILTON:** That's what we're working through now. We don't know that.

**Ms SUE HIGGINSON:** Thank you. I think I understand now. With the Aboriginal cultural heritage laws, the Minister made clear that he was intending sometime early next year for something to happen. I think that's what he said—yes, early next year. Is the work currently in the department—are you at the stage of working on what draft legislation would be? You have drafting instructions? Is that where the process is up to?

**SHANE HAMILTON:** It's part of a Cabinet submission, so Cabinet in confidence.

**Ms SUE HIGGINSON:** At the moment, there is a Cabinet submission being drafted or has been drafted? You can't—okay. Is there anything about the Aboriginal cultural heritage laws that we can know about? Is there anything that we can have some insight in terms of—other than the fact we're just going to see something early next year, is there something that the Government has committed to, that we're all working on that same page, that I'm not aware of?

**SHANE HAMILTON:** I think the Government's commitment is to have standalone Aboriginal culture and heritage legislation. Part of that will be to establish an office of the Aboriginal culture and heritage council.

**Ms CATE FAEHRMANN:** I was asking questions before about the \$3.4 million out of the \$100 million—50,000, 25, 25. What is going towards secretariat support? What's happening with the other \$3.3 million?

**TAREK BARAKAT:** Thanks, Ms Faehrmann. The largest component of that will probably be towards the independent researcher to develop our research evaluation framework to make sure that the outcomes of the trial are robustly evaluated and defensible for the recommendations to be made for government. That's where the bulk of the funds go. To your point about secretariat support, there might be some small costs associated with a secure document storage portal and things like that for papers that the panel needs to assess. I'm happy to get you more detail in terms of the breakdown, on notice, if it would be helpful. But the largest portion will be for that research evaluation framework. I can tell you, to the earlier question, that the executive committee's met seven times.

**Ms CATE FAEHRMANN:** Thank you. Are you saying, potentially, evaluation of the trial, which—is that this year? Or is that going to be spent beyond this financial year, the remainder?

**TAREK BARAKAT:** The framework to evaluate the trial and the independent person to set that up with the right expertise will need to be spent this year so that the evaluation framework is in place, the trial is going on.

**Ms CATE FAEHRMANN:** Just to be clear, that \$3.4 million—it says it's toward the independent panel. The independent panel's really only supposed to be going for 12 months. Is that right?

**TAREK BARAKAT:** Yes. The \$3.4 million is for this year towards panel expenses, to the sorts of things that I've spoken about.

**Ms CATE FAEHRMANN:** It's towards panel expenses? So some research company—it just seems a lot of money. Maybe it's not, within government. But \$3 million—what are they doing? Evaluating this year? Evaluating the trial, which hasn't been—

**TAREK BARAKAT:** They're setting up. You wouldn't set up an evaluation after something's been completed. We need to set the evaluation framework up and have the right people appointed to independently evaluate that trial. That will need to be funded this year, even though the trial won't be completed until the end of next year. That's what a portion of that money's for. We're working through that process at the moment, so I can't tell you exactly how much from that \$3.4 million will be allocated to that. But I'm saying I think that will be the largest component of expenditure from the \$3.4 million. If you do want some more detail on the other types of things, aside from executive committee payments and small secretariat costs, then I'm very happy to provide that on notice.

**Ms CATE FAEHRMANN:** Yes. It sounds the vast majority of the \$3.4 million, then, is this evaluation. Thank you. That would be useful. How much of the \$100 million is going to support services for gambling harm reduction, to support organisations which provide counselling and other support services for people who are experiencing gambling harm?

**TAREK BARAKAT:** Ten million dollars this year from the \$100 million has been allocated to the Responsible Gambling Fund and the Office of Responsible Gambling. They fund programs like GambleAware,



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which provides counselling and support services to people in need. We just had GambleAware Week previously, I think, last week or the week before.

They also fund things like Reclaim the Game and The Number that Changed My Life, and those sorts of campaigns. So there is \$10 million from that \$100 million this year allocated to the Office of Responsible Gambling to fund those sorts of activities. As I think I said earlier today, the remaining money—the money that is committed over the forward estimates from that \$100 million—will be spent as per the recommendations of the panel in its road map and advice to the Government.

**Ms CATE FAEHRMANN:** When you're saying the remaining money, is that the \$15 million, roughly?

**TAREK BARAKAT:** No. There is the money we've spoken about for this year, then there is \$21.7 million each year for the next three years over the forward estimates, which is \$65.1 million. That money will be spent according to the recommendations of the independent panel. Then there's the balance of the \$100 million, which is about \$15 million, which is in the planning years. That's sort of from 2027 to 2028 onwards. But I anticipate that that, too, would be—it is there to be spent on recommendation from the panel or in other ways that the Government chooses to allocate it.

**Ms CATE FAEHRMANN:** Right. Out of this \$100 million, we've got \$15 million that is not going to be spent on gambling harm reduction until 2027 or so, but you're not sure what that is going to be allocated to. That's just put in the reserve for four years' time.

**TAREK BARAKAT:** That's just the balance of what—the Government has made commitments of \$21.7 million each year over the forward estimates. That leaves about \$15.1 million left. How that is allocated will be a matter for the Government at the time. The \$21.7 million each year will be spent according to the recommendations of the panel.

**Ms CATE FAEHRMANN:** When you're saying \$10 million in terms of additional investment to the Responsible Gambling Fund for the provision of GambleAware, counselling and support services—what additional counselling and support services has that provided that weren't being provided before, say, six months ago?

**TAREK BARAKAT:** Just to be clear, it's not just for GambleAware. It would be for GambleAware, counselling and support services, education awareness campaigns for young people and initiatives like Reclaim the Game. There might be some harm minimisation research that is commissioned by the fund out of that \$10 million. It has only recently been allocated. The budget was only handed down recently, so I don't think we're clear exactly how that is going to be spent. But I'm very happy to get you some information on notice about the additional support services that that additional funding would be able to provide.

**Ms CATE FAEHRMANN:** That would be useful, thank you. Again, maybe in relation to all of it, to get more detail in terms of what it is spent on, the \$6.4 million to enhance self-exclusion and introduce third-party exclusions into pubs and clubs, what is that for?

**TAREK BARAKAT:** As you are probably aware, there are already exclusions. Venues are already required to have exclusion schemes in place. Some venues are linked to each other; some venues have standalone schemes. There is no requirement to have facial recognition, but venues do have that in place at the moment. There is a fairly significant piece of work that we are starting to look at, at the moment, of how that links across the State. There will be costs associated with that. Having individual venues with their own self-exclusion schemes is not facilitating the mandatory self- and third-party exclusion that the Government committed to. There will be costs associated with implementing that on a statewide basis. We're early in the stages of investigating what that will look like, but that \$6.4 million is there to facilitate the development of those statewide exclusion schemes the Government has committed to implementing.

**The Hon. SARAH MITCHELL:** Mr Barakat, keeping with you, I want to ask about the cashless gaming trial, the one in west Newcastle that I believe concluded in June this year.

**TAREK BARAKAT:** I think it was around that time. I can get you the exact date on which it finished, for sure.

**The Hon. SARAH MITCHELL:** No, that is fine. In terms of what happens, my understanding is there is an independent researcher that will be looking at what that trial discovered, and accessing and analysing the qualitative and quantitative data. Is the plan for that report to be with the Government by the end of the year? Will that be announced or released publicly? What's the intention behind that?

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**TAREK BARAKAT:** I'll get you an exact time line, but the panel has actually had, in my understanding, a preliminary presentation from the independent researcher associated with that trial. I think that work is well on the way to being finalised, but I can get you exact time frames.

**The Hon. SARAH MITCHELL:** And what will be made public in what time frame would be useful to have as well, if anything.

**TAREK BARAKAT:** Absolutely, I'll take it on notice.

**The Hon. SARAH MITCHELL:** That would be great. Likewise, with the trial that started at Club York as well, that's ongoing at the moment. Is that correct?

**TAREK BARAKAT:** Yes, wrapped up in October, I think.

**The Hon. SARAH MITCHELL:** Will it go through the same process?

**TAREK BARAKAT:** Exactly the same process. The name escapes me of the venue, but there is another one commencing that will also go through that same process. And the findings from each of those will be provided to the independent panel so they can assess them in the context of their broader trial that they are going to run.

**The Hon. SARAH MITCHELL:** How many trials at different venues? There's Newcastle—

**TAREK BARAKAT:** Club York—

**The Hon. SARAH MITCHELL:** There's Club York.

**TAREK BARAKAT:** —and there's this third one that is yet to commence.

**The Hon. SARAH MITCHELL:** Do you know where that is?

**TAREK BARAKAT:** It's in Crows Nest. I forget the name of the venue, but I can get that easily enough for you.

**The Hon. SARAH MITCHELL:** Any regional trials?

**TAREK BARAKAT:** There will be, as part of the panel's trial. I know it's not regional, but the most regional is probably west Newcastle. But the panel's largest—

**The Hon. SARAH MITCHELL:** I live in Gunnedah. West Newcastle is not regional. But I understand what you are saying.

**TAREK BARAKAT:** Part of the remit of the panel is—and it is now assessing the applications it has received from venues and technology manufacturers. Part of its remit will be to make sure there is an adequate spread across metro and regional New South Wales for the broader trial.

**The Hon. SARAH MITCHELL:** Picking up on what you said there in terms of application, my understanding, and I'm happy to be corrected, is that venues put forward the expressions of interest or a way to say, "We'd like to be a part of the trials."

**TAREK BARAKAT:** Venues and technology manufacturers. Applications, I think, closed on 13 October. The panel issued fairly robust sets of criteria for what a venue must be able to meet, but also what the technology provider must be able to deliver in terms of a technical product. Those submissions have now been submitted and the panel is meeting next week to assess them and hopefully make decisions as to what venues, what make-up of venues and which technology providers will proceed into the trial.

**The Hon. SARAH MITCHELL:** And presumably had to put, like, minimum number of machines? That was the criteria?

**TAREK BARAKAT:** The criteria are quite extensive, particularly for the technical providers. They are available on our website, so they are public.

**The Hon. SARAH MITCHELL:** Okay, I'll have a look. Will you or the department or the Minister be releasing—I'm keen to know how many venues or providers were keen to be a part of the trial. Is that something that will be made public? Obviously, not everyone will be able to be within a trial, but I guess I'm trying to understand what the appetite is for industry and from venues to be involved.

**TAREK BARAKAT:** That's probably a decision for the panel. They issue communiques at the end of each meeting, and I'm assuming they will be issuing some advice as to who has been successful and who has not. As part of that, they may provide advice as to how many venues in total applied. I wouldn't want to pre-empt their decision on that, but that's something that they would likely consider, I think.

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**The Hon. SARAH MITCHELL:** I think you said before in a response to Ms Cate Faehrmann—how often is that panel meeting?

**TAREK BARAKAT:** The panel meets monthly—the large panel. It has met in August and September, and it will meet next week before the end of October. The smaller three-person executive committee has met seven times.

**The Hon. SARAH MITCHELL:** And a communique at the end of every monthly meeting comes out. Is that right?

**TAREK BARAKAT:** Yes, that's right. The communiqes are at the end of the full panel meetings, not at the executive-level meetings.

**The Hon. SARAH MITCHELL:** I have more questions, but I'll come back to you in our next lot.

**Ms CATE FAEHRMANN:** I want to go back to the discussion around the spend on what is essentially facial recognition technology. In line with the Government announcement around facial recognition technology, what was that announcement again?

**TAREK BARAKAT:** I haven't got the wording in front of me, but it was an election commitment along the lines of mandating self- and third-party exclusion and facial recognition and the use of facial recognition technology.

**Ms CATE FAEHRMANN:** In every pub and club in New South Wales?

**TAREK BARAKAT:** That is my understanding.

**Ms CATE FAEHRMANN:** The \$6.4 million in this \$100 million that is going towards the delivery of harm minimisation programs and gaming reform, that is this year? The \$6.4 million is to be spent this year?

**TAREK BARAKAT:** No, that is over the forward estimates. There is \$3.5 million this year for that. The remainder is over the forwards.

**Ms CATE FAEHRMANN:** How much of that is going to external consultants or industry, of what you know of the \$3.5 million this year?

**TAREK BARAKAT:** At the moment, none of it, because we haven't spent anything and we're working out now how we think we need to approach addressing these commitments of self- and third-party exclusion and facial recognition. That money hasn't been spent on anything yet.

**Ms CATE FAEHRMANN:** Was there something that was presented as a brief to outline why \$6.4 million specifically was going to be spent on self-exclusion, on facial recognition technology? Was there a document to justify that spend?

**TAREK BARAKAT:** We provided a lot of advice in consultation with Treasury and the broader department on this and a range of budgetary issues through the budget process. What specifically was provided on this, I'd have to take on notice.

**The CHAIR:** Thank you, Mr Barakat. We're going to have a break now for 15 minutes to re-caffeinate, rehydrate and, for some of us, wake up. We'll reconvene in 15 minutes for the final session of questions. Thank you, everyone.

**(Short adjournment)**

**The CHAIR:** Thank you, everyone. We will recommence, the time being 3.45 p.m. We're on the home stretch. Before we start, Mr Hamilton, apparently you would like to make a correction in terms of your testimony.

**SHANE HAMILTON:** Yes. In relation to the question you asked me about late applications for the Stolen Generation, exceptional circumstances for late applications would be considered—whether that's medical or age priorities. That's at the discretion of the SGRS scheme.

**The Hon. SARAH MITCHELL:** I want to come back to you, Mr Barakat, and particularly the issue around industry support for a transition to cashless gaming. I don't want to pre-empt the work of the panel and the trial, but I'm wondering whether there's any work that's happening at the moment between the department and industry more broadly around what sort of support packages might need to be in place. Has there been direction from Government in that space? What conversations and work are you doing around that?

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**TAREK BARAKAT:** The industry is well represented on the independent panel. We've got the CEO of the AHA, the CEO of ClubsNSW and the CEO of Leagues Clubs Australia. They are on the panel and putting their views forward as part of the deliberations of that panel. A clear remit of the panel and direction of the Minister is that the panel needs to be considering the transition to cashless gaming in a way that considers the impact in industry, the impact on jobs and particularly the impact on workers in that industry. The panel needs to be providing recommendations that consider that and think about transitioning in a feasible and sustainable way so that we're not seeing any undue impact on industry. Like you say, maybe that ends up being support packages; maybe that ends up being something else. I wouldn't want to pre-empt the panel's deliberations, but certainly a clear focus of theirs is how the transition can occur without any undue negative impact on the industry.

**The Hon. SARAH MITCHELL:** That would include time frames or what?

**TAREK BARAKAT:** Correct.

**The Hon. SARAH MITCHELL:** One of the concerns that was quite loudly voiced by industry at the time, when there were discussions from both sides of Parliament about this, was what the impact would be. Particularly, being a regional member, I would say a lot of our small pubs and clubs have viability concerns around what that would look like, time frames or if there were requirements to replace machines that they might have had for a period of time and end of life for their machinery, so to speak. Having those representatives on the panel has been done to try to eliminate that, or to at least ensure that those sort of issues are being looked at?

**TAREK BARAKAT:** Obviously they've got expertise themselves that is relevant for the panel to consider. Yes, I think that they are making sure that those sorts of things are being considered. They know their industry. They know the viability of their industry, particularly in rural and regional areas like you've mentioned. Their views outside of the expertise they're offering, around how this could happen in a sustainable way, are partly what they're there for.

**The Hon. SARAH MITCHELL:** Then for a departmental response, you just need to wait until the panel does its work before looking at what other supports or implementation might need to be available?

**TAREK BARAKAT:** Correct. The panel will provide its advice and road map to Government, and then Government will need to consider what the panel's recommendations are and make its decisions as to how best to do the things the panel is recommending.

**The Hon. JACQUI MUNRO:** I wanted to clarify, earlier you said that the findings from the trials will be made available to the panel.

**TAREK BARAKAT:** Yes.

**The Hon. JACQUI MUNRO:** But will those findings also be made available to the public?

**TAREK BARAKAT:** I can confirm that on notice but, yes, I think that is the plan—that those independent research reports that will be done for each of the three trials that I mentioned will absolutely be made available to the panel. I'm almost certain they will be made available to the public, but just let me confirm that.

**The Hon. SARAH MITCHELL:** I want to move now to some greyhound racing questions to Mr Griffin. GWIC has reported an increase of injuries in all categories over the last 18 months. I think there were 15 category E injuries reported in the first three months of this year. Would you be able to provide some information or advice to the Committee around any particular reasons why there might have been an increase in injuries in that data and what that's indicating?

**STEVE GRIFFIN:** Primarily, there has been an increase in racing, which gives rise to a higher rate of injuries. We had a summit with industry stakeholders in February of this year to talk about this increase in racing injuries. As a result of that, the industry has committed itself to a whole range of race injury reduction strategies, and I'm pleased to report that some of those are already beginning to bear fruit, such as double-arm lures. They are lures where there are two lures that the dogs pursue rather than a single lure. There are also preferred box draws, plus a return-to-racing rule that the commissioner is introducing. Those double-arm lures and preferred box draws have been in place at Dapto since 3 August, and also double-arm lures have been in place and trialled at The Gardens in Newcastle since the same date. We have preferred box draws also in place at Wentworth Park. I'm pleased to report that, particularly at Dapto which was a recent media inquiry earlier today, the injuries have reduced by 300 per cent as a result of those.

**The Hon. SARAH MITCHELL:** Since August?

**STEVE GRIFFIN:** Since August, compared to the same period last year. We're very encouraged by that and encouraged by the fact that some of these race injuries can be reduced. As I've brought up in previous forums such as this, the fact is that it's not necessarily the tracks that are at issue; it's the method of racing. The

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main issue with injuries is they're collision based. It's like many sports: If we can reduce the collisions, we're going to reduce the injury rates. Double-arm lures and preferred box draws are seemingly doing a good job at doing that, and there are other things that industry can explore to further push down racing injuries.

**The Hon. SARAH MITCHELL:** It's not my area of expertise, so I'd appreciate your guidance. In terms of moving other tracks to having double-arm lures, is that a costly exercise? Is that something you could put in place at other tracks quite easily? What's the mechanism in order to do that? It is something that would require, obviously, some funding, but I'm trying to understand how hard that would be to roll out more broadly?

**STEVE GRIFFIN:** I can't answer with the actual costs per se, because that's up to Greyhound Racing NSW, but it would be significantly less money than developing new tracks or upgrading tracks, which is a significant capital outlay. As we've indicated and suggested, use of these mechanisms to reduce collisions which give rise to serious injuries, is a quicker, cheaper solution to help drive down these serious injury rates that we have had in New South Wales.

**The Hon. SARAH MITCHELL:** I'm happy for you to take it on notice if you need to get advice from Greyhound Racing NSW, but even the cost of doing it in Dapto or something we could have a look at, if it's publicly available or is possible to understand, would be good, if you can. If not, that's fine, but happy for you to try.

**STEVE GRIFFIN:** We'll try and take that on notice.

**The Hon. SARAH MITCHELL:** That would be great. Earlier the Minister referred to the eTrac program, in terms of tracking dogs. I think you said you might be able to provide some more information about that. Was that correct?

**STEVE GRIFFIN:** Yes, absolutely. eTrac is a few things—people don't understand what it is. eTrac principally is a technology platform that has been developed by the commission, based upon an allocation of \$3.59 million from the previous Government. Basically, tracking greyhounds is the primary purpose. It allows industry each year to account for the greyhounds that it has in the industry. It also allows, just as importantly, for people to participate in the industry and make it simple and easy for them to do so. It also allows the Government to monitor the industry more effectively and provide the sunlight for everyone to see how the industry is operating, be it in injuries and other respects.

It's been very effective. We're just about to complete our first full run-through of check-ins for all greyhounds. As the Minister alluded to, we check in racing greyhounds every six months and those that are retired every 12 months. That's a process where the majority of the greyhounds are being checked in every day if they're racing or trialling. We have check-in locations at veterinary practices so a lot of the greyhounds are being checked in routinely every day, which is great. Industry has taken to that. Where a greyhound hasn't been checked in for that six- or 12-month period, a notification is sent out to a participant to bring their greyhounds in to a check-in location and those greyhounds are checked in. That gives a very effective way for the industry to account for every greyhound every year. eTrac also has a participant portal and mobile apps. Participants can do all their notifications to the commission and all their transactions within the industry through their mobile app and complete that. That's actually led to an improvement in reporting to the commission, which is also helpful.

**The Hon. SARAH MITCHELL:** What happens with that eTrac if—you just mentioned then that if someone hadn't done the six- or 12-month check-in you then contact the owner. What happens if they don't respond? What's the enforcement that you have around that process?

**STEVE GRIFFIN:** We've developed a local rule for that purpose, if anyone can't account for a greyhound. If someone doesn't bring their greyhound for a check-in then it's turned into a case where we go out and visit the participant and inquire into why they haven't had their greyhound checked in. There is disciplinary action that follows from that if we're unable to account for a greyhound, or there are other reasons. What we're finding, by and large, is that for the vast majority of greyhounds that haven't been checked in, the greyhound has already been rehomed or has died and the paperwork has been lost or there's been a data issue that's come forward.

**The Hon. SARAH MITCHELL:** Do you have any data in relation to how many times you've had people not complete that check-in process? It's fine if you take it on notice, but anything from the last 12 months that might be of interest.

**STEVE GRIFFIN:** I can take that on notice, if you don't mind.

**The Hon. SARAH MITCHELL:** That would be great. Thank you.

**The Hon. JACQUI MUNRO:** I have some questions for Ms Lamb.

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**TAREK BARAKAT:** I was just going to say, Chair, if it's okay, that I can confirm that those independent reports from the research trials will be made public.

**The Hon. SARAH MITCHELL:** Perfect, thank you.

**The Hon. JACQUI MUNRO:** Ms Lamb, thank you so much for being here today. In your capacity as chair of ILGA, what savings have you made to meet the required reduction in funding for the 2023-24 financial year?

**CAROLINE LAMB:** There was an earlier question today about the difference in the expenditure from the last financial year and the current year. I think it was explained then that the actuals for the last financial year were somewhat inflated as a result of both a hangover from the Bell inquiry and the costs associated with setting up ILGA as a separate agency. Whilst the difference between the actuals last year and the budget this year is some \$500,000, in fact what that really relates to is the fact that ILGA for the first time has its own budget with its own staffing. It's apples and oranges if you try to compare the two years.

**The Hon. JACQUI MUNRO:** How many staff do you have now?

**CAROLINE LAMB:** Currently we have 11 people and one short-term temporary contractor.

**The Hon. JACQUI MUNRO:** There has been some criticism of ILGA this year. Do you feel confident that the budget differences are not going to affect your ability to conduct the operations of the organisation?

**CAROLINE LAMB:** We believe we're adequately resourced on current indications.

**The Hon. JACQUI MUNRO:** I'm wondering how much interaction you've had with the Minister, how many meetings you have had since he was elected.

**CAROLINE LAMB:** We have regular meetings with the Minister. In fact, our next meeting is on 1 November. I would say that, since I've been appointed, it's probably in the region of three or four meetings that I have had with the Minister.

**The Hon. SARAH MITCHELL:** In terms of your main priority areas as an agency, what are some of the areas that the Minister has asked you to focus on?

**CAROLINE LAMB:** Predominantly our conversations are about how ILGA is managing with the resourcing it has available, which goes to the previous question. Also most recently we have been involved in some litigation around the extent of ILGA's powers to regulate, particularly the gaming industry. That's been very important litigation from ILGA's perspective so there have been a number of questions about that—why we've taken the actions that we have and how the industry has responded to the actions that we've taken in consequence of that.

**The Hon. JACQUI MUNRO:** My next question may be something that Mr Barakat may also be interested in. It's about the point of consumption tax. Obviously taxes from the wagering operators make a contribution to the industry in New South Wales. **Do you know how much from the point of consumption tax went to the industry last financial year?**

**CAROLINE LAMB:** That's one for Mr Barakat.

**TAREK BARAKAT:** Which industry are we talking about, sorry?

**The Hon. JACQUI MUNRO:** The gaming and racing industries.

**TAREK BARAKAT:** If you just bear with me for a minute I can get a breakdown of what went to the racing industry. I think I've got it here but, if not, I am happy to provide it on notice. For point of consumption tax I've got a total figure here. Since its introduction in January 2019, it has returned \$272.9 million to the New South Wales racing industry.

**The Hon. SARAH MITCHELL:** Sorry, could you just repeat that please, Mr Barakat?

**TAREK BARAKAT:** So this is a total figure since its introduction in January 2019. The point of consumption tax has returned \$272.9 million to the racing industry. I do have here a breakdown of what was paid by the State to industry from the point of consumption tax over the financial years 2018-19 to 2022-23 if you want me to read those out.

**The Hon. JACQUI MUNRO:** Yes, that would be helpful.

**TAREK BARAKAT:** This is to the racing industry again. In 2018-19 it was \$17,825,521, in 2019-20 it was \$40,724,247, in 2020-21 it was \$54,716,837, in 2021-22 it was \$62,377,710 and in 2022-23 it was

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\$97,311,014. I do have the breakdown as to how that's distributed but that might be easier to provide these on notice. It's across Racing NSW, Greyhound Racing and Harness Racing.

**The Hon. JACQUI MUNRO:** That sounds good.

**The Hon. SARAH MITCHELL:** On notice, that would be good.

**TAREK BARAKAT:** There's also \$5 million that goes to the Responsible Gambling Fund as well, out of the point of consumption tax each year.

**The Hon. SARAH MITCHELL:** That's in addition to that overall figure that you've said?

**TAREK BARAKAT:** No, that's included in that overall figure. In 2018-19 that was \$2½ million paid by the State to the Responsible Gambling Fund from point of consumption tax and over the remaining years it was \$5 million a year.

**The Hon. SARAH MITCHELL:** Okay.

**The Hon. JACQUI MUNRO:** Is that where the Aboriginal Safe Gambling organisation is funded from, that \$5 million?

**TAREK BARAKAT:** I'd have to take that on notice. I can come back to you.

**The Hon. JACQUI MUNRO:** Okay, that would be good. There's a massive jump between 2021-22 and 2022-23.

**TAREK BARAKAT:** The point of consumption tax was increased from 10 per cent to the current 15 per cent.

**The Hon. JACQUI MUNRO:** Queensland is at 20 per cent. Do you have any reflections on the difference between that 15 per cent and 20 per cent and how it impacts on the New South Wales industry?

**The Hon. Dr SARAH KAINE:** Point of order: I think the question is asking for a reflection on Government policy.

**The Hon. JACQUI MUNRO:** I can rephrase the question, if that is more appropriate.

**The CHAIR:** Sure.

**The Hon. JACQUI MUNRO:** Has any work been done in the department to consider the implications of the 15 per cent versus an interstate comparison of something like 20 per cent?

**TAREK BARAKAT:** Not since I have been at the department, which is only since the end of last year. But I can take that on notice to see if anything was done previously.

**The Hon. JACQUI MUNRO:** That would be helpful. I know you are going to provide this on notice, but was that \$5 million for the Responsible Gambling Fund for 2022-23?

**TAREK BARAKAT:** Apart from 2018-19, it has been every year since 2019-20. There is a requirement in the Betting Tax Act for this funding to be paid into the fund.

**The Hon. JACQUI MUNRO:** So that \$5 million has remained steady between last year's and this year's budget? There has been no increase to that \$5 million?

**TAREK BARAKAT:** That is my understanding. If that is incorrect, I will come back and correct it, but that is what I've got in front of me here.

**The CHAIR:** The Government is bringing in, in my opinion, excellent vibrancy reforms—the 24-hour economy—championed by Minister Graham. As part of those reforms there is an amendment in schedule 2 [46], which:

provides for an offence that prohibits a responsible person for licensed premises from doing either of the following for the purpose of enabling another person to gamble on the licensed premises—

- (a) providing money as part of a transaction involving a credit card or debit card, or debit card ...

What consultations have you had about this proposed reform?

**TAREK BARAKAT:** I would have to take the nature of the consultation on notice, but I think the proposed reform is just formalising existing prohibition on the ability of credit advances or cash for credit to stop people gambling with money that they don't actually have. So I think it is just formalising something that was already in place, and I can take on notice who was consulted and when.

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**The CHAIR:** I would appreciate that, because it does actually say "credit or debit card", so that is not credit.

**TAREK BARAKAT:** That is a fair point. I will take that on notice and come back to you. My understanding of the intent—it was to stop people being able to access cash advances or credit, to use that for gambling. It is a harm minimisation measurement.

**The CHAIR:** I understand there is a prohibition on any venue having an ATM with a credit facility—

**TAREK BARAKAT:** Correct.

**The CHAIR:** —and that there have been warnings given for that.

**TAREK BARAKAT:** Yes.

**The CHAIR:** But this is different, isn't it? This is an EFTPOS transaction.

**TAREK BARAKAT:** Yes, in the sense that it's a credit transaction, but I do take your point about debit. I can come back to you with some more detail on that.

**The CHAIR:** If you could, I would be very interested to know what consultations have occurred. Are you aware of that reform?

**TAREK BARAKAT:** Yes, we have been working closely with the 24-Hour Economy Commissioner, Minister Graham, and the Cabinet Office on all of that broad suite of reform.

**The CHAIR:** That would be the responsibility of the person working there to determine what the cash was going to be used for?

**TAREK BARAKAT:** It would be the responsibility of the venue operator or licensee to make sure that facility didn't exist to allow people to get a line of credit or a cash advance on credit to allow them to gamble, yes.

**The CHAIR:** How are they going to determine whether or not it is for gambling or for some other use?

**TAREK BARAKAT:** At the moment, as you say, the ATM can't provide the credit facility. This would be, in a similar sense, that you couldn't provide a cash advance on credit. Venues don't do that anyway, to my knowledge. This is just formalising an existing prohibition to make it clearer in the legislation. I do take your point about—the debit question could be confusing.

**The CHAIR:** It could be very confusing that people could not get cash from a debit card for another purpose if the licensee or the employee of the licensee says, "I think you're going to gamble with that."

**TAREK BARAKAT:** I take your point that that could be confusing, so I will come back to you with some more detail on the rationale for that.

**The CHAIR:** I would appreciate that.

**Ms ABIGAIL BOYD:** I have some questions for Mr Griffin. We have spoken before about eTrac and the difference between eTrac and genuine whole-of-life tracking. Has anything changed? Are we able to actually have any oversight over dogs that are transferred onto the Companion Animals Register from a systemic greyhound industry perspective?

**STEVE GRIFFIN:** No.

**Ms ABIGAIL BOYD:** Good. Just checking. That means our bill is still relevant. In relation to the numbers of tracks that we have now in the State, how many straight tracks do we have, how many round tracks do we have and what is in development?

**STEVE GRIFFIN:** That is probably more of a question for Greyhound Racing New South Wales, but I can tell you the current status and what I know of what is planned. Obviously, we only have one straight track in New South Wales and that is the Richmond Straight track out at Richmond. It has just moved to a central lure configuration, which is pleasing to see.

**Ms ABIGAIL BOYD:** Has that still got a round track and a straight track?

**STEVE GRIFFIN:** It has both, yes. I understand that there are plans to have a straight track built at Goulburn, and that is currently before Goulburn council. That is as far as I am aware of other plans for straight tracks in New South Wales. The remaining 28 are circular tracks.



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**Ms ABIGAIL BOYD:** Since that report from UTS talking about how the straight tracks were safer than the round tracks, has there been any replacement of a round track with a straight track in New South Wales, or just the building of new ones?

**STEVE GRIFFIN:** You would have to give me a date on that. The last track that was replaced was Grafton, and I believe that was 2020-21. I am not quite sure of the date of the report from UTS and whether that predated the replacement of the Grafton track, but there have been no other replacements of any other tracks. There has been, obviously, an upgrade to the Muswellbrook track that was brought back on line last year but, other than that, there have been no new tracks.

**Ms ABIGAIL BOYD:** There has not been a big industry move towards introducing straight tracks on the back of that report, has there?

**STEVE GRIFFIN:** That is a position for industry, but I can't answer in relation to that.

**Ms ABIGAIL BOYD:** I guess this is the question for you. We are being told that there are still six times the number of greyhounds in need of homes than there are adopters. Is that your understanding as well? What are the numbers looking like in terms of numbers of dogs needing homes versus dogs being adopted?

**STEVE GRIFFIN:** Yes, there certainly was an increase. Post-pandemic there were certainly a lot of pets being put into shelters and homes, which also, obviously, crowded out the ability of the industry to rehome its pets. The greyhound industry in New South Wales has looked to expand demand by going to the US, and I'm sure you are going to ask me a question about that shortly. But that is where they need to look for extra demand. Obviously, a lot of the local demand, I think, is close to saturation.

But one thing that has oddly occurred is that actual breeding rates have declined. Servicing rates—I think there were 614 services last financial year. That was a 21 per cent decrease. I have spoken to many people in the industry about this, and they tell me that there are a great deal of greyhounds who have been retired to industry participants themselves and they are taking up kennel space plus resources, which is then like the invisible hand of the economy has found its way back to breeders, and they're reducing the breeding rates. It is pleasing to see that is occurring. We are seeing a reduction in breeding in the industry, which is a good thing to see.

**Ms ABIGAIL BOYD:** What are the numbers of dogs bred versus those that go on to race? Do you have those figures?

**STEVE GRIFFIN:** Yes. It is still about 72 per cent. It was low several years ago, but it has continued to increase and is upwardly trending towards 75 per cent. So the bred-to-race ratio has been increasing over the last three or four years.

**Ms ABIGAIL BOYD:** So what happens with those dogs that aren't raced? Do they go straight on to be adopted?

**STEVE GRIFFIN:** Some do, and many do certainly when they're young pups. They have more success of being rehomed, on our understanding, as pups, but some of them have obviously been retained by participants. I think about one-third of greyhounds that get retired or don't make it to racing find their way to being retained by participants, about a third get rehomed by GAP and about a third by pet rescue agencies and organisations. It's been that pent-up demand of participants holding onto greyhounds, finding it difficult to rehome, that has led obviously to taking up resources and led them to tell breeders to reduce their breeding because they don't have the capacity to take further dogs into their kennels.

**Ms ABIGAIL BOYD:** Do you have the most recent figures for the amount of greyhounds being euthanased in the industry?

**STEVE GRIFFIN:** Yes, I do. Is that euthanased generally in the industry, not just racing?

**Ms ABIGAIL BOYD:** Yes.

**STEVE GRIFFIN:** Euthanasia for the last financial year, which includes those that were euthanased at the tracks, was 544.

**Ms ABIGAIL BOYD:** Just to give us an idea, of those 544 dogs that are participant, so we're not talking about the ones that may have gone onto the Companion Animals Register but those that have been euthanased within the industry, how many were as a result of track injury?

**STEVE GRIFFIN:** That was 59 for the last financial year.

**Ms ABIGAIL BOYD:** Do you have figures on how many of those were euthanased because of so-called behavioural issues?

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**STEVE GRIFFIN:** Yes, 19.

**Ms ABIGAIL BOYD:** And the others?

**STEVE GRIFFIN:** Others, emergency euthanasia, zero; failure to rehome, three.

**Ms ABIGAIL BOYD:** Three, failure to rehome?

**STEVE GRIFFIN:** Correct.

**Ms ABIGAIL BOYD:** We are still looking at 400-and-something unaccounted. What are they?

**STEVE GRIFFIN:** Sorry, there are other deaths that relate to injury or accidents, or illness or age, and natural causes.

**Ms ABIGAIL BOYD:** I thought you said 544 was the euthanasia number.

**STEVE GRIFFIN:** That's all the euthanasias within the industry for the last financial year.

**Ms ABIGAIL BOYD:** If there are 544 euthanasias, but only 59 from on-track injury, 19 behavioural issues and three failure to rehome, where are the other 400?

**STEVE GRIFFIN:** Medical euthanasia due to injury is 268. That would include the injuries on track. Medical euthanasia in relation to illness is 254; medical euthanasia emergencies, zero; failure to rehome, three; behaviour unsuitable, 19, and that is a significant reduction to previous years due to change of our rehoming policy that no longer permits greyhounds to be euthanased on the basis that they can't be rehomed.

**Ms ABIGAIL BOYD:** But of those racing dogs that are euthanased for medical reasons, is there any overlap with those that have been injured? For example, if you had a dog injured and two weeks later they are euthanased, does that count as a track injury?

**STEVE GRIFFIN:** Yes, it is. Any greyhound that's taken off to the Greyhound Care Scheme that has a serious injury, we continue to track the treatment of that greyhound and, if it's subsequently euthanased, that is recorded in those statistics.

**Ms ABIGAIL BOYD:** If it is injured during training, does that get—

**STEVE GRIFFIN:** That would be included in the other 200-thereabouts, that's correct.

**Ms ABIGAIL BOYD:** Do you have any more detail on the reasons for those medical euthanasias so we can track back? I mean, you would expect that some dogs—any dog—would have certain reasons that they might get incredibly sick or injured, but what I'm trying to do is work out exactly how many are being put down because they are effectively unable to race. If there is an injury during training, what are the rules then for them being euthanased? Does it get recorded as a training injury? What are we recording that as?

**STEVE GRIFFIN:** It would get recorded certainly as an injury, but it would need to be notified to the commission that there has been a related injury, that the euthanasia is related to a serious injury that couldn't be treated.

**Ms ABIGAIL BOYD:** What illnesses are they getting put down for?

**STEVE GRIFFIN:** A whole range of illnesses, no doubt. I could take on notice to give you further detail of what that is, but there is obviously a whole range of canine-related illnesses.

**Ms ABIGAIL BOYD:** Do you look at the general population in terms of illness and things compared to the average, I don't know, companion animal?

**STEVE GRIFFIN:** Yes, absolutely, including pups that die within this cohort, and they are actually lower than the normal dog population.

**Ms ABIGAIL BOYD:** I understand that Greyhound Racing NSW refused to support a breeding cap as part of the Greyhounds Australasia process. Do you know about that?

**STEVE GRIFFIN:** No, not aware of it.

**Ms ABIGAIL BOYD:** Are you aware of whether or not the industry, or Greyhound Racing NSW, supports a breeding cap?

**STEVE GRIFFIN:** I am not aware.

**Ms ABIGAIL BOYD:** I understand that from 1 May last year the national and local greyhound racing rules require that all greyhounds be sterilised prior to being retired as pets, and that they be sterilised prior to

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leaving the care of the owner or registered person responsible—so the participant, unless the dog has been accepted into an approved greyhound adoption program. Do you monitor that to ensure that it happens? Do you have any data on that?

**STEVE GRIFFIN:** Absolutely. Our rehoming policy, since the commission was established, has required desexing. I think the GA rule caught up with that and made that applicable to all States and territories across Australia and New Zealand but, yes, our policy has been very strong in the fact that greyhounds have to be desexed as part of the rehoming process for the very reasons that you well know, that we don't want the greyhounds to be exported for breeding outside of Australia.

**Ms ABIGAIL BOYD:** On the issue of surgical artificial insemination, I know the UK has now banned it for racing greyhounds. Are you aware if there is any movement in New South Wales to do that, or am I better asking the department—

**STEVE GRIFFIN:** It's really a matter of Government policy.

**Ms ABIGAIL BOYD:** Yes, I will ask the Government. **Are there any moves to ban surgical artificial insemination for greyhounds?**

**TAREK BARAKAT:** It would be a matter of Government policy. It's not something that has been discussed with me, but if we have any further information I'm happy to provide it on notice.

**Ms SUE HIGGINSON:** Mr Hamilton, I have received some concerns, or some questions really, about Just Reinvest, which is a decision-making group that's established in the Moree area. I understand that it is made up of employees of Aboriginal Affairs, DCJ, Corrections and the AG's department. Are you aware of that group?

**SHANE HAMILTON:** I'm aware of Just Reinvest, but I'm not sure—

**Ms SUE HIGGINSON:** My understanding is it's purportedly a leadership group, but the concerns that have been raised with me are that it's purporting to be a leadership group of that local community, but it is quite inaccessible in terms of membership, and that the membership is exclusive to those government agencies and other members of the community are excluded from being part of that group if they're part of other organisations and boards. I am just wondering if that is something on your radar and whether there can be something done about it.

**SHANE HAMILTON:** My understanding is that Just Reinvest is an organisation on its own. It has an office in Moree. They are working with a number of different community organisations. It's not necessarily driven by us or government departments, it's driven by Just Reinvest themselves, and who they determine is part of that is a matter for them.

**Ms SUE HIGGINSON:** But is it your understanding that it's members of government departments that are part of that? Or is that not your understanding?

**SHANE HAMILTON:** No, that's not my understanding. Obviously, we talk to them, but my understanding is that Just Reinvest is something that's driven locally by the community and it's a matter for them to determine who are those organisations that participate on it.

**Ms SUE HIGGINSON:** So it's your understanding that there aren't any public servants on that organisation or on those working groups?

**SHANE HAMILTON:** No, well, there is certainly not from Aboriginal Affairs. Yes, we do talk to Just Reinvest and there are relationships there, but we're not—

**Ms SUE HIGGINSON:** Yes, I understand there is a relationship—

**The CHAIR:** Ms Higginson, can I ask that you speak into the microphone, because I can't hear you and it must be hard for Hansard with you facing that way.

**Ms SUE HIGGINSON:** Okay. Thanks, Chair.

**The CHAIR:** No problem.

**Ms SUE HIGGINSON:** It's the second time I've been accused of being quiet.

**The CHAIR:** I'm not accusing you. I'm commending you for being quiet, but be quiet into the microphone.

**Ms SUE HIGGINSON:** Okay, I will try to be quiet into the microphone. So your understanding is there aren't members of the public service who are part of that group?

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**SHANE HAMILTON:** No.

**Ms SUE HIGGINSON:** And it's a relationship?

**SHANE HAMILTON:** Yes.

**Ms SUE HIGGINSON:** Alright, thank you. Can I just ask in the last 40 seconds, are you aware of the Cabbage Tree Island situation at the moment and the fact that there is that enormous difficulty and the decisions being made around community not being supported to return?

**SHANE HAMILTON:** Yes.

**Ms SUE HIGGINSON:** Can I ask what support, if any, Aboriginal Affairs is providing to that community?

**SHANE HAMILTON:** Well, we've provided support in partnership with the Jali land council who own Cabbage Tree Island. We undertook a review of a number of reports that have been written since about 2006, I think, to ascertain—essentially, to provide Jali with the information where they could make a decision on whether they stayed on Cabbage Tree Island or relocated to other locations.

**Ms SUE HIGGINSON:** Can I finish with one quick follow-up? Is it your understanding, though, that Jali is not getting support through the Northern Rivers Reconstruction Corporation to do anything to rebuild? Is that how you understand the situation?

**SHANE HAMILTON:** No, that's not my—no.

**Ms SUE HIGGINSON:** Thank you.

**The CHAIR:** The Opposition?

**The Hon. JACQUI MUNRO:** I'm not exactly sure who should answer this, possibly Ms Lamb. Maybe you can hear the question before you run up. It's about the administration of the Liquor Act and something that I referred to earlier in my question to the Minister about the relationship between the Minister in his capacity with oversight of that Act and in his capacity as Minister for Aboriginal Affairs. As Minister for Gaming and Racing he is required to consult with the Minister for Aboriginal Affairs for proposed restricted alcohol areas in recognised Aboriginal communities. I am just wondering how that process usually works and if that process would change, given the person is one and the same now?

**CAROLINE LAMB:** Given—I beg your pardon, what was the last thing?

**The Hon. JACQUI MUNRO:** Ordinarily the process would be to consult with two different Ministers, but given he is now a single entity, could you explain what the original process was and how that process has changed now that he is the same person?

**CAROLINE LAMB:** Well, I'll do my best. I was appointed in December last year and since then I haven't been aware of that process occurring. So I can't tell you very much about that, I'm afraid.

**The Hon. JACQUI MUNRO:** Is it something that you'd be willing to take on notice?

**CAROLINE LAMB:** Of course, yes.

**The Hon. JACQUI MUNRO:** Perhaps there is some sort of example of how it has occurred in the past and perhaps any—maybe risk mitigation goes too far—strategy or plan that has been put in place to manage the fact that it is now the same person that would be consulted?

**CAROLINE LAMB:** Yes, I can. I would perhaps add, it may be useful, that the existence of a large proportion of Aboriginal people in any particular area, when we're looking at an application, it's one of the issues we take account of at ILGA. But I'm not aware of any particularly designated areas, as you refer to them.

**The Hon. JACQUI MUNRO:** Okay, so, under the Act there are not any that exist at all, at the moment, in New South Wales?

**CAROLINE LAMB:** Not that I'm aware of, no, and I think I probably would be aware of them if they existed.

**The Hon. SARAH MITCHELL:** I have some questions now for Ms Whyte. Sorry, you thought you were getting a leave pass; not today. Just a couple—I've left you to the last session. Thank you for being here today. I have some, I guess, more operational questions to begin with. Can you outline, within the Department of Regional NSW—obviously, you are here today because Minister Harris is the Minister for the Central Coast, but

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there are a number of regional Ministers—what is the breakdown in terms of staff allocations for particular regional areas, or is it all part of one team? Can you provide some information around that?

**HARRIET WHYTE:** Yes, absolutely. The Department of Regional NSW looks after all five of the regional Ministers, or the regional portfolios, through my team, which is the Regional Development team. I have a network of staff based right around the State that look after each of those regional Ministers. For the Minister for the Central Coast, I have a team of 10 staff, that are based primarily out of my Gosford office and a few based out of the Newcastle office, that look after that region, and then the Minister is supported by myself and other staff in enabling functions like our media team or our Cabinet team, or whatever else it might be, on an as-needs basis.

**The Hon. SARAH MITCHELL:** So it's 10 staff, through the agency, that are solely looking at the Central Coast?

**HARRIET WHYTE:** Yes, 10 staff, and those staff have run the Central Coast coordination team prior to the Minister being established. It is an historic team that has kept supporting that region.

**The Hon. SARAH MITCHELL:** And are they similar numbers in the other regional areas?

**HARRIET WHYTE:** More or less. Some of the regions that cover a larger geography or have larger LGAs might have some more staff dedicated to that region.

**The Hon. SARAH MITCHELL:** Does Minister Harris have a DLO from Regional NSW, that you're aware of?

**HARRIET WHYTE:** Yes, he does. He shares a DLO amongst all of the four regional Ministers who have other portfolios that sit outside our department.

**The Hon. SARAH MITCHELL:** Sorry, one person covers the five?

**HARRIET WHYTE:** One person alternates between the four regional Ministers, and then there are separate DLOs for Minister Moriarty who has—

**The Hon. SARAH MITCHELL:** Has the broader region?

**HARRIET WHYTE:** —more portfolios that sit within our department.

**The Hon. SARAH MITCHELL:** I'm going to forget who they all are now. So, Rose Jackson and then, Hunter—

**HARRIET WHYTE:** Yes, Minister Jackson for the North Coast, Minister Catley for the Hunter, Minister Park for the Illawarra and the South Coast, and then Minister Moriarty, herself, is the Minister for Western New South Wales.

**The Hon. SARAH MITCHELL:** Okay, so there is one DLO between four offices. I envy how they make that work—or I wonder how they make that work. But, good for them.

**HARRIET WHYTE:** He's a busy man.

**The Hon. SARAH MITCHELL:** Yes, I can imagine. In terms of some specific regional projects on the Central Coast—and I will put some of these on notice because I appreciate you might need to speak to colleagues in other agencies—I am particularly interested in the Stronger Country Communities Fund because that one is administered through Regional NSW, is my understanding, or it has been. Is that correct?

**HARRIET WHYTE:** The Stronger Country Communities Fund has been administered through the Department of Regional NSW.

**The Hon. SARAH MITCHELL:** That's not continuing, though, as it was before?

**HARRIET WHYTE:** That is correct.

**The Hon. SARAH MITCHELL:** I have a number of specific projects here that I'm keen to get an update on. I don't know whether you will have detail of any of them with you.

**HARRIET WHYTE:** You can try me, but I might take them on notice.

**The Hon. SARAH MITCHELL:** I'll try, because we do have a little bit of time. I'll start with probably one of the biggest spends—\$1.3 million for the Sun Valley Regional Playspace in Green Point. Do you know where that one's up to, by any chance?

**HARRIET WHYTE:** No, I'll have to take that one on notice.

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**The Hon. SARAH MITCHELL:** What about the Peninsula Leisure Centre, there is an outdoor water park, of 850,000?

**HARRIET WHYTE:** Yes, I can take it on notice to get you the specifics about where these projects are up to.

**The Hon. SARAH MITCHELL:** I have a list here but I might just put them all on notice, because I don't want you and I to have to have a repetitive conversation back and forth over certain projects.

**HARRIET WHYTE:** What I can say about the previous successful programs under the Stronger Country Communities Fund, all of those will be honoured and the payments continued to those previously successful projects under the Stronger Country Communities Fund.

**The Hon. SARAH MITCHELL:** Is there a time frame for when you would hope all of those payments will be honoured or projects delivered by?

**HARRIET WHYTE:** All of those projects would have milestones, as part of their contracting, that the applicants would be expected to meet. But I can take the specifics on notice, about the milestones.

**The Hon. SARAH MITCHELL:** Okay, I'll put those on notice. There are about 10 projects here, so I won't go into detail. As competent as I know you are, Ms Whyte, I don't expect you to be across all of the detail.

**HARRIET WHYTE:** Thank you.

**The Hon. SARAH MITCHELL:** My only other question in relation to this particular portfolio is I asked some questions of the Premier yesterday around keeping Regional NSW as a standalone entity and staffing cuts. You talked about having 10 staff based on the Central Coast. I appreciate that Mr Draper addressed this earlier, but what kind of contingency planning are you looking at in terms of your staffing over the course of the next 12 months or so?

**HARRIET WHYTE:** I'll defer to the answers provided by our secretary, Rebecca Fox, yesterday during Minister Moriarty's session. I think she outlined the process that the Government's going through around senior executive staff and leaving that to the senior executive staff. But, like any agency, we dedicate resources and, having a statewide network, I'm able to pull resources to where they're needed across all of the different regions.

**The Hon. JACQUI MUNRO:** Just on that, how is the Central Coast faring in relation to the other regions? Is it getting more staff at the moment? What's the proportion of where all those staff are at with regard to those different regional areas?

**HARRIET WHYTE:** I haven't made any changes to the staffing levels of the regions that have got regional Ministers since this Government took office.

**The Hon. JACQUI MUNRO:** I think that's all for Central Coast. I did have some questions on veterans.

**The Hon. SARAH MITCHELL:** We promise we didn't make you all sit here all day without a few questions. It's time to share.

**The Hon. JACQUI MUNRO:** Ms Mackaness, thank you for coming today. How many full-time equivalent staff do you currently have in the NSW Office for Veterans Affairs?

**CAROLINE MACKANESS:** Fourteen. One staff member is dedicated to working on whole-of-government work for the Royal Commission into Defence and Veteran Suicide. We're also the umbrella for the Anzac Memorial, which is a statutory entity, and they have 13 full-time equivalent staff. But there are frontline guides that are rostered and casual staff that deliver education programs, so it's a mix of staff in that facility.

**The Hon. JACQUI MUNRO:** Just on that royal commission work, how are you prioritising a response to that from a New South Wales perspective?

**CAROLINE MACKANESS:** We chair a working group, which is a whole-of-government interdepartmental committee. We've had a number of notices to give. We're working very closely with the Crown Solicitor's Office that is supporting all of the work. We've just received another notice today. The work interrogates the police, the coronial system, the health system and veterans strategy—the whole-of-government work that we've been doing over the last four or five years.

**The Hon. JACQUI MUNRO:** Just going back to that 14 staff that you mentioned, do you have any veterans as part of that staff?

**CAROLINE MACKANESS:** Yes, we do.

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**The Hon. JACQUI MUNRO:** How many do you have?

**CAROLINE MACKANESS:** In the 14, there are three, but at the Anzac Memorial we prioritise veterans' employment there. It's actually a great place for veterans to land and transition and get used to a different civil environment, and they're fantastic at ceremony and running all the events that we have there. What we've done with the veterans in the team is, sort of, prioritise networks across government to support veterans in different clusters. As you might imagine, Transport has quite a large veteran population. Our own department, Communities and Justice, has a lot of the uniform-to-uniform veterans, so it has a large proportion of veterans as well.

**The Hon. JACQUI MUNRO:** I guess that relates to something the Minister spoke about earlier in terms of employment targets. Could you just elaborate on some of that work that you do?

**CAROLINE MACKANESS:** Yes, love to. Craig Delaney, a veteran, runs that program. Again, it leverages. But what we did back in 2015 was initiate the program. Really the first step was to understand the landscape of veterans. We didn't have the census then, so it was more about where the defence bases are, what does New South Wales do with defence industries, trying to understand the number of veterans we employed, which we didn't know so we worked very closely with the Public Service Commission to establish the first veteran indicator question. That enabled us to then launch the program in 2016. We worked closely with the ADF to understand veterans' skills and capabilities and match them to the public service structures so that we could set up tools and useful information for veterans wanting to transition.

The work we do is we work very closely with defence. We attend all the transition seminars. Craig gets whole-of-government representation at those transition seminars, so TAFE and corrections. A number of different agencies go and they talk about the benefits of working in New South Wales Government and then refer to our tools and resources, and we run workshops to help veterans understand how to communicate their skills and how they translate to the public service. One of the things we've been doing more recently is mentoring programs. Corrections was one of the first to initiate a program to mentor veterans. They employ a large number of veterans, so they mentor veterans coming into the system. The Sheriff's Office also employs a lot of veterans, so they've started a program and Craig's looking at it rolling out in Transport and emergency services as well.

We work very much on leveraging. We're a very small team so we have to work with all our colleagues to try and initiate things. The same with local government: We worked very closely with the United Services Union to understand the skills in local government and how they match to the Australian Defence Force's. We set up a template and then encouraged local government to look to employ veterans and to indicate that they valued veterans and that they would welcome veterans coming into their organisation and give them an interview, and then support them if they got a job. Campbelltown has been exemplary because there's a veteran who works there who has set up web tools as well and shared them with other local governments—again, working on leveraging, getting one or two, and then those helping inform and get the others onboard.

**The Hon. JACQUI MUNRO:** Fantastic, thank you. Congratulations. Just two very quick ones: How many veterans are employed through the New South Wales Government? Do you have that?

**CAROLINE MACKANESS:** Yes. We keep having new targets. The current target is 2,000 over the next four-year period. That's a target of about 250 every six months, and we reached 265 in the first six-month period, so we were slightly ahead. We are just about to get the next six-month figures. But to date, since we launched in 2016, we've employed over 2,500 veterans in the public service.

**The Hon. JACQUI MUNRO:** Finally, I was wondering how much funding will be available for the Community War Memorials Fund? Are you aware of that?

**CAROLINE MACKANESS:** Yes. We run that. The State war memorials committees are run through our office. Also a fantastic program—we look after the register of war memorials across the State.

**The Hon. JACQUI MUNRO:** I am just mindful of time.

**The Hon. SARAH MITCHELL:** No, it's fine.

**CAROLINE MACKANESS:** There's \$250,000 per annum. We run two rounds, which allocate \$125,000 in each round.

**The Hon. JACQUI MUNRO:** Beautiful.

**The Hon. SARAH MITCHELL:** I just have a couple of quick questions also for you, Ms Mackaness. I think the Minister did touch on this earlier, but he was speaking about memorials for the more recent conflicts. I think there was an announcement by Government back in April around a memorial for Iraq and Afghanistan veterans. Is there anything more you could provide to the Committee around the consultation? As I said, I know

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the Minister did touch on it, but from the department's perspective—the work that's happening and what some of the feedback is, particularly from veterans from those conflicts.

**CAROLINE MACKANESS:** Sure. We immediately drafted a survey that went out to the broad community. We have very good communication channels through the RSL and all their sub-branches and also through war widows and Legacy, and then we do lots of social media that can be shared by the subgroups within the veteran community. We had 1,100-odd responses to that survey with the initial response to what the community would like to see. We're very keen to ensure we did consultations. The Minister also mentioned we're running a forum on the Central Coast on 3 November, which is a broad community invitation as well. We'll use that opportunity to talk to the community about what they'd like to see, and then we're setting up another consultation at the Anzac Memorial, which will be particularly pushed out through some of our veterans who work at the memorial who are Afghanistan or Iraq veterans and who have their own broad community. They operate through different Facebook groups, so we'll try and get a lot to that session as well.

**The Hon. SARAH MITCHELL:** I, obviously, don't want to pre-empt decisions of government, but I'm assuming there hasn't been any funding made available for any sort of structure or anything at this point in time because you're still going through a consultation to determine exactly whether that will be a physical memorial or what the best way to incorporate that is. Is that correct?

**CAROLINE MACKANESS:** No funding allocated as yet, but I would note that the Anzac Memorial is a living memorial that recognises those conflicts as well, and the Minister referenced the hubs that are being set up across the State, and we have over 3,000 memorials across the State, in different communities. So it's quite a complex thing to work through. We've got living memorials. Over the history of memorials, different generations have done different things. We've got parks. We've got sporting complexes. We've got now Fussell House, which was named after a veteran. That is part of the National Centre for Veterans' Healthcare. There's a big focus by the younger generation on supporting veterans' needs and activities—sporting and health and community focused—

**The Hon. SARAH MITCHELL:** Just in the 90 seconds that I have left, there was an announcement, I think, by Minister Sophie Cotsis not that long ago, about looking at Anzac Day trading hours. What's the involvement of your department in those considerations?

**CAROLINE MACKANESS:** We strongly encouraged consultation, and we put the message out through the community. War Widows, for example, put it out to their community, and they've provided a written response as well. So we're confident that there's been community feedback on that.

**The Hon. SARAH MITCHELL:** Presumably, your role really is, more than anything, making sure that the wider sort of veterans and the wider community in that space can have their say and be part of the consultation, as opposed to being more intimately involved with that side of things.

**CAROLINE MACKANESS:** Yes. We didn't run the consultation, because it's not our portfolio.

**The Hon. SARAH MITCHELL:** I understand that.

**CAROLINE MACKANESS:** But, of course, Anzac Day is absolutely central to what we do. It's one of our biggest days in the year, so we helped ensure the message got out to the right community.

**The Hon. SARAH MITCHELL:** To ensure adequate consultation from the other part of government that's dealing with it.

**CAROLINE MACKANESS:** Yes.

**The Hon. JACQUI MUNRO:** In the last 20 seconds, can I just ask a question of Mr Levesque. I know you've been here all day. But I did want to ask. How often are you meeting with the Minister? Obviously, he doesn't have any legislative responsibility.

**JEAN-FRÉDÉRIC LEVESQUE:** We have a monthly meeting with the Minister to reflect on our grant programs and the different activities that we're developing and, of course, through different activities where he's invited to meet with key researchers, part of our work, as well. Monthly on a regular basis and then when those activities arise.

**The CHAIR:** Mr Levesque, could you just take this on notice. Have you received any grant funding applications from medicinal cannabis companies in the State?

**JEAN-FRÉDÉRIC LEVESQUE:** From companies.

**The CHAIR:** Companies or institutions, academia. Really, it doesn't really matter about the entity. It's really about whether or not—funding for medicinal cannabis research.



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**JEAN-FRÉDÉRIC LEVESQUE:** There was a program established in 2016 where there was an investment of \$21 million in medicinal cannabis research. That program has been allocated entirely. Since then, there's no specific program. I can take on notice clarifying if we've received any grants recently as part of our regular programs. There's only one additional that related to medicinal cannabis, that I can mention, which was part of our spinal cord injury program, where there was a trial on medicinal cannabis as a way to control pain for people with spinal cord injury. But we can take on notice to make sure that we are not forgetting any of those.

**The CHAIR:** If you could and provide some details of that. I just have one other question, to Ms Mackaness, regarding her previous answer on war memorials. Was I right in hearing that you said that there were two rounds of \$125,000 provided to the department for the renovation, the upgrade of those war memorials?

**CAROLINE MACKANESS:** Yes. There's 3,000 memorials, more than, across the State, a large number of them established, of course, after the Great War. The program focuses mostly on older memorials, making sure that they're well conserved.

**The CHAIR:** Is that the only money coming from the Government? What about the department of heritage?

**CAROLINE MACKANESS:** Our program is the only dedicated program. There is Commonwealth funding. They have a Saluting Their Service program, and we work closely in tandem because sometimes memorials, major stone, granite memorials that need a lot of work—our grants are only up to \$15,000, and the work can be \$60,000 to get them back to the condition they need to be in.

**The CHAIR:** Do you think that's adequate? Is there any feedback in the community, in the veteran community, that that's not enough money to maintain one of our most precious heritage assets?

**CAROLINE MACKANESS:** We've been managing to date by referring people to Saluting Their Service if we can't cover the costs. Again, we work very closely with the Commonwealth, and there's always requests for more money, but I think to date we've been managing the most urgent conservation requirements for the memorials.

**Ms CATE FAEHRMANN:** I just wanted to go back to the \$100 million harm minimisation fund as well as the independent panel, and I understand that they are making recommendations on the use of the \$100 million harm minimisation fund. Is that the whole lot of that \$100 million, that the independent panel provides their views on how that should be spent, or just part of it?

**TAREK BARAKAT:** It'd be funding that hasn't been allocated this year, the balance of what's left after the 3.4, the 6.4 and the 10 were allocated this year. The Government's position is they will seek advice from the panel on the remainder of those funds.

**Ms CATE FAEHRMANN:** The 6.4—that is going to facial recognition technology. So the independent panel—the experts had nothing to do with that spend?

**TAREK BARAKAT:** There's nothing stopping us, to be clear, from going to the panel, seeking their advice on how best to implement a statewide, for example, self-exclusion and a third-party exclusion scheme. I think, to be honest, we probably will seek some advice from the panel on that, given the expertise that's in the room.

**Ms CATE FAEHRMANN:** Is it expected, with that, that the facial recognition technology—I'm not talking about the spend now—that there would be legislation coming to the Parliament to implement that in pubs and clubs across New South Wales?

**TAREK BARAKAT:** That's probably a question for government. That will be one option. There could also be guidelines and codes of practice which mandate these sort of things.

**Ms CATE FAEHRMANN:** What is before you in terms of a time frame for that?

**TAREK BARAKAT:** The Government's commitment was to implement these things by 30 June 2024.

**Ms CATE FAEHRMANN:** When you say "these things"—

**TAREK BARAKAT:** Fair question. To be clear, the election commitment was for mandatory facial recognition technology statewide self- and third-party exclusion schemes by 30 January 2024.

**Ms CATE FAEHRMANN:** The \$6.4 million, you think, will actually go towards the—the expectation is that will go towards facilitating having facial recognition technology in pubs and club, in terms of actually implementing it? That's quite soon, isn't it. Are you concerned about that deadline?

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**TAREK BARAKAT:** Not necessarily having it in there. Like I said earlier, self-exclusion and third-party exclusion, for example—I think I mentioned earlier that venues are already required to have exclusion schemes in place. They differ from venue to venue. We're working through the process now, but our expectation is there is a very significant technical piece of work at the back end of that to make sure that whatever system is in place talks across venues throughout New South Wales so that, if I exclude myself from a venue, because of gambling harm, in Sydney's CBD, I'm also excluded from a venue in Tamworth, for example. That's a really technical piece of work, and our expectation is that the 6.4 will need to be used for some of that technical back-of-house build to facilitate that statewide scheme.

**Ms CATE FAEHRMANN:** Is your expectation that community consultation is also happening as part of this?

**TAREK BARAKAT:** That hasn't been discussed, to my knowledge. I think the consultation we would probably be doing would be through the panel. That panel has got key representatives from the community organisations, harm minimisation organisations, industry and also a person with lived experience. It has also got the CEO of Cyber Security NSW and a deputy commissioner from the NSW Police Force, who obviously have expertise in the privacy and data security questions that will no doubt be raised. Without wanting to pre-empt an outcome, because this hasn't been finalised yet, my thoughts now would be that if we were going to consult—and we would—it would be to use the expertise on that panel.

**Ms CATE FAEHRMANN:** In other words, no, because that is not community consultation—you know, the type of community consultation I was asking about, which is a genuine community consultation. And just on the question—

**TAREK BARAKAT:** I think, though—to be fair, Ms Faehrmann—the Government has committed to this. It was an election commitment. Implementing statewide self-exclusion mandatory facial recognition was an election commitment of the Government. They have been elected on the basis of this being implemented—obviously, among other things, but this was a commitment they made coming into the election: that these things would be mandatory across the State by 30 June next year.

**Ms CATE FAEHRMANN:** There are plenty of commitments that the Government has made that it is opening out to plenty of community consultation. For example—

**The Hon. Dr SARAH KAINE:** Point of order—

**Ms CATE FAEHRMANN:** —creating a Great Koala National Park. I'm just suggesting—

**The CHAIR:** A point of order—excellent. Ms Cate Faehrmann, a point of order has been taken.

**The Hon. Dr SARAH KAINE:** I refer to the resolution which says that we treat our witnesses appropriately, and this is verging on badgering now. The witness has answered the question, if Ms Cate Faehrmann could move on, please.

**The CHAIR:** I uphold the point of order. Ms Faehrmann, if you could move on to your other questions, that would be great.

**Ms CATE FAEHRMANN:** We were talking about community consultation in relation to facial recognition technology. Just to be clear, is it facial recognition technology? Maybe this is the only time it is going to get a genuine airing, so I feel like I still need to ask some questions on it. Is it facial recognition technology at venue scale at every entrance to the venue, or is it machines? What is the plan?

**TAREK BARAKAT:** I think that these are all really good questions, Ms Faehrmann, but these are all questions we're asking ourselves at the moment too. As I said, we are working through the process now of figuring all this out so we can appropriately implement this and deliver on the Government's commitment. But they are rightly all questions that need to be asked to determine how this will be rolled out.

**Ms CATE FAEHRMANN:** Have any companies been engaged, or have you put anything out to tender yet?

**TAREK BARAKAT:** No.

**Ms CATE FAEHRMANN:** So \$6.4 million, but nothing has really progressed in that space, you are saying.

**TAREK BARAKAT:** Well, the budget was only handed down fairly recently. Now that we've got the money confirmed, we know how much we are working with and we know now that we need to take the steps to spend that and have this implemented as per the Government's commitment.

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**Ms CATE FAEHRMANN:** In terms of, within the department itself—with the independent panel, what is the body of departmental staff? Like, who was providing support and all of the information, research, reports, advice—whatever is needed—for the executive committee and the panel to be able to make these decisions? What does the support team look like?

**TAREK BARAKAT:** As per the terms of reference for the panel, which are publicly available on our website, the secretariat consists of staff from Liquor and Gaming NSW and the Cabinet Office. We provide meeting rooms, take minutes and provide papers for the panel to consider. In terms of exact numbers, I can take that on notice and come back to you. But, yes, that is Liquor and Gaming NSW and the Cabinet Office as per the terms of reference.

**Ms CATE FAEHRMANN:** Yes, that's what I was asking, actually. If you are able to take on notice—

**TAREK BARAKAT:** Absolutely.

**Ms CATE FAEHRMANN:** —the exact roles and hours and what people are doing in that space, that would be good. Can I check with the minutes of the independent panel as well—the deliberations? The two communiques that have come out are very short. There is hardly any information, really, in them. Other than that, there is nothing about what is before the committee—what it is deliberating on. Where is all of that information? And is anything else going to be published, other than short communiques each month—do you know?

**TAREK BARAKAT:** These are questions for the panel. The communiques are issued by the panel. They are the panel's communiques and it is therefore what they have decided to communicate. These would be questions that the panel would need to consider, I think.

**Ms CATE FAEHRMANN:** Just to be clear, if they decided they wanted their minutes published, they would publish it. There is nothing else stopping that, you think?

**TAREK BARAKAT:** Not to my knowledge, no.

**Ms CATE FAEHRMANN:** I move to a couple of questions on the ClubGRANTS guidelines. I noticed that in the changes that Liquor and Gaming did last month—I don't know who is the best person to answer this—there were several changes made. Firstly, what was the genesis of the changes that were made? What was the process? Who was consulted on the changes, and how were those changes arrived at?

**TAREK BARAKAT:** It's slightly before my time, so I can come back to you with some more detail, but my understanding is that NCOSS had raised some concerns about the operation of the guidelines and levels of transparency and clarity and things like that. Off the back of those concerns, we consulted with both NCOSS and ClubsNSW, and a number of suggestions were made by both entities. Not all of them were incorporated. Some of them were incorporated. Those guidelines were then shared back with NCOSS and ClubsNSW as a bit of an interim update to make things a little bit clearer and address some of issues identified while the review commenced and was ongoing.

**Ms CATE FAEHRMANN:** One of changes, for example, that I'm aware of, is adding an acquittal process for grant recipients. Is that correct?

**TAREK BARAKAT:** Yes, that's my recollection.

**Ms CATE FAEHRMANN:** Before the changes which were introduced last month, all the organisations that received anything from clubs grants didn't have to do any form of acquittal at all?

**TAREK BARAKAT:** I'll take that on notice and I can come back to you with exactly what the process was prior to the changes to the guidelines as compared to what the process is now. I'll give you detailed information on notice, if that's okay, Ms Faehrmann.

**Ms CATE FAEHRMANN:** That's fine. Thank you. I think that's all for me in terms of questions.

**The Hon. STEPHEN LAWRENCE:** I have a question for Dr Levesque from NSW Health. I was wondering, doctor, if you could tell us more about a clinical trial that the Minister for Health announced in July, known as Precision Oncology Screening Platform Enabling Clinical Trials, or PrOSPeCT?

**JEAN-FRÉDÉRIC LEVESQUE:** Yes, thank you. Before I do that, can I just clarify that a number I mentioned previously—to your question, Chair, about medicinal cannabis—of \$20 million did include research and care. And I want to clarify that \$9 million from that \$21 million was for research in medicinal cannabis. In terms of the PrOSPeCT trial, this is a important national trial that aims at enhancing our capacity to screen patients with cancers—to type, through gene technologies, the type of cancers that they have and then tailor the treatments that we would give to those patients really based on the typology of cancers that they have. We have invested \$20 million to support the trial and enhance the number of New South Wales patients that will access the clinical

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trial, and also to enhance our capacity and capability within New South Wales in pathology to be able to integrate this type of technology going forward.

It is an advanced therapeutic, which really means that it's at the cutting edge of clinical therapies for cancer. It's an area where we've got excellent academic settings that we're supporting. Researchers from the Government and UNSW are involved in that national trial, alongside other national leaders. We're a very close partner with NSW Health Pathology as well. This is an investment that will be up until 2025 or 2026, where we should have added 3,000 patients from New South Wales to the clinical trial through that specific investment.

**The Hon. STEPHEN LAWRENCE:** Certainly. Thank you, doctor.

**The CHAIR:** That draws the hearing to a conclusion. I very much appreciate your attendance and all your evidence. It's a long day. The committee secretariat will be in contact with you in the very near future regarding any questions or any inquiries that were taken on notice. Again, thank you very much. I appreciate your attendance. Safe travels. Thank you to all the members for your excellent behaviour and questions.

**(The witnesses withdrew.)**

**The Committee proceeded to deliberate.**