

# GENERAL PURPOSE STANDING COMMITTEE NO. 4

Thursday 3 September 2015

Examination of proposed expenditure for the portfolio areas

**JUSTICE AND POLICE, ARTS, RACING**

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**UNCORRECTED PROOF**

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**The Committee met at 9.00 a.m.**

## MEMBERS

The Hon. R. Borsak (Chair)

The Hon. D. J. Clarke  
Ms J. Barham  
Dr J. Kaye  
The Hon. T. J. Khan  
The Hon. M. S. Mallard

The Hon. S. C. Moselmane  
The Hon. M. Pearson  
Mr D. Shoebridge (Deputy Chair)  
The Hon. B. Taylor  
The Hon. L. J. Voltz

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## PRESENT

**The Hon. Troy Grant**, *Deputy Premier, Minister for Justice and Police, Minister for the Arts, and Minister for Racing*

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## **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**

**CHAIR:** Welcome to the public hearing for the inquiry into budget estimates 2015-16. Before I commence I acknowledge the Gadigal people who are the traditional custodians of this land. I also pay respect to the elders past and present of the Eora nation and extend that respect to other Aboriginals present. I welcome Minister Grant and accompanying officials to this hearing. Today the committee will examine the proposed expenditure for the portfolios of Justice and Police, Arts and Racing. Today's hearing is open to the public. It is being live broadcast via the parliamentary website. A transcript of today's hearing will be placed on the Committee's website when it becomes available.

In accordance with broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. It is important to remember that parliamentary privilege does not apply to what witnesses may say outside their evidence at the hearing. I urge witnesses to be careful about any comments they make to the media or to others after they complete their evidence as such comments would not be protected by parliamentary privilege if another person decides to take action for defamation. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that a witness could answer if they had more time or with certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members' staff seated in the public gallery should be delivered through the Chamber and support staff or the Committee secretariat. Minister, I remind you and the officers accompanying you that you are free to pass notes and refer directly to your advisers seated at the table or behind you. Transcripts of this hearing will be available on the web from tomorrow morning. Finally, I ask everyone to turn off their mobile phones for the duration of the hearing. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Minister, I remind you that you do not need to be sworn as you have already sworn an oath to your office as a member of Parliament.

**CATHERINE BURN**, Deputy Commissioner, NSW Police Force,

**ANDREW SCIPIONE**, Commissioner, NSW Police Force,

**NAGUIB KALDAS**, Deputy Commissioner of Field Operations, NSW Police Force,

**DAVID HUDSON**, Deputy Commissioner, NSW Police Force,

**BRENDAN THOMAS**, Deputy Secretary, Department of Justice,

**JOHN CLARK**, Chief Financial Officer, Department of Justice, and

**SAMANTHA TORRES**, Director, Policy, Hospitality, Office of Liquor, Gaming and Racing, sworn and examined:

**ANDREW CAPPIE-WOOD**, Secretary, Department of Justice,

**FEARGUS O'CONNOR**, Acting Deputy Secretary, Department of Justice,

**MARY DARWELL**, Executive Director, Arts NSW,

**KATE DUNDAS**, Deputy Secretary, Arts and Culture, Arts NSW, and

**ROSEMARY CARUANA**, Acting Executive Director, Office of Liquor, Gaming and Racing, affirmed and examined:

**CHAIR:** I declare the inquiry into the proposed expenditure for the portfolios of Justice and Police, Arts and Racing open for examination. As there is no provision for the Minister to make an opening statement before the Committee commences questioning, we will begin with questions from the Opposition.

**The Hon. LYNDA VOLTZ:** Good morning, Minister, and everyone from the NSW Police Force. Welcome back to Parliament.

**Mr TROY GRANT:** Good morning.

**The Hon. LYNDA VOLTZ:** Minister, what was the date of the last joint operation with Border Force?

**Mr TROY GRANT:** Could I clarify, in relation to the new entity Border Force—

**The Hon. LYNDA VOLTZ:** Yes, that is right.

**Mr TROY GRANT:** —or the previous Federal agency?

**The Hon. LYNDA VOLTZ:** No, the agency Border Force.

**Mr SCIPIONE:** I am happy to take that question. Can you ask it again, please?

**The Hon. LYNDA VOLTZ:** What was the date of the last joint operation with Border Force?

**Mr SCIPIONE:** From an operational perspective we work constantly with Border Force. Border Force is an amalgam of a range of Commonwealth agencies, including Customs and Immigration. I have not got the strict details, and we can get that for you, but I suggest that we would operate every day with Border Force. Like every other police agency in Australia, the NSW Police Force is reliant on Border Force when it comes to protecting this State.

**The Hon. LYNDA VOLTZ:** Have you engaged the new Federal Border Force in a joint operation?

**Mr SCIPIONE:** What type of operation would you be—

**The Hon. LYNDA VOLTZ:** For example, have you been undertaking raids of brothels with Border Force?

**Mr SCIPIONE:** I can take that on notice. In the past we have worked with government agencies that make up Border Force, such as Immigration, and we know that they have been doing visa compliance checks for many, many years, looking at things as broad and as wide as fruit pickers in the south-west of the State, through to those that might be working in the cab industry, through to sex workers in brothels throughout the State. That is something that has been going on for many years. We are not necessarily there with them, but I will take on notice the last dates so I can make sure we get it right.

**The Hon. LYNDA VOLTZ:** Take on notice also how many joint operations took place in August, June and July.

**Mr SCIPIONE:** Certainly.

**The Hon. LYNDA VOLTZ:** Are you aware of all the operations that are undertaken with Border Force?

**Mr TROY GRANT:** I have the same answer, Ms Voltz. Different operations and law enforcement activities occur between multiple jurisdictions across New South Wales. I am not made aware on a daily basis of the nature or location of each of those operations.

**The Hon. LYNDA VOLTZ:** Has the New South Wales Government or the NSW Police Force been approached to conduct operations with Border Force that include random visa checks?

**Mr TROY GRANT:** I am not aware of any such application. During my police career I worked with the agencies when they detained people in relation to visa matters. I worked with the NSW Police Force because we assisted with the custody component of their operation. I have done that personally, but I am unaware of any requests to me, as the Minister, to assist in any joint operations in recent times.

**The Hon. LYNDA VOLTZ:** So you have not been approached to undertake any joint operations with regard to random visa checks.

**Mr TROY GRANT:** I have not.

**Mr SCIPIONE:** If your question relates to what was reported in the media last week concerning an operation in the streets of Melbourne, the answer from my perspective is that I have not been approached. That has never been raised with me as an operational consideration. My deputies are here. If it has been raised with them I am sure they would let us know. Having said that, in light of your question—which I believe is whether we been approached—to be abundantly clear, and to make sure we get you all of the information, I will take that on notice. We are not exclusively the agency. Someone may have been approached—certainly not that I am aware of. I suggest, unless there are others here who might want to give us that advice, that has not been the case.

**Mr TROY GRANT:** Deputy Commissioner Kaldas, Field Operations, is here.

**Mr SCIPIONE:** Has anyone approached you, Deputy Commissioner Kaldas?

**Mr KALDAS:** They have not, but I will just make one point. I am certainly not aware of any approach but, as the Commissioner said, there is interaction on a daily basis at the operational level. I have all the stations and the crime squads. I would have thought that we would know about it if an approach had been made. In relation to brothels I make the point that we have, in the past, conducted operations with Federal colleagues, but it is always intelligence led. It is usually when we have received information about women being held against their will. We react to that.

**The Hon. LYNDA VOLTZ:** That would be in response to a request from the Australian Federal Police?

**Mr KALDAS:** More often than not we are the ones who get the information on the street and then we call them in.

**Mr SCIPIONE:** The reason I say that we work on a daily basis is that, clearly, we have people who are trying to leave this country to fight offshore as terrorists. Members of Border Force are the people who intercept them. They talk with our people when they intercept. We work with them; they are joint operations. As you would expect, they are the sorts of things that we must do, and we do that on a daily basis.

**The Hon. LYNDA VOLTZ:** Yes, but that would not apply with regard to the random checking of visas.

**Mr SCIPIONE:** Correct. That is why I said that we work with them. In that circumstance, no-one has made an approach, certainly to me as the Commissioner of the NSW Police Force, nor to any of the deputies, as you have heard. I will get the information and clarify that to make sure that if there has been a request made of us we will find out and advise you.

**The Hon. LYNDA VOLTZ:** If there was a request made for the New South Wales Government to cooperate with any plans to randomly check visas, Minister, would you agree to that request?

**Mr TROY GRANT:** I do not pre-empt an answer until I examine the details of whatever request is made of me. I give requests due consideration and consult with the experts in the area before I make any decision.

**The Hon. LYNDA VOLTZ:** Would you rule out that you would co-operate with any attempt to have random visa checks in New South Wales?

**Mr TROY GRANT:** I take every application or request made of me as a Minister and consider the appropriateness of that request, or the requirements, and then I consult with the experts before I make a decision.

**The Hon. LYNDA VOLTZ:** In your statements last Friday you said that you have engaged with Border Force already and that they also go to work places and "target prostitution et cetera". What is the "et cetera"?

**Mr TROY GRANT:** The Commissioner has already given you examples of people not on visas and not working legally in the southern part of New South Wales, fruit-picking, for example. The example that I gave you was of people who have overstayed their visas and are brought to police stations for us to assist with custody. There are a number of scenarios that could involve a joint effort between that Federal agency and the NSW Police Force.

**The Hon. LYNDA VOLTZ:** You gave an example of joint operations with regard to fruit-pickers. Are there also random checks of taxis?

**Mr TROY GRANT:** I am not aware of operations of random checks of taxis. I have had no approach but—

**Mr SCIPIONE:** Certainly I do not think we do random checks of taxis for visas. Having said that, I am not sure what Immigration or Border Force do. It may be best for them to respond to that. I just do not know the depth and the breadth of their operations. It is only when we are working with them. I can assure you that we are not in the business of checking visas of taxi drivers on a random basis by simply stopping them.

**The Hon. LYNDA VOLTZ:** When the Federal Government set up this new entity, Border Force, did they brief the NSW Police Force on its operation?

**Mr SCIPIONE:** In terms of how Border Force would operate and what it would do?

**The Hon. LYNDA VOLTZ:** Yes; what its powers would be and how it would work with State Government agencies.

**Mr SCIPIONE:** We have worked with all of those agencies, in some cases since 1901 when the Customs Act was put in place. So we work with Customs and with Immigration. We have worked in these areas for centuries. That did not change, but with respect to the new entity and the way that it would interact with us we were certainly briefed by the CEO or Commissioner Roman Quaedvlieg in terms of how they would

continue to work with us. They would be looking at putting more protections around the borders, particularly around guns, drugs and those things that cause us grief. As I said, in terms of the current terrorism that we are dealing with, they would be looking at those that would choose to try to leave the country to go offshore to fight. We were briefed about that.

**The Hon. LYNDA VOLTZ:** Did you sign a memorandum of understanding? Have you previously had memorandums of understanding with those other agencies?

**Mr SCIPIONE:** There would be agreements in place historically, dealing with a range of things. We work in a joint arrangement, for example, with a team that has come out of Customs, where we work with Customs, AFP, the Australian Crime Commission, the New South Wales Crime Commission and New South Wales Police looking at crime on the waterfront in New South Wales. So we would have joint working arrangements covered by a memorandum of understanding [MOU] or a service-level agreement. That is not unusual, but there was none specific to the creation of Border Force that I am aware of. I certainly have not signed any MOU in that regard.

**The Hon. LYNDA VOLTZ:** But you have had them previously with, say, Customs and Immigration.

**Mr SCIPIONE:** That would have been specifically around one operation.

**The Hon. LYNDA VOLTZ:** So you do not have memorandums of understanding?

**Mr SCIPIONE:** Yes, we do.

**The Hon. LYNDA VOLTZ:** Could you take on notice for me whether you have previously had memorandums of understanding with Immigration and Customs. You have already stated that you do not have one with Border Force, but please take on notice to check on the other two agencies.

**Mr SCIPIONE:** I will take that on notice.

**The Hon. SHAOQUETT MOSELMANE:** How many single unit police patrols are scheduled to take place between now and the end of the year?

**Mr TROY GRANT:** That is an operational matter. Again, I am not briefed on a daily basis about the rostering arrangements for single units of the NSW Police Force. Deputy Commissioner Kaldas of Field Operations may be able to assist.

**Mr KALDAS:** We are happy to take that question on notice and try to come back to you with a more definitive statistical answer. In short, there are probably two areas where single unit policing operates mostly. There are a lot of one-man stations, or two- or three-man stations in the bush, where, on a daily basis, a police officer operates alone.

**The Hon. TREVOR KHAN:** You would not want to close those, would you?

**Mr KALDAS:** There is certainly an expectation in the community that they have a local police officer who knows the community well and gets very close to them. There are obviously practices in the highway patrol that Ms Burn may want to discuss.

**Mr TROY GRANT:** Just for your information, I spent an extensive period of my time working as a single unit during my 22 years in the Police Force.

**The Hon. SHAOQUETT MOSELMANE:** I wish to follow up on the response given by Nick Kaldas. How many have taken place in the month of August, for example?

**Mr KALDAS:** It is impossible for me to guess, but I am certainly happy to have a look at it and try to get back to you. I will take it on notice.

**The Hon. SHAOQUETT MOSELMANE:** Okay, if you can take that on notice, as well as how many single unit patrols have taken place since the beginning of 2015?

**Mr KALDAS:** Certainly. But if I could just clarify: you are only interested in the country policing areas or the Highway Patrol as well?

**The Hon. SHAOQUETT MOSELMANE:** I am interested in single unit policing, in general.

**Mr KALDAS:** Across the board?

**The Hon. SHAOQUETT MOSELMANE:** Yes. Minister, you have indicated it is operational. Are you not up to speed on this issue at all?

**Mr TROY GRANT:** I think that shows a gross lack of understanding on your part about the role of the Minister for Police. It is not my job to roster and run the police organisation.

**The Hon. SHAOQUETT MOSELMANE:** I asked a simple question about the single unit.

**The Hon. TREVOR KHAN:** And he has given you a simple answer. You do not know what you are talking about.

**CHAIR:** Order!

**The Hon. SHAOQUETT MOSELMANE:** The response was that you have just fobbed it off.

**Mr TROY GRANT:** No. I reject that statement and question outright. You have a fundamental misunderstanding of the role of the Minister for Police. I do not dictate, organise, roster and run the NSW Police Force.

**Mr KALDAS:** That is my role.

**Mr TROY GRANT:** That is left to the Commissioner of Police, who employs the NSW Police Force. He is ably supported by his commissioners.

**The Hon. SHAOQUETT MOSELMANE:** Thank you, Minister. I will move on to the next question.

**The Hon. TREVOR KHAN:** Point of order.

**Mr TROY GRANT:** I would like to finish my answer. I am happy to give you every courtesy, sir, but I would appreciate the same respect back. The Commissioner is ably supported in the deployment of New South Wales police across the State by his Commissioner's executive team and the command structures that sit underneath. In relation to single unit policing, that occurs predominantly under the field operations section, ably led by Deputy Commissioner Kaldas. There is also under the Traffic Command, which is where that type of activity would take place, the rostering of those officers. A single unit capacity would occur across the six-week roster cycle, in accordance with intelligence-driven policing needs, and be deployed by a rostering officer from each of the sections and/or stations and/or commands that they are attached to.

**The Hon. SHAOQUETT MOSELMANE:** Thank you very much. So you are aware. Thank you, Minister. I appreciate that response.

**Mr TROY GRANT:** I have got a little bit of awareness, after having done it for 22 years. Thank you.

**The Hon. SHAOQUETT MOSELMANE:** Thank you, Minister. Minister, are you aware that in the response to the survey by the New South Wales Police Association that 74 per cent of officers indicated they have never received training in single unit policing? Are you aware of that? Seventy-four per cent of police have indicated that they have never been in training for single unit policing.

**Mr TROY GRANT:** I understand, again from my own experience, that the training provided not only at the academy during initial training but in ongoing training provided on an annual basis by the NSW Police Force, mandatory training, equips every officer in the NSW Police with the skill sets and equipment and the use of those appointments in the deployment of the duties, whether that is in a single unit capacity and/or it would be as part of a team in relation to different types of scenarios that are faced in either of those capacities in their operational role as police officers.



**The Hon. SHAOQUETT MOSELMANE:** But does it concern you that 74 per cent of your police indicate that they have never had training in single unit policing? Does it concern you at all? Seventy-four per cent of your police have been surveyed saying that.

**Mr TROY GRANT:** I would ask Deputy Commissioner Hudson where training sits under his command to assist with any specific single unit training in addition to the training that I have already outlined.

**Mr HUDSON:** Thank you, sir. Specifically in relation to single unit, it is not accommodated within our current training packages. It is incorporated in the overall mandatory training that the Minister referred to—I am sorry, that the Deputy Premier has referred to. We are going through a process in relation to revamping our training in relation to a number of areas, including active armed offender training and other operational requirements. Certainly we are aware of the survey that was conducted by the Police Association. The majority of those respondents were officers who do not get exposed to single unit policing. They are from the metropolitan area, our analysis revealed. On that basis we are looking at what we can do to supplement our current training in relation to single units, if we continue with the process—which I think we are. Certainly, the training currently delivered accommodates all facets of policing, and single unit is certainly part of that. But we have not isolated it specifically for single unit.

**The Hon. LYNDA VOLTZ:** Thank you. Minister, can I ask you another question. I understand that the Tink review has now been delivered.

**Mr TROY GRANT:** Yes. It was received in my office on Monday.

**The Hon. LYNDA VOLTZ:** Can you just explain this to me? I note that the Governor said that he received it. Is that the normal process for that type of report?

**Mr TROY GRANT:** Yes, it is.

**The Hon. LYNDA VOLTZ:** That is because it is an Executive report, is it?

**Mr TROY GRANT:** Yes. So—

**The Hon. LYNDA VOLTZ:** I am sorry, go on.

**Mr TROY GRANT:** Yes, I am happy to talk about it.

**The Hon. LYNDA VOLTZ:** I would like you to, if you could.

**Mr DAVID SHOEBRIDGE:** What is in it?

**The Hon. LYNDA VOLTZ:** Just let us know now. I am sure everyone around the table would be happy to know.

**Mr TROY GRANT:** Yes, thank you, Mrs Voltz. The police protect public safety and uphold the law, protecting our community, as we all are well aware. As such, when we do that, police need to maintain the highest standards of ethical conduct and integrity, and that is what I expect of them as the Minister. To achieve this, we need effective oversight. However, the current system for doing this is outdated. It is complex and I am sure many here would agree it is confusing and overlaps responsibilities among various agencies. This Government is absolutely committed to fixing the situation for our community and all of our police officers. As a result, the Government commissioned the former shadow Attorney-General and shadow police Minister, Mr Andrew Tink, AM, to review police oversight. That report was received by my office on Monday after it was delivered to the Governor.

The Government is currently considering Mr Tink's report. Given that it was only delivered to me four days ago, I am still considering it. Mr Tink in relation to that report received submissions from a number of stakeholders. I understand that, where appropriate, these are now publicly available on the Department of Justice's "Have your say" website, so they are all available for you to have a look.

**The Hon. LYNDIA VOLTZ:** Will you release the report at any stage? I know you are considering it, but when will you actually release the Tink report?

**Mr TROY GRANT:** Until I have an opportunity to properly look at it, it is clearly not appropriate for me to comment on any of the specifics or the submissions and/or the report itself, but I am happy to address that and take that part of your question on notice.

**Mr DAVID SHOEBRIDGE:** Minister, what is your expectation in terms of the time frame in getting your response to the Tink report out and publishing the Tink report?

**Mr TROY GRANT:** I honestly cannot answer that, Mr Shoebridge—as soon as possible. Obviously, I will do my very best to get across the content, discuss the content with the Premier, and then my Cabinet colleagues. Then the timing of the release and a response will be a matter for Cabinet.

**Mr DAVID SHOEBRIDGE:** But there is no issue: You will be publishing the Tink report when you publish the Government's response?

**Mr TROY GRANT:** That will be a decision for Cabinet.

**Mr DAVID SHOEBRIDGE:** So you have not made a decision yet about whether or not you would even publish the report.

**The Hon. TREVOR KHAN:** He said it is a matter for Cabinet.

**Mr TROY GRANT:** I only got the thing four days ago. It is a matter for Cabinet in relation to the publication or not of the report.

**Mr DAVID SHOEBRIDGE:** This question is directed both to you, Minister, and the Commissioner. It relates to Border Force. Is there an in-principle position on behalf of the Government and the NSW Police about whether or not you would cooperate in a joint operation with Border Force aimed at screening the public for their immigration status?

**Mr TROY GRANT:** We have not arrived at any in-principle, subject matter-specific position relative to your question. But we have most definitely this in-principle position: As to the operational needs across jurisdictions in law enforcement, we will consider each of those issues and then we will work cooperatively across each of the agencies in the order of law and order and public maintenance of community safety standards. That is an ongoing principle that the New South Wales Government has. We work with all law enforcement agencies, not only in Australia but also abroad, collectively to make sure that we have the highest level of community safety possible.

**Mr DAVID SHOEBRIDGE:** Are you seriously leaving the option open in the future for engaging in joint operations with Border Force to screen the public for their immigration status? Are you leaving that option open? I am giving you the chance to close it off now and tell them you will not partake in that.

**Mr TROY GRANT:** I have just said to you I do not speculate. I only ever make a decision on the evidence and information brought before me and then I consult with the experts.

**Mr DAVID SHOEBRIDGE:** You do not need to speculate. They have gone down this path in Melbourne. I am asking you, as the Minister for Police, will you reject that option in Sydney?

**Mr TROY GRANT:** I am not the Minister for Police in Melbourne. Commissioner?

**Mr SCIPIONE:** I have received no such request. If I were to receive such a request I would need a heck of a lot of convincing before I would even consider it.

**Mr DAVID SHOEBRIDGE:** So it is still open.

**Mr SCIPIONE:** You cannot rule out what you do not know.

**Mr DAVID SHOEBRIDGE:** You can make a policy position.

**Mr SCIPIONE:** The policy position is that we act lawfully in everything we do. If it is a lawful request it could be considered. But right now, based on what I have seen, it is not something in which I would engage the NSW Police Force. Clearly, if a request came forward, as I said, I would need some mighty strong convincing before I agreed to do anything like that.

**Mr DAVID SHOEBRIDGE:** Surely the best solution would be to rule it out as an in-principle affront to civil liberties; you will not engage with that kind of behaviour.

**The Hon. TREVOR KHAN:** Point of order: The question has been asked three or four times by Mr David Shoebridge and previously by the Labor members. The thing has been done to death.

**Mr DAVID SHOEBRIDGE:** That is not a point of order.

**The Hon. TREVOR KHAN:** It is. It is repetitious; it is boring.

**CHAIR:** Being boring is not a point of order.

**Mr SCIPIONE:** I am happy to answer it again. I have not received such a request. It would be highly unlikely that I would be agreeing to any such request, but you never say never. However, if there was a lawful need and it was something put to me that caused us to consider it, then of course we would consider it. You cannot rule something out until you rule it in.

**Mr TROY GRANT:** To add to that, I have seen nothing of any formal request and/or details of that operation other than media commentary, as you have. The worst thing the Government can do is set policy and/or responses just on media commentary.

**Mr DAVID SHOEBRIDGE:** Or principle.

**Mr SCIPIONE:** No. I said media commentary.

**Mr DAVID SHOEBRIDGE:** I am asking you to set your policy on principle, a principle of protecting civil liberties. Are you rejecting that?

**Mr TROY GRANT:** No. Our principles are to maintain law and order and I support the answer of the Commissioner.

**Mr SCIPIONE:** I am in the business of protecting that and I would.

**Mr DAVID SHOEBRIDGE:** I am glad you are; it is a pity the Minister is not.

**Mr SCIPIONE:** I am sure the Government would be because I would not go to the Government with this kind of request unless I was satisfied.

**Mr DAVID SHOEBRIDGE:** There has been a campaign by the Police Association for some time to remove single unit policing operations, both in the highway patrol and in general duties police. Has any costing been done by the Police Force as to what effect that will have on the budget?

**Mr SCIPIONE:** In terms of single unit policing, in terms of costings, I do not know whether the Deputy Commissioner of Corporate would have a view or has access to any of that material. Deputy Commissioner Burn has responsibility for Traffic and Highway Patrol, which carries a large number of single unit policing operations.

**Ms BURN:** That is correct. We have single unit operating every day on our roads, particularly with the Traffic and Highway Patrol in rural and metropolitan New South Wales. In terms of costing, we have not done a specific costing in resourcing or what might then have a residual impact in terms of road toll. We have not gone down that path but, yes, we have a significant number of single unit policing.

**Mr DAVID SHOEBRIDGE:** There is one of two options in response to it. You either have a very large increase in resources to double up all those policing units or you withdraw services from rural

communities and from highway patrol. Where are you at in terms of discussions with the Police Association on those two options, or are you taking a position that single unit policing will always be part of policing operations in New South Wales?

**Ms BURN:** I can answer in terms of the Traffic and Highway Patrol. We are currently working with the association on a particular area in Traffic and Highway Patrol and that is stationary random breath testing for single unit policing. We have negotiations currently in the Industrial Relations Commission on this issue also. I think we have received a relatively good compromise in terms of every day Traffic and Highway Patrol duties out on the road for single unit policing. The way we would then manage the concerns that people may have about their safety is through our standing operating procedures, through risk assessments and through other measures to ensure their safety. So we are working with the association on how we can get the best out of our single unit policing while also maintaining their safety.

**Mr DAVID SHOEBRIDGE:** Is part of that training specific to single unit policing?

**Ms BURN:** Some of that training is specific to our highway patrol because they have a specific job to do.

**Mr KALDAS:** We have limited resources and sometimes unlimited needs and desires. Whatever we do in relation to single unit policing, we must keep two things in mind. One is there has to be a defensible, transparent rationale for why we are changing what we are doing. I am not sure we are there yet on that, but as everybody has said we are in meaningful discussions with the association on that. All the deputies and the Commissioner have a monthly meeting with them and it is a standing item on our agenda at the moment. The second issue we have to take into account is the impact it will have in my patch, which are the country patrols.

It would have a significant impact on many communities. My guess is somewhere between 30 and 50 stations would probably either be shut down or rendered inoperable. If we stay we will not have single unit policing. The answer to this will be function before form. We have to work out what we are trying to achieve, what we want it to look like and what is required before we decide what shape our patrols will take. At the moment I do not think there is an abundance of evidence that in very small country locations there is a need to double and triple up the patrols, but we will keep an open mind as we discuss it and I am sure we will come to an agreement with the association down the track.

**Mr DAVID SHOEBRIDGE:** Drug dog operations on the Transport Command have greatly expanded. Do you know roughly how many searches there were following a positive indication from a drug dog in the Transport Command in 2014?

**Mr TROY GRANT:** In relation to the Transport Command, I do not have those specific figures before me—

**Mr DAVID SHOEBRIDGE:** What about if I tell you it is 3,592—that is the answer you have given on notice—and in 80 per cent of those cases no drugs were found; it was a false positive. Surely you accept that is a failing operation?

**Mr TROY GRANT:** No, absolutely not. I reject that. The Government supports the NSW Police Force and its use of drug detection dogs as a tool to rid our streets and our public transport system of drug crime. Police use drug detection dogs where they have intelligence that shows that drug crime is occurring. Drug detection dogs have a strong deterrence factor, so it is not all about detection. It is also about deterrence, in addition to the seizures of prohibited drugs from dealers and users that are secured. I am told by police that individuals regularly dump these drugs upon seeing the dogs, which may lead to the figures you have quoted to me, which I supplied to you in answer to a question on notice. The benefit of preventing the death of a person through drug detection dog deployment is immeasurable. I cannot put a figure on that. I wish I could.

**Mr DAVID SHOEBRIDGE:** I can put a figure on it—100 per cent wrong.

**Mr TROY GRANT:** Police also use drug detection dogs to great effect at music festivals, dance parties and in other high drug use areas, including entertainment precincts such as Kings Cross, which is why we have made it easier for police to deploy them there. They are also used to ensure our city trains are kept drug free, and thanks to our previous reforms this now includes all of our rail lines. The majority of the 250,000 person searches overall conducted by New South Wales police each year do not involve the use of a drug

detection dog. However, where dogs are used police also use other observations and other tools at their disposal in conjunction with a dog's indication so they can form the reasonable suspicion for a person search. Over 2012, 2013 and 2014, New South Wales police drug detection dogs were responsible for the seizure of more than 800 kilograms of illicit drugs. Without those dogs, 800 kilograms of illicit drugs would be utilised and putting lives at risk.

**Mr DAVID SHOEBRIDGE:** That is not the general drug dog detecting. You know that is a false figure.

**The Hon. TREVOR KHAN:** Point of order: Once again Mr David Shoebidge is demonstrating his rudeness by constantly interrupting the Minister. The Minister should be entitled to give his answer without interruption and comment from Mr David Shoebidge.

**CHAIR:** I uphold the point of order.

**Mr TROY GRANT:** I repeat: Over 2012, 2013 and 2014 NSW police drug detection dogs were responsible for the seizure of more than 800 kilograms of illicit drugs. The NSW Police Force drug detection dogs are trained to detect a range of prohibited drugs including amphetamines, cannabis, cocaine, ecstasy—also known as MDMA—heroin and, importantly, as everyone is aware of the recent ice scourge, methamphetamines. These dogs are an important tool in our ice epidemic responses. They regularly locate these drugs throughout New South Wales. Drug detection dogs are but one strategy, an important strategy, employed by police to assist in the detection of prohibited drugs and people screening is only one of the many roles that the dogs perform. They also perform duties in buildings during search warrants and searching vehicles; they do not just search people. They continue to locate illicit substances on people, in cars, in houses, in premises and even hidden in public places, for example, a pot plant being used as an outdoor storage location for supply. This Government will not be reducing its use of drug detection dogs anytime soon.

**CHAIR:** Federal Justice Minister Keenan is quoted as saying that you personally, as police Minister of New South Wales, asked for the import ban on the Adler A110 lever-action shotgun. Is this true and had any costings for New South Wales business or the Government been undertaken of such an initiative to ban?

**Mr TROY GRANT:** No, it is not true. I did not personally request it. I was simply informed about the intentions of the Federal Government via a phone call, in the first instance. I received that call when sitting at the airport on my way home. That was followed up via a letter from the Federal justice Minister, Michael Keenan. I understand a disallowance motion has been put forward in the Senate by senators Leyonhjelm and Muir. That process will have to run its course and I do not intend to offer commentary on it. No New South Wales costings have been undertaken regarding the suspension of the importation of the relevant lever-action shotguns known as the Adler A110. I am not aware of any costings at the Commonwealth level.

**CHAIR:** I understand that discussions currently being held by the Firearms and Weapons Policy Working Group include a move to place various lever-action firearms and pump-action rifles into category C or category D. would you support this?

**Mr TROY GRANT:** No, the aim of the Firearms and Weapons Policy Working Group is to advise on the development of national and consistent policy on firearms and weapons-related issues that are common to all jurisdictions. Its membership comprises representatives from each of our States and Territories and the Australian Customs and Border Protection Service, the Australian Institute of Criminology and the Australian Crime Commission [ACC]. It also includes the Defence Export Control Office, CrimTrac and the Australian Federal Police.

It is currently working on an update of the 1996 National Firearms Agreement, which underpins all State and Territory firearms legislation. This update was recommended by the Joint Commonwealth and New South Wales Martin Place siege review report. The New South Wales Government would expect that any proposals to reclassify firearms under the National Firearms Agreement would be rigorously justified and fully costed and the impacts on existing firearms owners fully considered before any such proposals are submitted to Ministers for our consideration.

**CHAIR:** Have you received any advice as to how many lever-action firearms are already legally owned, including those with a magazine capacity of over five rounds?

**Mr TROY GRANT:** I have not received any formal advice. I believe that that advice is not in my office, but I can take that on notice.

**CHAIR:** Could you do that?

**Mr TROY GRANT:** I will. I have heard anecdotally that it was in the vicinity of 7,000, but I will take that on notice and confirm it.

**CHAIR:** I believe there is something like 3,100 lever-action shotguns already registered in New South Wales. As to the total number of lever-action type firearms, that is another question. The Firearms Registry should have records available for you. Meeting papers of the Firearms and Weapons Policy Working Group show that as far back as February 2014, long before the Adler shotgun became an issue and even before the Lindt cafe incident, it was actively planning to reclassify various firearms. Were you or your ministry aware of this master plan and do you support this agenda?

**Mr TROY GRANT:** The Firearms and Weapons Policy Working Group should be providing evidence-based policy advice. It is up to elected Ministers to make decisions in relation to these matters. Again, the New South Wales Government would expect that any proposals to reclassify firearms under the National Firearms Agreement would be rigorously justified. They should be fully costed and the impacts on existing firearms owners fully considered before any such proposals are submitted to Ministers for their consideration.

**CHAIR:** Regarding the joint Commonwealth-New South Wales report on the Martin Place siege, the report calls for simplification of the regulation of the legal firearms market through an update of the technical elements of the National Firearms Agreement. The specific technical element the report identifies is in regard to the genuine reason for category D licences and licence duration only. Do you agree that these technical elements need updating? Are there other technical elements that should also be changed and/or updated?

**Mr TROY GRANT:** The joint New South Wales Commonwealth review mentioned that some variations have developed in relation to how jurisdictions apply aspects of the National Firearms Agreement. These have included different periods for licences and different requirements that need to be met to own and possess category D firearms, which include self-loading centre-fire rifles adapted for military purposes and self-loading shotguns. No doubt this issue will be the subject of discussions between jurisdictions, those who represent licenced firearms owners and other stakeholders. Before any decisions are made in relation to these matters, I want to ensure that any proposed changes are evidence based and have been subject to proper consultation.

**CHAIR:** You talk about this being evidence based and I understand that is an important part of your considerations. That leads to my next question. Would you agree that the reclassification of firearms is out of the scope of what the Martin Place siege report recommends?

**Mr TROY GRANT:** I do not mind people discussing what various jurisdictions may consider to be problems within the current National Firearms Agreement. However, I am determined as the Minister to ensure that any changes are rigorously justified. As I said, these decisions must be justified and fully costed and the impacts, particularly on existing law-abiding firearms owners, fully considered before any such proposals are submitted to Ministers for further consideration.

**CHAIR:** It is a bit difficult to see the nexus between the Martin Place siege and the report, and the Firearms and Weapons Policy Working Group is trying to justify in terms of reclassification or re-categorisation of what they call technical elements. I do not believe that one thing supports the other, and I think that is what you are trying to say, Minister. Are you aware that the National Firearms Agreement review is being described at the Federal level as being undertaken to keep up with new technology in firearms design? Is this something you agree with?

**Mr TROY GRANT:** Each of our jurisdictions' legislation is underpinned by the 1996 Firearms Agreement. It makes sense that gun technology may have evolved since 1996 and the agreement may need updating. That is why we do these types of reviews. However, any of the proposed changes to the agreement will result from wide consultation with industry and firearms licence holders. I note that in May this year each State and Territory government agreed to fast-track the introduction of the National Firearms Interface, also known as the NFI, by the end of this year. The NFI will provide a single shared record for each firearm in Australia and the ability to trace firearms from the foundry to the furnace. I think that is an important and

commendable move. It will also increase the opportunity for jurisdictions to identify the movements of firearms to the illegal market.

**CHAIR:** It is interesting you mention the National Firearms Interface, which has been bouncing around the Federal jurisdiction for over a decade. It is a baby that really has not had a home. Are you satisfied that the Lindt cafe siege could have been affected by any information that may have been on the National Firearms Interface?

**Mr TROY GRANT:** Given that the coronial inquiry is still underway and the evidence and recommendations are not available to me, I cannot say. The Commissioner and I were discussing this earlier and he may be able to provide an update about the two systems.

**Mr SCIPIONE:** As you know, the National Firearms Interface [NFI] will not track illegal firearms.

**CHAIR:** That is my point; that is exactly right. The siege situation does not inform us at all in relation to the National Firearms Interface.

**Mr SCIPIONE:** No, the NFI is but one of the databases. Another database is in place; in fact, it is operating now. In November last year we put in place the Australian Ballistic Information Network [ABIN], which sits off the back of the NSW Police Force Integrated Ballistic Identification System [IBIS]. It captures data—on shells, casings and rounds—that are found at crime scenes. It catalogues them, that is, it takes a fingerprint or DNA, and that is put in on a now national database. When a gun is used or a round is found in another State at the scene of a murder, robbery or whatever, it is added to that database and a comparison is done. It allows law enforcement to track illegal firearms or firearms being used illegally around the nation. It gives us a better picture what is happening in crime involving the use of firearms, we would say illegally. They are two completely different systems.

**Mr TROY GRANT:** This Government is very focused on and understands the difference between legal and illegal firearms, and we need to respond to them appropriately.

**The Hon. SHAOQUETT MOSELMANE:** I refer again to single unit policing. Deputy Commissioner Burn referred to the training of police officers in safety and risk assessment. Are you aware that the same survey I referred to earlier of Police Association of New South Wales members indicates that 78 per cent of respondents said that they were not aware of any risk assessment about single unit policing?

**Mr TROY GRANT:** How many respondents were there?

**The Hon. SHAOQUETT MOSELMANE:** My question is directed to you, Minister. The survey found that 78 per cent of the association's members indicated that they have not had risk assessment training.

**Mr TROY GRANT:** I point out that 78 per cent of five people is much different from 78 per cent of 17,000.

**The Hon. SHAOQUETT MOSELMANE:** Does the Police Association communicate with you and provide information?

**Mr TROY GRANT:** We talk regularly. I am simply inquiring about the quantum of the 78 per cent.

**The Hon. SHAOQUETT MOSELMANE:** You are the Minister. Surely you have the survey with you.

**Mr TROY GRANT:** I do not have it in my possession.

**The Hon. LYNDA VOLTZ:** If you want to get to the bottom line of the Police Association survey and how it was conducted you should discuss it with the association.

**Mr TROY GRANT:** That is not the question I asked.

**The Hon. LYNDA VOLTZ:** You are not here to ask questions; you are here to answer questions.

**Mr TROY GRANT:** And I am happy to do so.

**The Hon. LYNDA VOLTZ:** We are asking whether you are aware that 78 per cent of the membership responded that way and what you think about it.

**Mr TROY GRANT:** Please ask the question again.

**The Hon. SHAOQUETT MOSELMANE:** Are you aware that in the same survey 78 per cent of respondents indicated that they are not aware of any risk assessments in regard to single unit policing?

**Mr TROY GRANT:** As stated previously, there is no set single unit-specific training. However, there is training that incorporates all the uses—

**The Hon. SHAOQUETT MOSELMANE:** That contradicts what the deputy commissioner just said that safety training is provided to all police officers.

**Mr TROY GRANT:** I would like to finish my answer. A number of risk assessments are carried out across the policing spectrum. Those assessments may not be specifically for every type of duty or scenario but they can be used in each of those settings. Risk assessments are available and they can be used in the single unit context. That is my point.

**Ms BURN:** There are different risk assessments for different work duties. For instance, a different type of risk assessment is carried out for random breath testing. The same is true of a mobile stop procedure. The risk assessment might be attached to the standard operating procedure for that work activity rather than there being a general risk analysis in relation to breath testing. For example, with random breath testing we ensure that there is a certain number of officers, a certain distance between cars, procedures for pulling in cars and so on. That is the type of risk assessment that is undertaken.

**Mr SCIPIONE:** It does not relate specifically to the fact that there is a single unit police operative. As you said, if an officer is using a light detection and ranging [LiDAR] device training is provided. The built-in safety in the use of that device comes specifically with that training course. Until an officer is qualified and certified, he or she will not be able to use it. I served as a police cyclist many years ago for one year.

**Mr DAVID SHOEBRIDGE:** That is dangerous, given the current Government's attitude.

**The Hon. LYNDA VOLTZ:** Do not engage with him.

**Mr SCIPIONE:** I was taught how to conduct myself when stopping vehicles, approaching people and when I was on patrol. I was a single unit police cyclist. However, it does not mean that every potential single unit police officer is trained at once. It is based on the type of duty involved.

**The Hon. LYNDA VOLTZ:** Minister, are you aware of any plans or proposals to move training from the NSW Police Force Academy at Goulburn to Hurstville?

**Mr TROY GRANT:** No. I will ask the deputy commissioner to clarify the situation. We have many different training venues across New South Wales. The NSW Police Force Academy at Goulburn is obviously our major training facility. However, we have various other training centres throughout New South Wales, including at Hurstville.

**Mr HUDSON:** We have had a facility at Hurstville for some years. Our field support unit is based at Hurstville. However, we are maintaining the academy to train recruits and to conduct larger courses. It is a joint effort. Many country courses are conducted at Goulburn for serving officers after they have graduated because of the accommodation available there and many metropolitan courses are conducted at Hurstville.

**The Hon. LYNDA VOLTZ:** So some of the courses have been moved from Goulburn to Hurstville and that may have given the impression that that change is happening?

**Mr HUDSON:** Courses have always been conducted at Hurstville, including detective training. Some of the courses conducted on an as-needs basis may move between Hurstville and Goulburn. As I said, we have accommodation at Goulburn, so country officers normally undertake their training there.



**Mr TROY GRANT:** We also have a significant presence at Richmond for leadership training.

**Mr SCIPIONE:** I say this because I have also heard what has been said. It is important that we put this to rest.

**The Hon. LYNDA VOLTZ:** This is a good opportunity to do that.

**Mr SCIPIONE:** Yes, it is a great opportunity. The Goulburn academy is our cornerstone, foundational training institution. No proposal to change that has come across my desk, and I would not consider shifting training from Goulburn. It is a vital part of our huge training effort and no change is proposed.

**The Hon. LYNDA VOLTZ:** That clarifies the situation on the record.

**Mr SCIPIONE:** I have heard the same message.

**The Hon. LYNDA VOLTZ:** Minister, have many students undertaking the Charles Sturt University associate degree in policing course lodged online applications over the past few years.

**Mr SCIPIONE:** I will take that question on notice.

**The Hon. LYNDA VOLTZ:** I refer to methamphetamines, as the Minister called them. I assume that means ice-based speed?

**Mr TROY GRANT:** Ice is a form of methamphetamine.

**The Hon. LYNDA VOLTZ:** What is the difference between speed and ice?

**Mr TROY GRANT:** I am not a scientist.

**Mr SCIPIONE:** It is a different chemical process. One comes from a base material that makes speed. It is then crystallised and becomes crystal meth, which in turn becomes ice.

**The Hon. LYNDA VOLTZ:** It is essentially the same thing.

**Mr SCIPIONE:** It is the same base drug.

**The Hon. LYNDA VOLTZ:** Minister, can you explain how the Government is implementing a whole-of-government response to ice?

**Mr TROY GRANT:** This is one of the great challenges facing our community and governments not only in New South Wales but across the country. I have said on the public record many times that I have not seen a drug that is as corrosive to human decency as ice. It is having a huge impact across the State. It is not simply a metropolitan issue; it is also a regional issue. It is tearing our families and communities apart and it is destroying lives. It is having a ripple effect across our community.

Reported use of ice has more than doubled. More than 200,000 Australians reported that they used ice in 2013 compared with less than 100,000 that had reported using that drug in 2007. We went to the last election with a comprehensive package as a Government to deal with the issue and this was the commitment then but our commitment more broadly is never to close the door on any opportunity to address this issue. At that time we promised to crack down on drug driving by more than tripling the number of roadside drug tests to almost 100,000 a year by 2016-17. Secondly, we pledged to halve the threshold required to charge dealers—that was announced by the Attorney General just recently—with possessing large commercial quantities of ice for supply from one kilogram to 500 grams so more ice dealers face a maximum penalty of life imprisonment.

**The Hon. LYNDA VOLTZ:** You said "more". How many is "more"?

**Mr TROY GRANT:** Sorry?

**The Hon. LYNDA VOLTZ:** You said you reduced supply down from one kilo to 500 grams and many more faced the penalty, so could you tell me how many more have been—

**Mr TROY GRANT:** So many will face.

**The Hon. LYNDA VOLTZ:** How many convictions has that resulted in?

**Mr TROY GRANT:** We announced it this week. Sorry—the drug detection?

**The Hon. LYNDA VOLTZ:** You said you reduced the threshold from one kilo to 500 grams.

**Mr TROY GRANT:** It is not law yet. We announced it this week.

**The Hon. LYNDA VOLTZ:** Okay. I am just going off what you are saying.

**Mr TROY GRANT:** I had not finished answering before you asked me the supplementary question.

**The Hon. LYNDA VOLTZ:** I did not ask a supplementary—

**The Hon. TREVOR KHAN:** Do not argue; just let him answer the question.

**CHAIR:** Order!

**The Hon. LYNDA VOLTZ:** You said that this will result in many more convictions; I asked you how many.

**Mr TROY GRANT:** Once it comes into law—

**The Hon. LYNDA VOLTZ:** You are hoping it will result in many more convictions.

**Mr TROY GRANT:** That is correct.

**The Hon. LYNDA VOLTZ:** Okay.

**The Hon. TREVOR KHAN:** Of course it will, because it brings more people into the high category.

**CHAIR:** Order! We do not need commentary from the peanut gallery.

**Mr TROY GRANT:** Before I said the word "more"—because I have just read it—I said "so more". That is a futuristic statement—not that there have been more.

**The Hon. LYNDA VOLTZ:** Okay. I did actually ask about the whole-of-government response, but go on.

**Mr TROY GRANT:** Thank you. I am answering your question: so that more ice dealers face the maximum penalty of life imprisonment. Thirdly, we require mandatory statewide online recording of pseudoephedrine sales in pharmacies and get users off ice by investing in three new stimulant treatment services, expanding a fourth service and providing additional funding to non-government treatment services, especially amongst regional and regional communities and an investment in the education of the community on the dangers of ice. In relation to the roadside testing, to reduce drug driving we are tripling the number of roadside drug tests by 2016-17. While roadside drug testing is a law enforcement measure, it also contributes to reducing the demand and harm by discouraging drug use by those motorists and reducing the risk of crashes caused by drug-impaired drivers.

As well, when drug addiction is the cause of a person's other criminal behaviour, police and our courts can steer such people and refer them into treatment through initiatives such as the Drug Court via the Magistrates Early Referral Into Treatment scheme, also known as the MERIT scheme. In relation to the large commercial quantity threshold, the New South Wales Government announced this week—on 31 August—that from 1 September that threshold required to charge people with manufacturing or supplying large commercial

quantities of ice will be halved from one kilogram to 500 grams. So from 31 August until today's date I do not have those figures.

**The Hon. LYNDA VOLTZ:** You said that earlier in your—

**Mr TROY GRANT:** I was just clarifying that was the date it was announced. You do not oppose the halving of the quantity?

**The Hon. LYNDA VOLTZ:** My question was about the whole-of-government response. I know you have given me a lot of responses in regard to the police—

**Mr TROY GRANT:** I spoke about the education of the community. I spoke about the referral into treatment centres. That is the whole of government. They are not within my portfolio.

**The Hon. LYNDA VOLTZ:** Okay. Where are you up to with the online reporting of pseudoephedrine sales? Is that currently in place?

**The Hon. SHAYNE MALLARD:** Are you talking about through pharmacies?

**The Hon. LYNDA VOLTZ:** I am talking about what he raised in his speech, Shayne, thanks.

**Mr TROY GRANT:** In my answer? Yes, you asked me about the whole of government, which I outlined for you.

**The Hon. LYNDA VOLTZ:** And you said that they would be required to record online pseudoephedrine sales. I am asking you whether that is in place.

**Mr TROY GRANT:** And that is a question for the Minister for Health.

**The Hon. LYNDA VOLTZ:** You just said in your statement you do; so you do not know where you are up to on that?

**Mr TROY GRANT:** You asked me the question, "What is the whole of government doing?" so I outlined each of those measures. You then asked me a specific question about the status of a measure that is outside my ministry. That is a question for the Minister for Health.

**The Hon. LYNDA VOLTZ:** All right. Are there any regular meetings between Ministers or heads of departments to address that? Who is on that committee?

**Mr TROY GRANT:** Yes, I meet with Minister Goward. I would have to check my diary in relation to the number of meetings, but I am happy to get back to you on that.

**The Hon. LYNDA VOLTZ:** Could you?

**Mr TROY GRANT:** Yes.

**The Hon. LYNDA VOLTZ:** Could you let me know which other departments are there as well? Are there any other departments, or is it just you and Minister Goward?

**Mr TROY GRANT:** There have been various meetings in relation to the health and law enforcement components of the National Ice Taskforce, for example. We have met a number of times with our departments—NSW Police Force in my domain, Minister Goward with Health and the Department of Premier and Cabinet [DPC], for example.

**The Hon. LYNDA VOLTZ:** Minister Goward or Minister Skinner?

**Mr TROY GRANT:** Minister Goward.

**The Hon. LYNDA VOLTZ:** Okay.

**Mr TROY GRANT:** She is attached to the Department of Health and supported by the Department of Health.

**The Hon. SHAOQUETT MOSELMANE:** Deputy Premier, as Minister for Liquor, Gaming and Racing, do you meet regularly with stakeholders in the liquor industry?

**Mr DAVID SHOEBRIDGE:** We are doing Gaming and Racing next.

**The Hon. TREVOR KHAN:** Yes—is not that down as 10.45 a.m.?

**CHAIR:** Order! We are doing Police now. We will examine the Gaming and Racing portfolio after morning tea.

**The Hon. TREVOR KHAN:** Perhaps the Hon. Shaoquett Moselmane may ask his question?

**CHAIR:** Order!

**The Hon. SHAOQUETT MOSELMANE:** As the Minister for Police, do you meet regularly with stakeholders in the liquor industry?

**Mr DAVID SHOEBRIDGE:** In your capacity as Minister for Police.

**Mr TROY GRANT:** In my capacity as Minister for liquor?

**Mr DAVID SHOEBRIDGE:** Police.

**The Hon. SHAYNE MALLARD:** Arts.

**CHAIR:** Order!

**Mr TROY GRANT:** As Minister, I have a number of portfolios. Have I had any specific meetings as the Minister for Police with the liquor industry—is that the question?

**CHAIR:** I think that is the question. It is a yes or no answer, I suppose.

**Mr TROY GRANT:** No—not as the police Minister.

**The Hon. TREVOR KHAN:** This is the problem with having all your questions written down. You have to wing it a bit.

**CHAIR:** Order!

**Mr TROY GRANT:** I do not put on a different jersey and stuff.

**The Hon. LYNDA VOLTZ:** I guess essentially—

**Mr TROY GRANT:** Obviously I would consider all my portfolios.

**The Hon. LYNDA VOLTZ:** Is there a conflict between the role your Minister for Police and Minister for liquor, with those portfolios sitting within the one ministry?

**Mr TROY GRANT:** I certainly do not believe so.

**The Hon. LYNDA VOLTZ:** You consider there is no conflict in that.

**Mr TROY GRANT:** I do not, no.

**The Hon. MARK PEARSON:** Has the Minister consulted recently with the Commissioner of Police, Mr Scipione, seeking advice in regard to the implications and possible consequences of the current Biosecurity Bill 2015, whereby Government-appointed prescribed officers would have more powers than police officers to

enter and search commercial premises, remove and destroy items, install surveillance devices, and demand and examine records kept on those premises without obtaining a warrant or having formed reasonable suspicion?

**Mr TROY GRANT:** No, we have not had that meeting as yet.

**The Hon. TREVOR KHAN:** But it was a great question.

**The Hon. LYNDA VOLTZ:** Are you finished already? You were very quick, were you not?

**The Hon. MARK PEARSON:** The next question—

**The Hon. LYNDA VOLTZ:** We have a few others.

**The Hon. MARK PEARSON:** Minister?

**Mr TROY GRANT:** I meet with the commissioner and members of the commissioner's executive team regularly on all matters relating to policing.

**The Hon. MARK PEARSON:** Commissioner, would you be concerned about that matter?

**Mr SCIPIONE:** Having no knowledge of what it is you are putting to me, I am not well placed to answer your question.

**The Hon. MARK PEARSON:** Would you take that question on notice and look into that?

**Mr TROY GRANT:** I will take that question on notice—you would like us to have a meeting about that subject.

**The Hon. MARK PEARSON:** Yes. Thank you.

**The Hon. LYNDA VOLTZ:** Minister, have you seen the June 2015 Bureau of Crime Statistics and Research [BOCSAR] quarterly crime report and/or the June 2015 BOCSAR annual crime report?

**Mr SCIPIONE:** There is a release coming out. It is embargoed and will be released by the bureau in 22 minutes.

**The Hon. TREVOR KHAN:** Give us a hint.

**Mr SCIPIONE:** It is all good.

**The Hon. LYNDA VOLTZ:** That is why we are asking the question, because we suspect the Minister may have seen those. Maybe he can clarify that for us.

**Mr TROY GRANT:** No. The release in 22 minutes time, no.

**The Hon. LYNDA VOLTZ:** The way the Commissioner is smiling, we should—

**Mr TROY GRANT:** He owns the data.

**The Hon. LYNDA VOLTZ:** My question was to the Minister, not the Commissioner, based on whether you had seen those lockout laws. Minister, the authorised strength of the NSW Police Force is 16,565, which I assume you believe is the adequate number of police required for New South Wales?

**Mr SCIPIONE:** No, it is higher than that at the moment.

**The Hon. LYNDA VOLTZ:** Can you give me the current figures?

**Mr TROY GRANT:** We will get that for you. We had a class attest—

**Mr SCIPIONE:** On 21 August, two Fridays ago.

**The Hon. LYNDA VOLTZ:** Could you give me the authorised strength, Commissioner?

**Mr SCIPIONE:** The current authorised strength is 16,665.

**The Hon. LYNDA VOLTZ:** And the operational full-time equivalent?

**Mr SCIPIONE:** The Government target is 90 per cent. We are sitting between 92 per cent and 94 per cent. Of course, that varies on a day-by-day basis. Our authorised strength is 16,665. As of today the actual strength is—I swore in seven on Monday—16,740, or so. That changes on a daily basis as people retire, resign. It goes up, it goes down.

**The Hon. LYNDA VOLTZ:** Minister, can you update the Committee on the progress of the review into the lockout laws?

**Mr TROY GRANT:** The lockout law review is scheduled for February 2016.

**The Hon. GREG PEARCE:** Minister, would you consider the Prevention of Cruelty to Animals Act moving to the portfolio where the police would be the primary administrator? The police have powers at the moment under the Prevention of Cruelty to Animals Act, but two charitable organisations at the moment are administering the Act and serious concerns have arisen as a consequence of charitable organisations not being transparent and accountable, such as the police service. Would you consider moving the portfolio and the administration of the Prevention of Cruelty to Animals Act to have the police as the primary executor of that administration?

**Mr TROY GRANT:** That is not a decision I, as a Minister, can or should make. The allocation of Acts is a decision for the Premier. I point out that the NSW Police Force has delegated authority under a large amount of legislative Acts, including that one, including National Parks and Wildlife Service, across many emergency services Acts. I am happy to take it on notice and give you a list of all of the Acts under which police can enforce the laws and administer.

**The Hon. GREG PEARCE:** In answering that question could you take on notice that this is the only criminal legislation where the primary administration is a charitable organisation as opposed to the police?

**Mr TROY GRANT:** I am happy to take that on notice.

**The Hon. GREG PEARCE:** Thank you.

**Mr DAVID SHOEBRIDGE:** Minister, this question is for you or the Commissioner. Have there been any changes made to the policies and procedures around the Computerised Operational Policing System [COPS] database following the recent class action lawsuit from young people who have been falsely arrested for bail breaches because of the failure to update the COPS database and, if so, what?

**Mr TROY GRANT:** In relation to the settlement of class action compensation claims for alleged wrongful detention as a result of alleged COPS errors in bail status—that is what you are referring to?

**Mr DAVID SHOEBRIDGE:** Yes. They were actual errors. There is no question there were errors.

**Mr TROY GRANT:** Yes.

**Mr DAVID SHOEBRIDGE:** You said "alleged".

**Mr TROY GRANT:** I am advised that the NSW Police Force is in the process of finalising settlement of a class action claim by a number of people who allege they were wrongfully detained due to errors in the police and justice database.

**Mr DAVID SHOEBRIDGE:** Well, they were.

**Mr TROY GRANT:** It has not been settled; it remains alleged until they are, but I am not arguing with you. As this matter and related matters are still before the court, it would not be appropriate for me to comment

further. The New South Wales Government has allocated extensive funding for technology projects to fully automate the exchange of information between courts and the NSW Police Force under the Joined-up Justice project and the JusticeLink project. As a result, I understand this has now led to near real-time exchange of information between the courts and the police database to mitigate any of those future errors. This ensures frontline police have update information on which to base their decisions, for example, in consideration of bail, arrest warrants and apprehended violence orders.

**Mr DAVID SHOEBRIDGE:** Going forward, you are comfortable that that error of young people being picked up—because the COPS database had not been updated—for purported breaches of bail conditions when they were not breaching their bail conditions has been fixed? Is that right?

**Mr TROY GRANT:** That is always my hope.

**Mr DAVID SHOEBRIDGE:** Commissioner, are you confident that is fixed?

**Mr SCIPIONE:** Whilst this matter is still before the courts, as the Minister has indicated, I would be mindful of what I would do.

**Mr DAVID SHOEBRIDGE:** I am talking about the systemic response not the case.

**Mr SCIPIONE:** My view is that we should be doing absolutely everything we can to ensure that when we take someone into custody or when we deal with them in respect of breach of bail that we have got it right. My commitment is that we are working to get this right on every occasion. There will be times when things will go wrong. I will ask the Deputy Commissioner to talk to it because this is something that has occupied a lot of my time because I am so concerned about it.

**Mr DAVID SHOEBRIDGE:** I want to know what you have done.

**Mr SCIPIONE:** Well, we can talk about that right now.

**Mr DAVID SHOEBRIDGE:** This is a nice chat, but what have you done?

**Mr SCIPIONE:** I am happy to chat a little bit more with you now about what we have done.

**Ms BURN:** This forms part of the JusticeLink project that started in 2012. It has now finished. The idea of the project was to reconcile the computers of the courts and the NSW Police Force COPS database. Before that most of it was manual so we did not have that information for days or it was coming out of the Local Court or the Children's Court, and there was a massive error rate. We now have that reconciliation with a very low percentage error rate. We cannot say 100 per cent there is not, but we have a system in place now that will check the reconciliation in near time and then manually update it so that those records are accurate so that when the police speak to somebody they have the most accurate record of the bail conditions at that time.

**Mr DAVID SHOEBRIDGE:** Minister, do you support the Adler A110 lever action shotgun that can fire eight rounds in eight seconds having the least restricted category of firearms, being a category A firearm in New South Wales, which is the same as air rifles?

**Mr TROY GRANT:** In relation to the Adler A110, the New South Wales firearms legislation is underpinned, as I have referred to earlier, by the 1996 National Firearms Agreement and State legislation must adhere to the principles outlined in the agreement. Following the Martin Place siege, the Commonwealth and State governments are currently updating the National Firearms Agreement. This may inform any re-categorisation of firearms in New South Wales and across Australia. As part of any update, there will be extensive consultation and engagement with the firearms community, community safety organisations and individuals before we form that view. As an interim measure, the Commonwealth Government has moved to amend its Customs regulations to temporarily prohibit the importation of lever action shotguns with a magazine capacity of more than five rounds, which covers the firearm you are referring to. It would be inappropriate for New South Wales to simply prohibit the firearm while these processes are underway.

**Mr DAVID SHOEBRIDGE:** I asked do you support it having the least restricted category, being a category A firearm?

**Mr TROY GRANT:** I support us consulting widely and looking at the evidence once those investigations have been completed to form a view.

**Mr DAVID SHOEBRIDGE:** Minister, you gave evidence earlier that 800 kilograms of drugs had been seized from 2012-14 as a result of drug operations. What proportion of that came as a result of general drug operations and what proportion came as a result of targeted operations where drug dogs were used with other police evidence, warrants and the like?

**Mr TROY GRANT:** For the sake of accuracy I will take that question on notice and provide that to you. I have a supplementary answer for the Hon. Lynda Voltz that I am happy to provide rather than take on notice. My staff have provided me with diary details. Ms Voltz, in relation to your question about meetings I have had and attended with other Ministers regarding ice, I have attended seven meetings with the Assistant Minister for Health, which includes phone hook-ups and roundtable discussions. Agencies represented at these meetings include Health, Department of Premier and Cabinet, NSW Police Force, Department of Justice, and the Department of Family and Community Services.

**Mr DAVID SHOEBRIDGE:** Commissioner, what guidelines are there in place for the corporate sponsorship of police vehicles?

**Mr SCIPIONE:** We have sponsorship guidelines that are published. Every command adheres to them. I am happy to make a copy of those available. I will take that on notice and make them available to you.

**Mr DAVID SHOEBRIDGE:** Would they allow, for example, the Lake Illawarra Local Area Command, which got itself an Audi RS4 Avant performance vehicle for six months to put on its Facebook page, "The RS4 Advance has a powerful 4.2 litre FSI high-revving V8 engine generating a fearsome 331 kilowatts of power, 430 Nm of torque combined with a fast-shifting seven-speed S tronic dual-clutch transmission. The RS4 Avant sprints from rest to 100 kilometres per hour in an incredible 4.7 seconds. The transmission responds incredibly quickly to the driver's commands for even more dynamic driving." Is that kind of corporate spin, which has been found on a local area command Facebook page, compliant with the guidelines?

**Mr SCIPIONE:** Is it on the vehicle or on—

**Mr DAVID SHOEBRIDGE:** It is on your Facebook page.

**Mr SCIPIONE:** It is on a Facebook page?

**Mr DAVID SHOEBRIDGE:** It is on a police local area command Facebook page. I will give you a copy if you want.

**Mr SCIPIONE:** I am happy to take a copy. I am not sure what you have there.

**Mr DAVID SHOEBRIDGE:** You can have a look.

**Mr SCIPIONE:** I would not doubt what you have put there, but I do not know where it is from.

**Mr DAVID SHOEBRIDGE:** It is from the Lake Illawarra LAC Facebook page.

**Mr SCIPIONE:** That is exactly what we will do. We will go back and confirm that. If that is in compliance with the policy then—

**Mr DAVID SHOEBRIDGE:** The policy should be changed.

**Mr SCIPIONE:** In your mind, maybe, but I would like to take some advice. As I said, we will have a look at this. I will take it on notice and come back to you.

**Mr DAVID SHOEBRIDGE:** You should look at the comments, as well, and take them on board.

**Mr SCIPIONE:** Would you like me to wait?



**Mr DAVID SHOEBRIDGE:** There is a whole lot of support saying, "What a wonderful fast car for the police to be in; they must love driving it," and how exciting it would be. That kind of fast driving—fearsomely fast cars—is totally contrary to what the police are trying to say about reducing speeding and reducing driving offences.

**Mr SCIPIONE:** It is. Speed is certainly one of the big problems.

**The Hon. LYNDA VOLTZ:** That is promoting it.

**Mr SCIPIONE:** Hang on a minute.

**The Hon. TREVOR KHAN:** Let him answer.

**Mr SCIPIONE:** So is drug consumption. You have talked about drug dogs. Drug dogs used in testing drivers—

**Mr DAVID SHOEBRIDGE:** Please answer my question about cars. This is not about drug dogs; it is about that ad and cars.

**Mr SCIPIONE:** I am talking about deaths on our roads, which is generally as a result of being involved in a car or being hit by one. If I talk about deaths on our roads—

**Mr DAVID SHOEBRIDGE:** I have never suggested that police are promoting drugs. I have said that they are promoting fast driving. You know that, Commissioner, and you are avoiding the answer.

**The Hon. TREVOR KHAN:** Point of order—

**CHAIR:** Order! What is the member's point of order?

**The Hon. TREVOR KHAN:** Mr Shoebridge is again embarking upon interrupting the witness when the witness is answering. He should be called to order.

**Mr SCIPIONE:** I did answer. I said that I would take it on notice. I thought that that is what the Chair said I was entitled to do, but you are saying, "No, I want you to read the comments."

**CHAIR:** Mr Scipione, you are entitled to take it on notice. Mr Shoebridge's time, although I have given him an extra minute, is up. Minister, I will return to the previous questions that I was asking. Can you provide a complete list of the types of new technology that your department and/or the Police Working Group are looking at, as referred to by the NFA review. I am very intrigued about the new lever-action technology supposedly of the Adler A100. In reality, I am informed that the technology actually goes back to 1876.

**Mr TROY GRANT:** To provide you with a proper list I will take that on notice.

**CHAIR:** Thank you. From freedom of information data supplied, the New South Wales Firearms Registry cost taxpayers of New South Wales approximately \$100 million over the past 10 years. In light of the costs, do you agree that it had absolutely no effect on the criminal actions of Man Monis?

**Mr TROY GRANT:** There are two separate issues there. We need the New South Wales Firearms Registry to do its job and we also need to tackle the problem of illegal firearms in this State and in this country. The community expects firearms to be appropriately regulated and controlled. The New South Wales Firearms Registry provides firearm and weapon licensing services. It also aims to increase community awareness and education in relation to firearm and weapon-related requirements, providing the community with information on the possession, use and, importantly, the safe storage of firearms and prohibited weapons. Man Haron Monis was, at no time—despite some social media commentary to the contrary—issued a firearms licence.

**CHAIR:** Mr Abbott also said that, I might add.

**Mr TROY GRANT:** At no time did Man Monis legally own or import a firearm. The joint review understood that Monis used an illegal firearm. As the Committee would be aware, there is a current inquest into the deaths that occurred at the Martin Place siege by the State Coroner, His Honour Michael Barnes. We expect

that the inquest will result in a thorough examination of the issues and events leading up to and during the siege, including the origin of the firearm used. I can assure the Committee that the New South Wales Police Force is providing all and every assistance necessary to help the investigation.

The joint review conducted by the New South Wales and Commonwealth governments recommended that all jurisdictions consider further measures to deal with illegal firearms. Illegal firearms in the hands of brazen and hardened criminals are a clear and present danger to our community, and the police will continue to target this illegal activity. That is why we recently announced proposed changes to the Firearms Act 1996 so that we can better target criminals with the illegal guns that are most likely to be used in crimes of violence and fear.

I was proud to announce that a new offence will be created for the possession of a stolen firearm, which will carry a maximum penalty of 14 years imprisonment. Additionally, consistent maximum penalties of at least 14 years imprisonment will be introduced for offences relating to unauthorised possession, use, supply or acquisition of firearms, where the firearm involved is a pistol or a prohibited firearm, or is defaced, unregistered or stolen. We will create an illegal firearms investigation and reward scheme that will offer rewards of up to \$10,000 for information that leads to the arrest and conviction of a person for possession of an illegal firearm, and additional funding for police investigations, including undercover operations. We will also ban the possession of digital blueprints that enable firearms to be manufactured using 3-D technology and 3-D printers and the milling machines for anyone without an appropriate licence.

**CHAIR:** Commissioner, there is a lot of talk in the National Firearms Agreement discussion groups, and also in the media—arising from media releases—about the grey market for illegal firearms as opposed to a black market for illegal firearms. I have never been able to get a definitive answer as to what is the difference between these two types of firearms. Do you know? What does "grey market" mean as opposed to "black market"?

**Mr SCIPIONE:** I primarily work with legal and illegal firearms. They are the two categories that things fall into for me. I assume that you are talking about marketplace movements where some are diverted from a market into the black market.

**CHAIR:** I thought you might be able to throw some light on it for me.

**Mr SCIPIONE:** It is legal if it is in the marketplace legally; when it is diverted and pushed into the black market and sold as an illegal firearm it becomes illegal.

**CHAIR:** So there is really nothing special about this terminology "grey market".

**Mr DAVID SHOEBRIDGE:** There is no grey.

**CHAIR:** There is no grey; it is either black or white. That is what I am seeing. Minister, will licensed firearm owners in New South Wales be part of the decision-making process as part of the review of the National Firearms Agreement for any New South Wales amendments that may arise?

**Mr TROY GRANT:** Yes. Minister Keenan is committed to a direct dialogue with the firearms industry, he tells me, and, from what I have seen, he has taken steps to ensure that this occurs. I understand that direct consultation with those who represent licensed firearms owners has already occurred and is continuing. Consultation with victims groups and other stakeholders is also continuing. The intent of these processes is to help inform the strategy for the management of illegal firearms and therefore minimise any impact on legal firearm ownership.

**CHAIR:** The Martin Place siege review acknowledged that in Australia public safety and security are governed by a risk based system. Will the Minister release details of the risk assessment posed by licenced firearm owners? Has such an assessment ever been done and been documented, and can we have a copy of it?

**Mr TROY GRANT:** The community expects firearms to be regulated and controlled appropriately. In New South Wales, any person seeking to possess and use a firearm must be authorised by way of a licence or permit. All persons wishing to obtain a firearms licence in New South Wales must have a genuine reason for obtaining the licence and must meet a range of legislative requirements relating to that reason. Licence holders are authorised to possess and use only the category of firearm for which the licence has been issued. The firearm

may be used only for the purpose established as being the genuine reason for holding the firearms licence. We do recognise that the vast majority of licensed firearm owners comply with these strict legislative requirements. However, the figures for firearms theft simply do not support the contention that they are a major source of the firearms fuelling gun crime in New South Wales.

**CHAIR:** Referring to the same review, the review stated that better police information will not always be preventative in the fight against illegal firearm use, and improvements to firearms databases nationally will improve how policing databases can be used to track legal, and some illegal firearms—and I quote that from the report. Minister, can you explain what this means and how spending money on databases will aid in the tracking of illegal firearms?

**Mr TROY GRANT:** Yes. I was talking to the Commissioner this morning about this very issue. Commissioner, would you like to lead?

**Mr SCIPIONE:** Mr Borsak, as I said, I think the money that you are talking about is particularly going into the Australian Ballistic Information Network [ABIN] and that is money that is being contributed across Australia. There is a range of people that are involved. ABIN is the system that sits in CrimTrac in Canberra, draws down on the NSW Police Force 3D Integrated Ballistic Identification System. That then provides a nationwide service. That is the database that takes shells; it takes fragments; it takes casings from crime scenes; and it puts them onto a single system. It then becomes a point of reference—the database that will try to link crimes to crimes across the nation, particularly identifying the type of firearm, its unique identifiers, where it was, and when it was used.

**CHAIR:** You mentioned CrimTrac.

**Mr SCIPIONE:** Yes.

**CHAIR:** I think the day after the Martin Place siege, it was put in the media—and I am not necessarily saying that is the only source of information I have—that Monis was listed on the CrimTrac system as having a firearms licence. Are you aware of that?

**Mr SCIPIONE:** I am certainly aware that there was media and I am certainly aware that someone in this room actually tweeted things about me, suggesting that he must have at some stage had a firearm, yes.

**CHAIR:** About you having a firearm?

**Mr SCIPIONE:** No, about me not removing his licence.

**Mr DAVID SHOEBRIDGE:** Never rely on the Prime Minister. There is a lesson there.

**Mr SCIPIONE:** Ah, but it was you, Mr Shoebridge. It was not the Prime Minister who tweeted.

**CHAIR:** It was not me, Commissioner. I do not have a Twitter account.

**Mr SCIPIONE:** No, that is fine.

**The Hon. LYNDIA VOLTZ:** I think we are narrowing it down.

**Mr DAVID SHOEBRIDGE:** No, it was me. I relied on what Tony Abbott said. Big mistake, big mistake!

**Mr SCIPIONE:** And never withdrew it—an even bigger mistake.

**Mr TROY GRANT:** You should tweet more responsibly.

**CHAIR:** How did this incorrect information and plain bad data end up on the CrimTrac system?

**Mr SCIPIONE:** There was no bad data on the CrimTrac system.

**CHAIR:** Why was Monis' name connected to the CrimTrac system to the extent that it said he had a licence or had applied for a licence?

**Mr SCIPIONE:** Because he had been an applicant. We keep all of those records and he had been refused. But I am mindful that we are in evidence before a Coroner and I do not really want to go into that. But let me assure you he was never issued with a licence in New South Wales, and therefore I never had to even consider removing that licence.

**CHAIR:** My understanding was he had been at one stage an applicant for a security licence, as opposed to a firearms licence of any kind. Does that make a difference?

**Mr SCIPIONE:** It could. Again, I am mindful; I really do not want to be in a position whereby I am compromising anything that the Coroner is doing. I am sure that that will become very clear in evidence. But having said that, yes, you are right; and remembering that the legislation governing the use and control of firearms by security officers changed in terms of what you could do with a certain type of licence. Regardless, at the end of the day, this man was never issued with a licence. Therefore I never had to remove it.

**The Hon. TREVOR KHAN:** It is time to say sorry.

**Mr DAVID SHOEBRIDGE:** Yes. I am very sorry for relying on what Abbott said, and I am sorry that that is spreading about you, Commissioner. I am.

**The Hon. LYNDA VOLTZ:** We apologise for Tony Abbott as well.

**Mr DAVID SHOEBRIDGE:** Yes.

**The Hon. LYNDA VOLTZ:** Profusely!

**CHAIR:** There is no need to apologise.

**The Hon. SHAOQUETT MOSELMANE:** For being there.

**CHAIR:** Order!

**Mr DAVID SHOEBRIDGE:** For the record, I apologise for spreading that around. I should have not relied upon what he said. It was an incorrect tweet. You are dead right.

**Mr SCIPIONE:** Three weeks.

**The Hon. LYNDA VOLTZ:** Did Tony Abbott apologise?

**Mr DAVID SHOEBRIDGE:** I do not think he did.

**The Hon. LYNDA VOLTZ:** Tony Abbott did not apologise.

**Mr DAVID SHOEBRIDGE:** No, but he should.

**The Hon. LYNDA VOLTZ:** He should. Maybe the Minister could write to him.

**CHAIR:** Since everybody is apologising, does anyone else want to apologise for something? Minister, do you want to apologise for something?

**The Hon. LYNDA VOLTZ:** Trevor?

**Mr TROY GRANT:** I apologise for not being better looking.

**The Hon. TREVOR KHAN:** It is not in my nature.

**CHAIR:** Thank you, Minister, and thank you to your officers for attending the hearing today.

**Mr TROY GRANT:** Thank you, Chair, and thank you Committee members. I appreciate your time.

**The Hon. LYNDA VOLTZ:** Have a good march.

**Mr SCIPIONE:** We are off to the march.

**CHAIR:** We will take a break now until 10.45 a.m. Enjoy the celebration of 100 Years of Women in Policing.

**The Hon. LYNDA VOLTZ:** Vive la revolution!

**Mr SCIPIONE:** One hundred Years of Women in policing—I do not know how we lasted for the first 53 years without them.

**CHAIR:** That is very diplomatic of you.

**(Short adjournment)**

**CHAIR:** Between 10.45 a.m. and 11.25 a.m. we will be examining Racing, including hospitality and gaming. From 11.25 a.m. to 11.55 a.m. we will be examining the Arts.

**The Hon. SHAOQUETT MOSELMANE:** Going back to the question about conflict of interest, I seek clarification. As the Minister for Racing you are promoting the liquor industry; at the same time as Minister for Police you have a responsibility to combat alcohol-related violence. Do you see a conflict of interest there?

**Mr TROY GRANT:** I ask you to repeat your question. If I am correct, you said that my job is to promote the industry.

**The Hon. SHAOQUETT MOSELMANE:** Do you have a conflict of interest in promoting the liquor industry as part of operating the Office of Liquor, Gaming and Racing while also having responsibility to combat alcohol-related violence as Minister for Police?

**Mr TROY GRANT:** No. My role is to regulate the liquor industry and community safety, and the adherence to all laws and regulations pertaining to the conduct of premises and individuals in the liquor industry. That is not only my responsibility; it is also the object of the Liquor Act. Secondly, as part of the Liquor Act there is an object to promote the industry, and the promotion of the industry can be achieved by strict adherence to the regulation and the professional running and conduct of liquor outlets, as well as individuals who are charged with the privilege—it is not a right—of having a liquor licence. The Office of Liquor, Gaming and Racing [OLGAR], the department that sits under me, is responsible for the safe and sustainable development of the industry within the public interest. So there is no conflict. I believe that my department and my ministerial office do both roles well.

**The Hon. SHAOQUETT MOSELMANE:** How many online alcohol retailers are there in New South Wales?

**Mr TROY GRANT:** That is an operational question. I will refer it to Ms Caruana.

**Ms CARUANA:** I would like to take that on notice.

**The Hon. SHAOQUETT MOSELMANE:** Can any licensee sell alcohol online?

**Mr TROY GRANT:** In the pursuit of being completely accurate I will refer to Ms Torres.

**Ms TORRES:** The Liquor Act requires a specific permission for online sales. If you do not have an online sales licence, no, you cannot sell online.

**The Hon. SHAOQUETT MOSELMANE:** Can you repeat that?

**Ms TORRES:** The Liquor Act requires specific permission for online sales. It is not open to every licensee.

**The Hon. SHAOQUETT MOSELMANE:** Who is it open to?

**Ms TORRES:** They have to apply, so once they have online sales permission.

**The Hon. SHAOQUETT MOSELMANE:** What measures are taken to ensure that the delivery of alcohol from online retailers is not made to a person under the age of 18?

**Mr TROY GRANT:** Within the Office of Liquor, Gaming and Racing we have a compliance section that is charged with the responsibility of ensuring that all activities under the Liquor Act meet those high standards.

**Ms TORRES:** I will take that on notice for the exact procedure, but there are obligations for delivery drivers to ensure identification is produced.

**The Hon. SHAOQUETT MOSELMANE:** Your website states that delivery can be made to an unoccupied address. Do the current rules allow for retailers to leave alcohol unattended at door steps?

**Ms TORRES:** I will take that on notice for clarity. My understanding is that when the online order is placed identification requirements are entered into most of the online systems and then identification produced if it is delivered, but I cannot answer accurately—

**The Hon. SHAOQUETT MOSELMANE:** Is there a guaranteed process?

**Ms TORRES:** I will take that on notice.

**The Hon. SHAOQUETT MOSELMANE:** Have any retailers been detected delivering alcohol to a person under the age of 18?

**Ms TORRES:** I will have to take that on notice. Not to my knowledge.

**The Hon. SHAOQUETT MOSELMANE:** Minister?

**Mr TROY GRANT:** I am sorry, can you repeat the question?

**The Hon. SHAOQUETT MOSELMANE:** Has any retailer been detected delivering alcohol to a person under the age of 18?

**Mr TROY GRANT:** Not to my knowledge but I am happy to take that question on notice. Wine clubs are a form of online sales of alcohol. Are you opposed to those?

**The Hon. SHAOQUETT MOSELMANE:** I am asking the questions. I am not opposed.

**Mr TROY GRANT:** It is relevant to your question. I am trying to clarify where the nature of your question is coming from and the scope.

**The Hon. LYNDA VOLTZ:** The nature of the questions is clear. The Hon. Shaoquett Moselmane is trying to ascertain the procedures for delivery to people under the age of 18. Your department cannot tell us what the procedure is. We have clearly asked about unoccupied premises that are on the website. Maybe you would like to tell us if it is appropriate that alcohol gets delivered to unoccupied premises and that we do not know what the procedure is.

**Mr TROY GRANT:** As answered, we will provide on notice that detail of all the guidelines for accuracy.

**The Hon. LYNDA VOLTZ:** Do you think that is appropriate?

**Mr TROY GRANT:** We will provide all that to you, as we have said, and take that on notice.

**The Hon. SHAOQUETT MOSELMANE:** I move on to the review of the 10.00 p.m. closing time. Who is conducting the review of the 10.00 p.m. closing of bottle shops?

**Mr TROY GRANT:** That is part of the overall review in relation to the Government's liquor reforms to be conducted in February 2016. We make no apology for our strong action to reduce alcohol-related violence and improve public safety through a series of statewide and precinct-based measures. Where the statewide measures have been introduced, they include the three strikes disciplinary stream, the 10.00 p.m. restriction on liquor sales that you raised and an escalation of the sanctions scheme where liquor is sold to minors on licenced premises, which can result in an automatic licence cancellation. There is also the release of best practice guidelines for licensees to prevent intoxication on premises. All those measures are part of the one review. We are very serious about enforcing these measures—

**The Hon. SHAOQUETT MOSELMANE:** Minister, who is conducting the review?

**Mr TROY GRANT:** If you will let me finish—

**The Hon. LYNDA VOLTZ:** The question was: Who is conducting the review?

**The Hon. SHAOQUETT MOSELMANE:** Is it you or—

**Mr TROY GRANT:** If you will let me finish, you will get the answer. The Office of Liquor, Gaming and Racing is doing the monitoring and evaluation. A team is doing a separate evaluation focussed on the 10.00 p.m. closing, starting in regional and rural areas.

**The Hon. SHAOQUETT MOSELMANE:** When did the review commence?

**The Hon. LYNDA VOLTZ:** He said in February 2016 it will commence.

**Mr TROY GRANT:** In February 2016 the review will commence. That review is specific to 10.00 p.m. closing.

**The Hon. SHAOQUETT MOSELMANE:** What is the expected cost of the review?

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

**The Hon. SHAOQUETT MOSELMANE:** Why is the review of 10.00 p.m. closing of bottle shops being conducted in two stages?

**Mr TROY GRANT:** The nature of sales after 10.00 p.m. in rural and regional areas is very different to that in a concentrated area, as in the Sydney central business district [CBD] and within the precincts we have established. Ms Torres, would you like to add to that?

**Ms TORRES:** We should clarify that there are a few reviews of these measures on foot. The overall measures are under constant monitoring to make sure we are aware of the impacts and so on. The 10.00 p.m. monitoring and evaluation is a standard monitoring and evaluation process that we do. We are starting with the regional and remote areas because we have had indications those are areas where there are potentially the most significant impacts being felt by communities. As I say, a number of reviews in relation to the measures that came in last year are on foot. There is the review of lockouts and cease of service, which is the statutory review, and that will commence in February 2016. Then there is the specific evaluation of individual pieces of that to gather data to inform those reviews.

**The Hon. SHAOQUETT MOSELMANE:** Is Shellharbour considered as being in stage one of the review?

**Ms TORRES:** I will have to get back to you on that. Off the top of my head, I am not certain where the boundary is.

**Mr TROY GRANT:** We are happy to take that on notice and provide that answer.

**The Hon. SHAOQUETT MOSELMANE:** Minister, public consultation for the first stage of the review for regional and remote areas has been concluded. When will the report of this stage of the review be concluded and released?

**Mr TROY GRANT:** Ms Torres, do you have a time frame?

**Ms TORRES:** At this stage, it is not intended to publish those data findings; they are simply data gathering to inform the greater reviews. The overarching review will be completed at the end of stage two and the whole thing will be published.

**The Hon. SHAOQUETT MOSELMANE:** Minister, according to the 2014-15 budget estimates detailed report there is a more than 500 per cent increase in legal fees for the Independent Liquor and Gaming Authority [ILGA]. What is the reason for this increase?

**Mr TROY GRANT:** I will defer to the Secretary to start the answer.



**Mr CAPPIE-WOOD:** The increase is as a result of some historical evidence in terms of actions and the need to increase budgets to reflect that. There has also been an increase in the number of interventions and participation in suspensions. The Government has introduced a number of new liquor and gaming environments where we need to take appropriate actions, and in defending those actions before tribunals et cetera we need legal assistance. It reflects the level of work and regulation that the office is undertaking.

**Mr TROY GRANT:** In addition to that, members from the Independent Liquor and Gaming Authority were not requested as witnesses for this committee hearing, so we are happy to provide more specific information. We were happy to bring those members, but they were not requested to attend by this Committee, or we could have given a more fulsome answer.

**The Hon. LYNDA VOLTZ:** If you were happy to bring them, I think we did not knock them back, did we?

**Mr TROY GRANT:** They were not requested.

**The Hon. LYNDA VOLTZ:** You said you wanted to bring them.

**Mr TROY GRANT:** I said I was happy to bring them.

**The Hon. TREVOR KHAN:** You do not have to have an argument about everything.

**The Hon. LYNDA VOLTZ:** No, we do. Minister, you provided the witness list.

**Mr TROY GRANT:** We responded by listing the witnesses required.

**The Hon. LYNDA VOLTZ:** No, you provided the witness list and who you were going to bring.

**The Hon. TREVOR KHAN:** You are using your time for questions.

**The Hon. SHAOQUETT MOSELMANE:** Minister, I am curious about the 500 per cent increase. That was my point.

**Mr TROY GRANT:** Yes and the Secretary answered. We make no apologies for doing our job very thoroughly and making sure that every level of accountability in that space is met and is done properly. At times that incurs greater cost for seeking additional legal advice et cetera. We could give you examples of that with the ILGA representatives here, so we are happy to provide that on notice.

**The Hon. SHAOQUETT MOSELMANE:** On the issue of legal representation, legal fees have increased by up to 400 per cent. What is the reason for that?

**Mr TROY GRANT:** Again, that relates to specific cases or matters. I will take that question on notice and provide information.

**The Hon. SHAOQUETT MOSELMANE:** There has been a reduction in fees and fines of more than \$7 million. Can you explain that reduction and identify the offences that have experienced the largest reduction?

**Ms TORRES:** Hopefully any reduction in fees and fines reflects better compliance by the industry. The casino supervisory levy has reduced by \$7.1 million. Is that the information you are seeking?

**The Hon. SHAOQUETT MOSELMANE:** Yes.

**Ms TORRES:** In the interests of accuracy, we can provide on notice the exact data about the reduction in specific fines and fees, and the breaches last year versus this year. I do not have a list of the nature of the breaches that have declined and those that have changed. A reduction in fines overall is probably the explanation.

**The Hon. SHAOQUETT MOSELMANE:** Why was there a reduction for the casino?

**Ms TORRES:** It was not a reduction; it was a change in the way the fee was collected. To my knowledge, it is an administrative change, not an overall dollar value change. Again, we can confirm that with the Independent Liquor and Gaming Authority and provide a response.

**The Hon. SHAOQUETT MOSELMANE:** Did the New South Wales Government commission the Lambert review into the New South Wales racing industry?

**Mr TROY GRANT:** The Premier commissioned the Lambert review through the Department of Premier and Cabinet.

**The Hon. SHAOQUETT MOSELMANE:** What were the terms of reference?

**Mr TROY GRANT:** I will take that question on notice and provide that information.

**The Hon. SHAOQUETT MOSELMANE:** How much was Mr Lambert paid to undertake the review?

**Mr TROY GRANT:** That question should be asked of the Department of Premier and Cabinet, but I will take it on notice.

**The Hon. SHAOQUETT MOSELMANE:** Are you aware of what the review found or recommended?

**Mr TROY GRANT:** Again, that question should be directed to the Department of Premier and Cabinet. However, I am happy to take it on notice.

**The Hon. MARK PEARSON:** There is ample evidence that whipping horses inflicts pain, distress and suffering on them just as it would any other animal that was whipped. In fact, it would be an offence if one were to take a dog out onto the street and to whip it in the way that horses are whipped towards the end of a race. Given the evidence that has built up over time and the fact that four countries in Europe have already banned the whipping of horses, will the Government seek a ban on the use of the whip in line with community expectations and in the interests of animal wellbeing?

**Mr TROY GRANT:** The New South Wales Government does not run any of the three racing bodies; they are independent regulators. Harness Racing NSW and Racing NSW have examined this issue and have included different requirements and restrictions in their racing rules. It is a matter for Racing NSW because it is the regulatory body.

**The Hon. MARK PEARSON:** I asked about it breaching the criminal law. Legal advice suggests that there is a case to show that it would be a breach of the criminal law in New South Wales to whip a horse for any reason other than to assist it in a dire situation.

**Mr TROY GRANT:** As the regulatory authority it is Racing NSW responsibility to address that issue.

**The Hon. MARK PEARSON:** I put it to you that because it is a criminal law issue it is the Government's responsibility to address it.

**Mr CAPPIE-WOOD:** It is up to parties to determine whether to take legal action. In fact, there is nothing stopping a regulator, if it so wished, progressing that issue. It is a matter for the criminal law to determine whether your interpretation would apply. Only if a case is brought will that be determined.

**The Hon. MARK PEARSON:** Given that the police commissioner enforces the Prevention of Cruelty to Animals Act, will you ask him to investigate whether whipping horses constitutes a contravention of that legislation?

**Mr TROY GRANT:** I would first approach Racing NSW.

**The Hon. MARK PEARSON:** I am asking whether you would also speak to the police commissioner.

**Mr TROY GRANT:** I would speak to Racing NSW in the first instance. That consultation and discussion would then inform me as to whether I needed to escalate it to the NSW Police Force.

**The Hon. LYNDA VOLTZ:** I think that is a "no".

**The Hon. TREVOR KHAN:** Yes.

**The Hon. SHAOQUETT MOSELMANE:** I refer to racing taxation in Victoria. When will you legislate to provide certainty for the industry in New South Wales?

**Mr TROY GRANT:** I have made public comments and I will present a minute to Cabinet this month.

**The Hon. SHAOQUETT MOSELMANE:** When will that come into effect?

**Mr TROY GRANT:** That is a matter for Cabinet.

**The Hon. SHAOQUETT MOSELMANE:** Does the Government intend to keep control of the money rather than pay it to Racing NSW and Harness Racing NSW?

**Mr TROY GRANT:** The proposal about tax parity is in the Cabinet minute that I will present in September and Cabinet will decide.

**Dr JOHN KAYE:** In March this year you appointed retired High Court judge Justice McHugh to undertake the special commission of inquiry. You did so after he had been appointed by the now comprehensively disgraced board of Greyhound Racing NSW to undertake its inquiry. Were you at all worried about any potential questioning of the credibility of the McHugh special commission of inquiry given where he came from?

**The Hon. TREVOR KHAN:** You are questioning the credibility of the former Justice.

**Dr JOHN KAYE:** I have asked a question of you, Minister.

**Mr TROY GRANT:** I was waiting for the commentary to cease.

**The Hon. TREVOR KHAN:** It was an unnecessary interjection.

**Mr TROY GRANT:** Justice McHugh came from the High Court of Australia. As we have learnt, Greyhound Racing NSW approached him, although he was not engaged nor had he commenced work. I relied very much on his outstanding record, his distinguished status and the esteem in which he is held in law in New South Wales.

**Dr JOHN KAYE:** Sure.

**Mr TROY GRANT:** In February this Government took decisive action that led the nation with regard to holding to account those involved in the atrocious live-baiting scandal. The discovery of emails in recent weeks by Greyhound Racing NSW clearly vindicates the action I took as the Minister to get to the bottom of this by establishing a special commission of inquiry. I have every confidence in Justice McHugh to carry out a thorough inquiry. A special commission of inquiry has the powers of a royal commission and it will help to inform the Government about how to address what I am sure you will agree is an unacceptable practice being conducted within greyhound racing in New South Wales.

**Dr JOHN KAYE:** He was appointed by Brent Hogan and the other members of the board of Greyhound Racing NSW, which you subsequently dismissed, to do a job of inquiry. You then met with Justice McHugh on 19 February. On 4 March you appointed him. You transferred his appointment from Greyhound Racing NSW to the special commission of inquiry. Are you not concerned that that timeline looks very much like Justice McHugh is not independent of Greyhound Racing NSW?

**Mr TROY GRANT:** No, I am not. Understand again the action that I took in February has been decisive. We led the way in the country. On Monday 16 February 2015 Greyhound Racing NSW announced the establishment of its own task force to investigate the live baiting claims to be headed by former High Court Justice the Hon. Michael McHugh. They did this in anticipation of the *Four Corners* documentary that was going to air that night. The task force had not even begun its work.

Following the *Four Corners* story and the absolutely unacceptable practice that it uncovered that I have already alluded to, on the evening of Wednesday 18 February 2015 I announced that I had rung each member of the Greyhound Racing NSW board and asked them to step down. I asked them to stand aside the existing chief executive officer [CEO] and appoint a public servant as the interim CEO and devolve all their powers to him. This action, I reiterate, led the nation. In the following six months what you have seen is the other affected jurisdictions essentially playing catch-up to my decisive action. We achieved what needed to happen in two days when it has taken six months in other States to stand aside their boards.

At the time we significantly beefed up what was known as the review in the first instance. I said to Justice McHugh and I repeated it publicly, "Leave no stone unturned." After discussions with Justice McHugh it became clear that full powers of a commission of inquiry were required to leave no stone unturned and to make sure a roots and branches examination was thoroughly undertaken. As such the Government announced on 4 March 2015—a caretaker commenced two days later, just as a note for the Committee—that the Greyhound Racing NSW review had been replaced by the special commission of inquiry into the greyhound racing industry in this State to examine the future direction for greyhound racing. The commission is independent and I have full confidence in Justice McHugh and the commission.

**Dr JOHN KAYE:** But, Minister—

**Mr TROY GRANT:** Sorry, I have not finished, Dr Kaye. The commission is investigating animal welfare integrity and governance issues in the greyhound racing industry and was initially due to report by 30 September 2015. The commission has since requested and been granted by the Premier an extension on the reporting date until 31 March 2016, again highlighting our desire to get to the bottom of all this. Specific to Justice McHugh's integrity, on behalf of all good citizens in New South Wales who are asked by Government to participate in independent, arm's-length reviews, I find this line of questioning a little offensive.

**Dr JOHN KAYE:** Well, I am sorry you do, Minister, but I—

**Mr TROY GRANT:** I stand by Commissioner McHugh's integrity and I stand it up against that of any members here. If this is not an attack on his integrity and members here agree that he is the right person for the role, what exactly is this argument about?

**Dr JOHN KAYE:** What this argument is about is the emails that were uncovered by ABC's *AM*, which showed very clearly that the appointment of McHugh by Greyhound Racing NSW was a public relations exercise. This is not about McHugh; this is about the process—

**The Hon. TREVOR KHAN:** Point of order: Is this a question or a speech?

**Dr JOHN KAYE:** You then—

**The Hon. TREVOR KHAN:** Point of order—

**Dr JOHN KAYE:** I am asking a question. You might not like the question—

**The Hon. TREVOR KHAN:** And I am taking a point of order.

**CHAIR:** Order!

**Mr TROY GRANT:** Mr Chair, I am happy to take the question.

**The Hon. TREVOR KHAN:** No, I will take the point of order. He has to ask a question, not make speeches, and at the moment all he is doing is making a speech. He should be called to order.

**Dr JOHN KAYE:** I think it is fair to contextualise a question by giving some background to it.

**CHAIR:** Continue, Dr Kaye.

**Dr JOHN KAYE:** My question goes to the issue of those emails, which you would be aware of. Part A of my question is: Are you aware of those emails? You would have seen them on ABC online.

**Mr TROY GRANT:** I have and I equally share your disgust in relation to those emails and their contents.

**Dr JOHN KAYE:** But those emails are clearly about the appointment of McHugh to their task force.

**Mr TROY GRANT:** Those emails specifically talk about the perverse intent of the CEO of Greyhound Racing NSW and have no reflection on the integrity of Justice McHugh.

**Dr JOHN KAYE:** I agree with you. They do not have any reflection on the integrity of Justice McHugh.

**Mr TROY GRANT:** So what is your question about Justice McHugh?

**Dr JOHN KAYE:** My question is about the credibility—you are using "integrity"; I am using "credibility"—of your decision to appoint McHugh, who was appointed in the first place by Greyhound Racing NSW with the understanding that he would take the political heat off the problem. Do you not understand, Minister, that many people would be very concerned now about the McHugh inquiry—not about McHugh himself but about the inquiry—given that it was adopted across and had its birth in malign intent, as you put it?

**Mr TROY GRANT:** No, I do not share that concern. I stand by his integrity to conduct the review professionally. His integrity is why my decision is credible and the action I took has been vindicated. Do not forget that after that incident I was the one who insisted on the establishment—initially, when it was in review stage—of a consultation ability and support for Justice McHugh with representatives from the RSPCA, NSW Police Force, and the industry of liquor, gaming and racing, who all had the single-minded intent to make sure that the integrity of their review initially, and particularly into the special commission of inquiry, left no stone unturned. In that pursuit of leaving no stone unturned I have absolute confidence in Justice McHugh and the special commission of inquiry.

**Dr JOHN KAYE:** On 3 September 2015 I asked your representative in the upper House, the Hon. Duncan Gay, about a matter relating to a liquor licence that was not granted to Wombat Hollow. The Hon. Duncan Gay implied in the answer—which I presume your office wrote for him—that the first action was taken on the same day as the allegations. Minister, you would be aware that those allegations go back a long way and that there had been ongoing breaches of the liquor laws at that location. Why did you give that answer to Mr Gay?

**Mr TROY GRANT:** In relation to Wombat Hollow I put on record that I do not know Michael Yabsley—I have never met him. Allegations were made in relation to potential unlicensed liquor sales at Wombat Hollow, operated by the former State Minister, Mr Michael Yabsley. These allegations were investigated by the regulator on the same day and the regulator actively engaged with the business operator to ensure ongoing compliance with liquor laws. While allegations have been made in the media regarding non-compliance after the regulator provided advice on the matter, New South Wales police and the regulator have investigated the allegations and are satisfied that further action is not warranted.

The first allegation related to a function being held on 19 June 2015. Both the regulator and police were alerted to the complaint on 17 June and immediately engaged with Mr Yabsley. It was determined that Mr Yabsley did not hold the appropriate authorisations to sell liquor and on this advice the function was held without alcohol being served. In relation to the function held on 11 July 2015, Mr Yabsley only provided the venue and did not receive any financial benefit from paying guests. Wine was supplied by the venue hirer to their guests on a purely complimentary basis. This is akin to a bring your own [BYO] situation and does not require a liquor licence.

We adopt a risk-based approach to breaches of liquor licences to ensure finite resources are applied where the seriousness of alleged misconduct and risk of harm is greatest. In this instance, the alleged offence was at the lower end of the scale. However, in cases where the offence is on the higher end of the scale there are severe repercussions. In May this year, as an example, the licence of the Royal Hotel at Temora was suspended for 28 days as a result of that premises and owner supplying liquor to minors. In June and July this year the Imperial Hotel under my watch at Erskineville was ordered to close on two occasions for 72 hours due to repeated issues with intoxication, illicit drug use and neighbourhood disturbance. The venue will remain closed until new operators can demonstrate that they can operate the venue responsibly. In May 2015 the Office of

Liquor, Gaming and Racing [OLGR] and the Independent Liquor and Gaming Authority gave life bans to two operators of Kings Cross venue Déjà Vu—

**Dr JOHN KAYE:** Point of order: I asked a specific question about a specific venue. The Minister is now going off into a very long diatribe about different enforcements, using up what time is available to me.

**Mr TROY GRANT:** If you consider enforcing the laws and banning people for life as diatribe, I am offended.

**Dr JOHN KAYE:** Minister, in our House, when a member takes a point of order, they are allowed to complete the point of order. Chair, I ask that the Minister be called back to relevance on this particular matter and allow me to ask another question.

**The Hon. TREVOR KHAN:** To the point of order: The Minister is being generally relevant.

**CHAIR:** Yes. The Minister is entitled to answer the question as he sees fit.

**Mr TROY GRANT:** The Office of Liquor, Gaming and Racing [OLGR] will continue to monitor any upcoming functions at Wombat Hollows to ensure ongoing compliance. However, further investigation into past functions when weighed against other priorities and seriousness and whether to proportion it to the desired outcome is not considered appropriate or necessary. In finalising the matter, the regulator had specific regard to the following factors: the alleged offending appeared to be a result of a genuine misunderstanding as to licence requirements; liquor was being supplied by a licensed holder, albeit without the appropriate authorisations; Mr Yabsley took immediate steps to rectify the situation by conducting the function without alcohol and committing to using appropriately licensed caterers for future events; the supply of liquor was not a regular occurrence and was limited to specific functions; there were no aggravating factors and the functions were assessed as low risk; the venue was not open to the public. Liquor was served ancillary to the meals; and there had been no complaints or allegations of intoxication or disturbance issues.

**Dr JOHN KAYE:** Minister, when did you first become aware of the licensing—

**CHAIR:** Order! Dr Kaye, you are in my time. I will give you one minute.

**Dr JOHN KAYE:** I will go on to something else. You made reference to New South Wales being the leading jurisdiction in addressing issues in the greyhound industry. Why is it that New South Wales does not have a special police task force into greyhound racing and Queensland does? If it did, would you not suspect that it would cover the same kinds of widespread welfare abuse within the animal welfare industry that the Queensland taskforce has?

**Mr TROY GRANT:** I think from the *Four Corners* material, Queensland and Melbourne—whilst I am not condoning for a second any of the activity in New South Wales—had a far worse occurrence of live baiting and breaches of animal welfare.

**Dr JOHN KAYE:** Really, given all the graves that have been uncovered in New South Wales?

**Mr TROY GRANT:** The special commission of inquiry will help inform Government as to the future of the industry and/or any response.

**Dr JOHN KAYE:** It has no investigative arm. In Queensland there is a police inquiry—

**Mr TROY GRANT:** Greyhound Racing NSW, Racing NSW for thoroughbreds and Harness Racing NSW are independent statutory authorities. They have their own compliance.

**Dr JOHN KAYE:** That did not work well in the case of greyhound racing.

**CHAIR:** Order! We have come to the end of that time, Minister.

**Mr TROY GRANT:** One thing that Queensland does not have, Dr Kaye, is a Special Commission of Inquiry.

**The Hon. SHAOQUETT MOSELMANE:** Minister, going back to the taxation on racing, in one comment to the media you said, "We see this as more about sustainability and infrastructure within racing". Can you expand on that, Minister?

**Mr TROY GRANT:** Sure. Racing NSW achieves its revenue under its current arrangements through Tabcorp and the like, and it goes to them as a body and then it is distributed across different mechanisms for prize money, for the operation of Racing NSW on a distribution basis to clubs that run their own racing, et cetera. The industry has spoken to me largely across the State in relation to their hopes and aspirations that additional money will go into infrastructure and track upgrades and support for governance. The strategic plan that guides the funding for Racing NSW now incorporates a broad range of investments to ensure long-term sustainability, which relies on state-of-the-art tracks, not only for the welfare of the thoroughbreds but also facilities on course and on track, whether it be jockey rooms and the like and/or rooms for administration and for race clubs to conduct their business and revenue. There is a vast way that money for New South Wales is distributed and the tax parity outcome will help Racing NSW achieve and support the long-term sustainability of racing, both in the city, provincially and in country areas.

**The Hon. SHAOQUETT MOSELMANE:** Will the community also have a say in the way the money is spent?

**Mr TROY GRANT:** The money is spent at the determination of Racing NSW in consultation with the racing industry body and each of the race clubs throughout New South Wales.

**CHAIR:** I have a question in relation to race field caps recently being removed or adjusted by regulation. What is the impact of that on the industry?

**Mr TROY GRANT:** Adjusted?

**CHAIR:** It is subject to a disallowance motion in our House at the moment.

**Mr TROY GRANT:** It is. The move is to bring equity of that fee across all jurisdictions. Ms Torrens?

**Ms TORRES:** The intent is to encourage Racing NSW to utilise other revenue streams as well as achieving wagering tax parity.

**CHAIR:** We are talking about all codes.

**Ms TORRES:** Yes, all codes. The intent was to ensure that rather than relying only on wagering tax parity and the step-downs that are being delivered that the racing codes explore other opportunities they have, and one of those opportunities is to use the race fields fees information services that they provide to the bookmakers.

**CHAIR:** I think the cap was 1.9 per cent before?

**Ms TORRES:** It was changed from a percentage cap to a dollar figure, depending on the type of race classification. I can get the exact phrasing for you.

**CHAIR:** Could you take that on notice?

**Ms TORRES:** Absolutely.

**Mr TROY GRANT:** We will give you a full briefing because it is race fields on premium as well as different rates generally. We are happy to provide that in detail.

**The Hon. MARK PEARSON:** In relation to wastage in the horseracing industry, the animals that are no longer fast enough or strong enough, when bred for speed, become surplus to the requirements of the industry and, therefore, are called wastage. Australia is second only to the United States in breeding thoroughbreds and some 17,500 horses are bred each year in the industry, two-thirds of which will not make it to the race track. Their racing career generally lasts three years. These horses can live for 20 years, but many of them are killed. Minister, are you aware of an annualised number of race horses deemed to be wastage by the

industry. If not, is there a method in place to collate this data from the industry so as to better inform the public and to ensure the industry eliminates an oversupply of yearlings?

**Mr TROY GRANT:** No, I am not. I was checking with my staff if we had received correspondence on this issue. The answer is we have not. I am happy to receive something from you about your request and I will take that to Racing NSW.

**The Hon. MARK PEARSON:** On notice.

**Mr TROY GRANT:** No, I am happy for you to write to me.

**The Hon. TREVOR KHAN:** Make a formal submission.

**Mr TROY GRANT:** A formal submission and/or letter on that issue. On your behalf I will be happy to take that to Racing NSW.

**The Hon. MARK PEARSON:** Thank you. Given that Racing NSW has stated the industry makes an economic contribution of \$1.2 billion annually to the State, is it only sensible to invest some funding into racehorse rehabilitation, rehoming and making racehorse owners and trainers more accountable for the wellbeing of the animal in their post-training career rather than sending them to the knackery?

**The Hon. TREVOR KHAN:** They do not all go to the knackery. They go to the pony clubs.

**CHAIR:** Order! We are now eating into the time for Arts. Mr Pearson, the question is out of order.

**Mr TROY GRANT:** Mr Pearson, a lot of those issues were raised in work I commissioned called the "Size and Scope of the NSW Racing Industry", which is available online. I encourage you to have a look at that and we will continue to monitor the issue that you have raised.

**CHAIR:** We have come to the end of the examination on Racing. We will commence examination on the Arts.

**Mr TROY GRANT:** Can we get the officials at the table. We have to do a quick swap around.

**The Hon. LYNDA VOLTZ:** Minister, what is the process for selection of members of the major arts boards?

**Mr TROY GRANT:** Broadly speaking, I have given instructions to each of the cultural institution boards about my desire to make sure that we have a strong push to have women representatives, representation from Western Sydney, representation from the Indigenous community and representation from regional areas. Would the Executive Director of Arts NSW like to talk to the specific process?

**Ms DARWELL:** The secretary of the department writes to each of the heads of the trusts to ask for nominations for potential vacancies. The heads of the trusts provide their advice against the relevant skills matrix that the board has. There is also some internal work that Arts NSW does on behalf of the Minister to determine whether there are other candidates that may be suitable for consideration. The potential candidates are then provided to the Minister.

**The Hon. LYNDA VOLTZ:** That is good. Of the big five, how many of these board members are from Western Sydney?

**Mr TROY GRANT:** I am happy to take that on notice so that we get it accurate for you.

**The Hon. LYNDA VOLTZ:** I assume that if you have asked the question with regard to representation of women and people from Western Sydney you would have had some concerns.

**Mr TROY GRANT:** Yes, and there have been some appointments. I want to make sure that I provide the Committee with precise information.



**The Hon. LYNDA VOLTZ:** Could we go to the boards themselves. Are there any representatives from Western Sydney on the Sydney Opera House Trust?

**Ms DARWELL:** I am afraid that I do not have the trust membership in front of me. I should have mentioned, in addition, that many of the statutes also have particular provisions in relation to skills capabilities. For example, the Sydney Opera House Trust has a requirement in relation to an artist being on the board.

**Mr TROY GRANT:** The board appointments, given the tenure of the trust members, are a rolling process.

**The Hon. LYNDA VOLTZ:** So there are skills that are required for the Sydney Opera House Trust. Are you saying that the reason there is no-one on that board from Western Sydney is because of the skills requirements on the Sydney Opera House Trust?

**Mr TROY GRANT:** We did not say that. We said that that is a component of the selection process. We are going to provide you with the details of who is on the trust. Across the five New South Wales State cultural institutions and the FTIAC [Film and Television Industry Advisory Commission], each institution is governed by a board or committee comprising diverse national leaders in their respective fields, bringing business, arts and governance skills—which are some of the skills the Executive Director was referring to—to maintain New South Wales's leading role. Currently there are 57 trustee positions in total. As of 1 June 2015, one of those positions is vacant. All five cultural institution boards and the FTIAC currently meet quorum and are operating successfully to provide their effective governance and management advice to each of those organisations. In 2015 as of 1 June, 18 vacancies will arise as of 31 December 2015. So 18 vacancies are coming up, including—

**The Hon. LYNDA VOLTZ:** Would you be interested in knowing that the Sydney Opera House Trust has nobody from Western Sydney on it?

**Mr TROY GRANT:** In my time as the Minister there have been just two positions filled, if I recall. I will be precise. I appointed Deborah Mailman, a wonderful Indigenous actress, onto the board, and the new chair. I think those were the only two in my time. But as I said, there are 18 vacancies that are coming up.

**The Hon. LYNDA VOLTZ:** Neither Nicholas Moore nor Deborah Mailman come from Western Sydney, do they? So there is nobody from Western Sydney on the Sydney Opera House Trust, is that right?

**Mr TROY GRANT:** If you would let me finish. Since I have issued that edict, there are those that are coming up. Some of those appointments have been well in place before my time as Minister, and since I have issued that direction there are five new appointments and 13 potential reappointments. The New South Wales Government is currently working with each of the cultural institutions to ensure that each of those vacancies is filled by 1 January, with my edict in mind. As of 1 June 2015, of the 56 filled trust positions, 25 of those—being 45 per cent—are held by women. I would like to see that increase.

**The Hon. LYNDA VOLTZ:** How many are from Western Sydney?

**Mr TROY GRANT:** Again, I have taken that question on notice.

**The Hon. LYNDA VOLTZ:** Would you say that there is only one person on all those five major trusts that is from Western Sydney?

**The Hon. TREVOR KHAN:** Point of order: The Minister said that he will take it on notice.

**The Hon. LYNDA VOLTZ:** I am asking a different question.

**The Hon. TREVOR KHAN:** No, you are persisting with the same line. He said he will take it on notice.

**Mr TROY GRANT:** I can assist Ms Voltz. As of 1 June 2015, there are 15 members on our boards and the FTIAC who are either living in or working in Western Sydney or regional New South Wales or are from Western Sydney or regional New South Wales.

**The Hon. TREVOR KHAN:** I will withdraw my point of order.

**Mr TROY GRANT:** I am happy to provide the status of where they are all from for each institution.

**The Hon. LYNDA VOLTZ:** That is right. The question I am asking is: How many people are from Western Sydney? You have given me an answer that tells me who might work in Western Sydney. We certainly know that the chancellor of the University of Western Sydney works in Western Sydney.

**Mr TROY GRANT:** Who are living in or working.

**The Hon. LYNDA VOLTZ:** But I am asking you who actually comes from Western Sydney and sits on these five trusts. Minister, I am asking you why the skills set of Western Sydney is being ignored and there is only one person when it comes to the five big trusts.

**Mr TROY GRANT:** It is not being ignored. I am embracing it and I have strongly encouraged it.

**The Hon. LYNDA VOLTZ:** You have said that you are embracing it and you raised that Western Sydney was an area that you were looking at, but you cannot tell me how many people actually sit on those trusts from Western Sydney.

**Mr TROY GRANT:** Fifteen.

**The Hon. LYNDA VOLTZ:** No, that is not what you said. You said there were 15 from Western Sydney or regional New South Wales who worked in Western Sydney or may have come from there. You cannot tell me who they are or how many actually live in Western Sydney.

**Mr TROY GRANT:** I said that I will provide that information to you on notice.

**The Hon. LYNDA VOLTZ:** We have a lot of questions on notice, Minister. There have been very few questions that you have actually answered.

**The Hon. TREVOR KHAN:** Point of order.

**Mr TROY GRANT:** Did you slam your hand in a door this morning?

**The Hon. LYNDA VOLTZ:** I did not slam my hand in a door this morning. Your job here is to answer the questions that we ask you.

**Mr TROY GRANT:** And I have answered the questions.

**The Hon. TREVOR KHAN:** Point of order.

**The Hon. LYNDA VOLTZ:** Instead of arguing about what witness list you wish to propose.

**CHAIR:** Order! What is the point of order?

**The Hon. TREVOR KHAN:** The point of order is that the Hon. Lynda Voltz is now embarking on speech making, not asking questions. Her job is not to instruct the Minister. She should ask questions.

**The Hon. LYNDA VOLTZ:** To the point of order: It is not the job of the Hon. Trevor Khan to lecture me on how I ask my questions.

**The Hon. TREVOR KHAN:** I am entitled to make a point of order.

**The Hon. LYNDA VOLTZ:** Given that the Government does not want to ask questions and given that Government will not ask any questions on Western Sydney, it is not your job to tell me what I should be asking.

**The Hon. TREVOR KHAN:** Do not go there.

**CHAIR:** Order!

**The Hon. LYNDA VOLTZ:** Minister, let us move to the Powerhouse Museum relocation.

**Mr TROY GRANT:** Thank you, I would love to answer a question on that.

**The Hon. LYNDA VOLTZ:** Can you tell me what site has been identified for the Powerhouse Museum location.

**Mr TROY GRANT:** A site has not been identified. I am really glad you asked the question. I am really excited about the Powerhouse and our investment in Western Sydney.

**The Hon. LYNDA VOLTZ:** Point of order: My question is specific about a site. I have plenty more questions on the Powerhouse Museum. The Minister must be relevant to the question that he is asked. I have asked him if he has a site identified. He has said that he has not. I want to move on to another question. The Minister should be answering relevantly. We have already had a number of answers that have gone on for five minutes that are not relevant—

**Mr TROY GRANT:** I am always thorough in my answers.

**The Hon. LYNDA VOLTZ:** We want you to answer the questions that we have asked.

**Mr TROY GRANT:** I always answer the questions. I answer them thoroughly.

**The Hon. LYNDA VOLTZ:** I am talking to a point of order.

**The Hon. TREVOR KHAN:** Actually, you are arguing with the Minister.

**The Hon. LYNDA VOLTZ:** If you and the Minister would stop interjecting—

**CHAIR:** Order!

**The Hon. SHAOQUETT MOSELMANE:** All interjections are disorderly.

**CHAIR:** Interjections are disorderly at all times. Arguing with the Minister is disorderly at all times. The Minister can answer the question in any way he likes. Please ask the question again.

**The Hon. LYNDA VOLTZ:** Minister, have you identified a location for the Powerhouse Museum?

**Mr TROY GRANT:** As I said before, no.

**The Hon. LYNDA VOLTZ:** What is the budget allocated for the relocation of the Powerhouse Museum?

**Mr TROY GRANT:** The allocations have not been finalised. The documentation is being prepared in relation to potential sites, which will help inform the overall funding required et cetera. It is a staged process. We need to know the answers to a number of things before we can answer other parts of that question. We are absolutely committed to growing our State's fastest growing region. The relocation of the Powerhouse Museum to Western Sydney is a very clear demonstration of that. Fostering growth in—

**The Hon. LYNDA VOLTZ:** What are the potential sites that you said you had?

**Mr TROY GRANT:** That will be a matter for Cabinet to discuss and decide upon.

**The Hon. LYNDA VOLTZ:** Given that you do not have any potential sites and you do not have a budget, can you tell me when you expect the museum to be up and running?

**Mr TROY GRANT:** That is not what I said. I reject the premise of the question.

**The Hon. LYNDA VOLTZ:** I asked you whether you had an allocated budget and you said, "Not at this time". You told me you do not have any sites.

**Mr TROY GRANT:** Our target is before the end of 2018 for the Powerhouse, but we have a lot of decisions to make in relation to sites. Some \$10 million dollars over two years has been allocated in this year's budget to commence planning for the relocation of the museum from Ultimo to Parramatta as part of the development of the cultural project.

**The Hon. LYNDA VOLTZ:** So you have this short time frame, you have no site, and you have no budget allocation, but can you at least tell me this—

**Mr TROY GRANT:** No, we have got a budget allocation—\$10 million for the planning.

**The Hon. LYNDA VOLTZ:** Will you guarantee that there will be no reduction in the size and the service of the new institution?

**Mr TROY GRANT:** All that planning process, which will be transparent and done in consultation with all the key appropriate stakeholders, will determine the future size and scope of the Powerhouse Museum in Western Sydney. I reiterate how excited I am about that. Not only is Western Sydney excited, but we are excited across the Arts sector about the opportunities.

**The Hon. LYNDA VOLTZ:** Can you guarantee there will be no loss of size and service at the new venue?

**Mr TROY GRANT:** The planning processes in relation to this project will make those determinations.

**The Hon. LYNDA VOLTZ:** How much money do you expect to raise from the sale of the existing site?

**Mr TROY GRANT:** That is a matter for another Minister. As the Minister, I am not selling the site.

**The Hon. LYNDA VOLTZ:** Will you guarantee that all the money raised from the sale of that site will go into the new Powerhouse Museum in Western Sydney?

**Mr TROY GRANT:** I have been informed by the Minister responsible, yes.

**The Hon. LYNDA VOLTZ:** So you guarantee that?

**Mr TROY GRANT:** I have been informed by the Minister responsible for that transection that the answer to your question is yes.

**The Hon. LYNDA VOLTZ:** Have you conducted any financial analysis or modelling of the cost of building the new Powerhouse Museum?

**Mr TROY GRANT:** The planning project has been given \$10 million in this year's budget to start the planning process, which that question is part of.

**The Hon. LYNDA VOLTZ:** The financial analysis and modelling of the costs are still to be done as part of that process?

**Mr TROY GRANT:** It is underway.

**The Hon. LYNDA VOLTZ:** Of the \$10 million?

**Mr TROY GRANT:** It is all part of that planning process. We plan things and budget for them, then build them. We do not just announce them.

**The Hon. SHAYNE MALLARD:** Touché.

**The Hon. LYNDA VOLTZ:** You said you budgeted for them. Maybe I will go back and ask that question again: Do you have a budget allocated for the relocation of the Powerhouse Museum?

**Mr TROY GRANT:** We have a \$10 million allocation as part of the planning process, and that part of the planning process will help to inform us as to the budget required for the rest of the part of the project and the construction and then operation of the Powerhouse.

**The Hon. LYNDA VOLTZ:** Will you guarantee that when it is shifted, you will not reinstate the admission fee for the new Powerhouse Museum?

**Mr TROY GRANT:** I made a kids-free announcement. Is that what you are talking about?

**The Hon. LYNDA VOLTZ:** Yes. Do you intend to reinstate the admission fee when you relocate to the new Powerhouse Museum?

**Mr TROY GRANT:** No, I do not. The announcement has been welcomed. The attendance of kids at the Australian Museum and the Powerhouse Museum as a result of that announcement and that initiative has been extraordinary. We are very proud of that. I guarantee that we will be able to better serve Western Sydney with the addition of the Powerhouse than Labor ever did.

**The Hon. LYNDA VOLTZ:** Let us go to the Riverside Theatre in Western Sydney. The Riverside Theatre made an application for regional funding. Does the Government intend to allocate money to the Riverside Theatre at Parramatta, which needs major redesign?

**Mr TROY GRANT:** There is \$800,000 towards a resident arts company at the Riverside Theatre that has been allocated, which will play a key role in developing performances for local communities. It is my understanding that the Riverside Theatre is in discussions with Ambassador Theatre on a commercial footing.

**The Hon. LYNDA VOLTZ:** That was not the question; the question was about the redesign of the theatre. There has been a significant number of studies. The Parramatta City Council has made an application to the State Government in regard to the redesign that is needed at the Parramatta theatre. I am asking: Will the Government provide those funds?

**Mr TROY GRANT:** I will ask Ms Darwell to help with the answer.

**Ms DARWELL:** In relation to the Arts and Cultural Development program, the budget that is available there would be not appropriate for the size of the project that Riverside is contemplating. At present there is nothing within the Arts portfolio that is able to deal with that request.

**Ms JAN BARHAM:** Good morning.

**Mr TROY GRANT:** Good morning, Ms Barham. How are you?

**Ms JAN BARHAM:** Good. How are you?

**Mr TROY GRANT:** Good, thank you.

**Ms JAN BARHAM:** Minister, the State Library grants and subsidies budget for 2014-15 was \$27,518,000. For 2015-16, it is \$27,518,000. Can you confirm that there has been no increase in the budget for libraries?

**Mr TROY GRANT:** I can confirm that the New South Wales Liberal-Nationals Coalition has a long and proud history of championing local libraries. Since we won government in 2011, the New South Wales Liberal-Nationals Coalition introduced the revitalising regional libraries policy, which delivered an additional \$4 million in funding over four years. This initiative has been a great success. As part of the program, wireless hotspots were delivered to 126 rural and regional locations and grants of \$16,000 were provided to all rural and regional councils to improve their local libraries.

I am proud that this year the New South Wales Government has again granted \$27.5 million to public libraries. This includes the second year of the successful Public Library Infrastructure Grants program, which will provide \$15 million over four years to further assist councils to improve library building spaces and information technology [IT] infrastructure. This Government has done more than any other government to support public libraries and give them the infrastructure they need to improve their services and reduce that

burden. The Government has consistently demonstrated a far better understanding of the challenges faced by smaller councils. The most recent survey found that public libraries across this State enjoy almost 35 million visits per annum, lend over 45 million items, and provide over seven million internet sessions to the public. Those internet sessions have grown by 2.3 million sessions since last year—further proof that this Government's revitalising of regional libraries and wireless hotspots are welcomed by communities.

**Ms JAN BARHAM:** Thank you, Minister. I put all that information on the public record and I appreciate that you are aware of it, but the reality is that there has been no increase in the funding that goes to local government for the servicing and staffing of public libraries. You are absolutely right: It has been a disaster for years. It has gone from 23 per cent of the overall funding to 7 per cent.

**Mr TROY GRANT:** Sure.

**Ms JAN BARHAM:** That was under the former Government. It was 7.76 per cent and it has fallen now to 7 per cent of the funding that comes from the State. We are the lowest-funded library service in the country, and that is a shame when you acknowledge the importance of it.

**Mr TROY GRANT:** The Library Council of New South Wales considered the 2015-16 allocations on 17 August 2015 following consultation with stakeholders through the Public Libraries Consultative Committee. The Library Council will provide its recommendations to my office in due course. Once approved, councils will be invited to apply for the 2015-16 grants and subsidies. The Library Council developed principles for future funding models in 2014 in consultation with stakeholders. Further consideration—and I have given this pledge to the Library Council of Australia—will be given to a revised funding model to occur following the Fit for the Future local government reform process.

**Ms JAN BARHAM:** Thank you. That is good news. Is that why you extended the regulation for a year—to allow for that process and so that it will be completed in one year?

**Mr TROY GRANT:** That is correct.

**Ms JAN BARHAM:** Very good.

**The Hon. TREVOR KHAN:** You see—he is here to help.

**The Hon. SHAYNE MALLARD:** Ms Barham asks good questions.

**The Hon. TREVOR KHAN:** Yes.

**Ms JAN BARHAM:** It is an important issue.

**Mr TROY GRANT:** It is a wonderful question. It is an important issue. Thank you for asking.

**The Hon. BRONNIE TAYLOR:** With honour.

**The Hon. SHAYNE MALLARD:** Yes, with dignity.

**The Hon. TREVOR KHAN:** That is how it should be done.

**Ms JAN BARHAM:** We are finally going to see an outcome. I appreciate the infrastructure increases are important but the lack of funding for the staffing and servicing has meant that some libraries are looking at closing at a time when they are increasingly important. I appreciate that.

**The Hon. LYNDA VOLTZ:** We have seen you in Committee, mate.

**The Hon. SHAYNE MALLARD:** It is no wonder you are losing ground to The Greens.

**CHAIR:** You are rapidly losing credibility here.

**Mr TROY GRANT:** Ms Barham, you are 100 per cent right.

**Ms JAN BARHAM:** Thank you. I am pleased to have that news.

**Mr TROY GRANT:** The design of the allocation was done back when it was shillings and pence.

**Ms JAN BARHAM:** I know.

**Mr TROY GRANT:** I am very proud to be part of a Coalition Government that is doing something about it.

**Ms JAN BARHAM:** After nearly 20 years, I think everyone will be pleased to see an increase, thank you.

**The Hon. LYNDA VOLTZ:** Are we going to sing *Kumbayah*?

**CHAIR:** I think so. Before we close that is what we will do—and we will join arms too.

**Ms JAN BARHAM:** I still have issues about whether we are fully appreciating the value of libraries.

**Mr TROY GRANT:** You should have no fears in relation to my appreciation of libraries. I can list to you each of the libraries that I have visited.

**Ms JAN BARHAM:** That will not be necessary.

**Mr TROY GRANT:** Are you sure? I am happy to give you that answer.

**Ms JAN BARHAM:** I would love that on notice. That would be great.

**Mr TROY GRANT:** I have been to Bathurst, Cabonne, Canterbury, Cooma, Coonamble, Dubbo, Eurobodalla, Goulburn, Mullaley, Griffith, Gundagai, Hurstville, Lachlan, Lake Macquarie. Mid-western: Narrandera.

**Ms JAN BARHAM:** I have been to many too. You have not been to mine. I spent 20 years getting mine built. Come to mine.

**Mr TROY GRANT:** Which is yours, Ms Barham?

**Ms JAN BARHAM:** That one.

**Mr TROY GRANT:** I have been to that library, thank you. Not with you, though.

**The Hon. BRONNIE TAYLOR:** I will come, Jan.

**CHAIR:** Order!

**Ms JAN BARHAM:** Can you explain where that funding sits in the budget documents—those increased funds that you have identified in terms of the infrastructure subsidy? I cannot see a line item where there is an increase.

**Mr TROY GRANT:** I will refer the secretary, through the chief financial officer, to help.

**Mr CAPPIE-WOOD:** Because it is consumed in a broader line item of grants and subsidies. We will give you a full breakdown to show how that comes forward.

**Ms JAN BARHAM:** The budget papers have deteriorated in the past 20 years. Without the proper lines items, it could be anywhere. You are saying it is in here but there is not an increased figure?

**Mr TROY GRANT:** We are happy to provide that to you.

**Ms JAN BARHAM:** I would love to support and promote it. I am thrilled to see any improvement. Now you have given me a positive answer.

**The Hon. TREVOR KHAN:** It spoils budget estimates, does it not? It is not like the good old days.

**Mr TROY GRANT:** See how we do government differently in New South Wales now.

**Ms JAN BARHAM:** I have been banging on about libraries for a long time. I am thrilled to finally have someone acknowledging the importance.

**Mr TROY GRANT:** Do you want me to continue with the list of libraries I have visited?

**Ms JAN BARHAM:** In Budget Paper No. 3, page 7-82 what is the total current asset reduction? It drops from \$6.020 million down to \$2.975 million. There is a lack of information in these papers. That is for Applied Arts and Sciences and I have a similar one for museums.

**Mr TROY GRANT:** I know the answer specifically to the Museum of Applied Arts and Sciences, which is the Powerhouse Museum. There is a change there because the steam locomotive was on the books at a certain value and the new review has said that it is now priceless. That is why there has been a change there. There is no conspiracy.

**Ms JAN BARHAM:** It is shown as a reduction.

**Mr TROY GRANT:** Because it is now priceless. The value that it had has been taken off that overall envelope valuation.

**The Hon. LYNDA VOLTZ:** They cannot value it.

**Ms JAN BARHAM:** Is that the reduction that is indicated on page 7-82 of Budget Paper No. 3?

**Mr SPENCER:** In terms of the total asset base?

**Ms JAN BARHAM:** Total current assets reduction.

**Mr SPENCER:** This question about how you value your collections is quite an important one. They are revised on a rolling basis. In this particular round of valuations we have gone through with the Auditor-General the issue about how you now deal with an item that is classified as priceless. It has moved from a prescribed market value through to a priceless value which only indicates that effectively its value has gone up and a market value cannot be ascribed to it because it is so unique.

**Ms JAN BARHAM:** That is fantastic. Should that be in a notation?

**Mr SPENCER:** To the extent that we will be notating this in our annual report in terms of the details there because we go into much greater detail in the balance sheets than we do in the budget.

**Mr TROY GRANT:** Then we get the opportunity to answer it in this forum as well.

**CHAIR:** That is an interesting point. How do you insure it?

**Mr SPENCER:** There is a particular insurance regime. To some degree there is self-insurance and others there are prescribed items covered by insurance. We will have to go into details for you about that. I am happy to provide how we cover what is, as you would imagine, across all of our collections a very diverse collection.

**Ms JAN BARHAM:** That is one of the interesting things about libraries. The Minister will know if he has been to my library at Byron Bay because we put in an exhibition space. We now have the opportunity to have artworks in there. Is there currently a grants option for councils to be able to get support or find any other support for insuring artworks that are within libraries or museums? It is becoming another increasing cost to local government.

**Mr TROY GRANT:** The Executive Director can help with that.



**Ms DARWELL:** There is a small program that we run in relation to exhibitions from the major institutions to some of the major galleries which provides indemnification cover. I will take that question on notice to look at the issue.

**Ms JAN BARHAM:** My understanding is that that has been a constraint for some museums and libraries that they cannot have travelling exhibitions because they cannot insure at the level that is required.

**Mr CAPPIE-WOOD:** That is exactly right.

**Ms JAN BARHAM:** Will you provide me some extra information on that?

**Ms DARWELL:** It would be associated also with the conditions of the holding place, so whether the library has the right conditions to hang the work and to keep it in fine condition.

**Ms JAN BARHAM:** You are probably aware of another issue that has come up in recent times and I hope you have made representations about it. I refer to copyright provisions for unpublished works. There has been a big call for an amendment to the Commonwealth Act. Unfortunately, Mr Brandis has not been forthcoming. Do you have support for that or are you aware of it?

**Mr TROY GRANT:** I have not received specific representations.

**Mr CAPPIE-WOOD:** No, to the specific question. But we are in discussions with CAL [Copyright Agency Limited] and the other various copyright agencies about how we can deal with the issue about creative commons in these spaces and be, if you like, a lot more open to be able to manage how we disseminate government information. That relates to how we deal with it in terms of the collections as well.

**Ms JAN BARHAM:** My understanding is that because of the copyright law not relating to published works it does not allow for the release. So you have millions of documents that are not able to be shared through the public library system because they are trapped by one clause that basically says that unpublished works are not released under copyright.

**Ms DUNDAS:** I might just add there that I know the State Librarian and the head of the State Library is in discussion with the jurisdiction on that very issue because it is an issue.

**Ms JAN BARHAM:** I encourage the Minister to take it up. The Western Australia library is digitising all the images of Aboriginal people.

**Mr TROY GRANT:** We have an extensive digitisation process across each of our cultural institutions, including the State Library.

**Ms JAN BARHAM:** Are you doing that process to seek naming and further information in regard to Aboriginal work?

**Mr TROY GRANT:** I will take that question on notice and provide you with the details.

**CHAIR:** The time for questions has ended.

**Mr TROY GRANT:** I have a few more libraries to get through—Wollondilly, Warrumbungle, Wagga Wagga, Upper Hunter, The Hills.

**CHAIR:** Order! Will you respond to any question you have taken on notice within 21 days?

**Mr TROY GRANT:** Yes.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**