

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 1 JOINT PIC / NSWCC INVESTIGATIONS**

**The Hon. MICHAEL GALLACHER:** Historically, since the formation of the PIC how many joint investigations has the PIC conducted together with the Crime Commission?

**Mr PRITCHARD:** Historically I would not know from the time the commission started. I have been the commissioner for two years. There have been no joint investigations during my time as commissioner. We share resources, but we share resources with like agencies such as the ICAC in any event. Mr Bradley may correct me because he might have a longer corporate memory than I do in that sense, but I think Florida may have been the last joint investigation the PIC or the Crime Commission did. As I said, certainly there have been none during my time in the past two years as commissioner.

**The Hon. MICHAEL GALLACHER:** Mr Bradley, is that in fact the case, that Florida was the last one?

**Mr BRADLEY:** Yes, but it was not styled as a joint investigation under the legislation. I think we had a memorandum of understanding and it was called a joint pursuit of allegations or something like that. It was not a formal joint investigation in that sense. I am not sure, by the way, that Florida was the last. I just cannot remember in the sequence where they lay, but I think there was one after Florida. I will take it on notice, if you wish, to provide a more precise answer. It is a matter that is in the public domain.

-----  
**ANSWER :**

I am advised by the Police Integrity Commission that Operation Florida was the last joint investigation.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 2 USE OF TASERS**

**Ms SYLVIA HALE:** Yesterday a newspaper reported that taser stun-guns have been used in four incidents in the past 11 days despite assurance from police that the public would never see an officer fire one. Is it correct that there have been four incidents in the past 11 days?

**Mr SCIPIONE:** I will take that on notice because in fact it may well be that there could be more.

-----

**ANSWER :**

The NSW Police Force has advised me that records indicate Tasers were used on 4 occasions between 2 October 2008 and 14 October 2008.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 3 TRAINING RE TASERS**

**The Hon. MICHAEL GALLACHER:** Where does the supervisor at Broken Hill or the supervisor at Wagga go to be trained?

**Mr SCIPIONE:** I will take that on notice because I do not know where the training centre might be. Certainly I can provide that advice to you.

**The Hon. MICHAEL GALLACHER:** They will have to travel.

**Mr SCIPIONE:** It depends. It may well be that we might roll that out in the region.

**The Hon. MICHAEL GALLACHER:** That is a lot of rolling out. It looks to me like there is a degree of uncertainty in relation to policy because a lot of it seems to be being made up as we go along, not by you, but I suspect in terms of the rollout. Are the requalifications every year?

**Mr SCIPIONE:** Correct.

**The Hon. MICHAEL GALLACHER:** In addition to the requalification for a firearm every year? That is, two lots of requalifications for the use of—

**Mr SCIPIONE:** It may well be that it is part of the same process like it is with the spray. It is something that they would put into their mandatory training requalification.

**The Hon. MICHAEL GALLACHER:** But of course people from Broken Hill would not travel all the way to Dubbo to requalify for a firearm so surely they are not going to travel all the way to Dubbo to qualify or requalify for a taser.

**Mr SCIPIONE:** That is why I said I will take it on notice and let you know where they will be qualifying.

-----

**ANSWER :**

The NSW Police Force has advised me that supervisors from Broken Hill and Wagga have been trained locally - ie. in Broken Hill and Wagga respectively - and will re-certify annually at their normal local training locations.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 4 CONFISCATED TASERS**

**Ms SYLVIA HALE:** When I was much younger no policy was in place for police to carry weapons other than truncheons. Since then police have been armed and we have seen a proliferation of weapons throughout the community. Rather than preventing their spread throughout the community it seems to me that it has been encouraged. Have any tasers been confiscated that have been found to be wrongly in the possession of a non-member of the New South Wales Police Force?

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** How many have been confiscated?

**Mr SCIPIONE:** I would have to take that question on notice. There has been a large number.

-----  
**ANSWER :**

The NSW Police Force has advised me :

A search of the Computerised Operational Policing System has revealed 38 occasions in which police located Prohibited Articles/Weapons where the Object type was listed as Electric Stun Gun. However, it should be noted that this system is operational, not statistical, and does not record the actual number of such weapons confiscated. Other incidents such as robberies in which such weapons may have been seized may also not be recorded as such.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 5 WEARING OF POLICE ID AT CLIMATE CAMP**

**Ms SYLVIA HALE:** I remember the questions that were asked at the last estimates committee hearing. I remember you suggesting that the former tags, because of the pins, had been used as offensive weapons. I recall asking you to give me some instances of where that had occurred but you were unable to do so. Moving on from that, can you explain why, on 13 July this year, at the climate camp outside Newcastle, it was possible for three members of the New South Wales Police Force to be photographed not wearing any form of identification? I am more than happy to hand you the three photographs. Will you undertake to the Committee to investigate the circumstances and to explain why those officers were not wearing tags?

**Mr SCIPIONE:** I will take that on notice. I am concerned to see a photocopy of a photograph. I would rather have something genuine, but I am certainly happy to take it. Anyone is entitled to make a complaint; such a complaint will be given due consideration and will be thoroughly investigated. On the basis of that, I am happy to take that advice. I assume that should we need to contact you for further information, witnesses and the like, we can get the information from your office.

**Ms SYLVIA HALE:** Yes.

-----  
**ANSWER :**

Please see the detailed response to Budget Estimates Questions on Notice Numbers 1-3 on this subject, also asked by Ms Hale.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 6 FOI APPLICATIONS**

**Ms SYLVIA HALE:** I now refer to freedom of information [FOI] applications. How many applications to access police information pursuant to the Freedom of Information Act were determined by the New South Wales police during the year 2007-08?

**Mr SCIPIONE:** I would have to take that on advice. I can provide that to you on notice.

-----

**ANSWER :**

I am advised that this information is published annually in the NSW Police Force Annual Report.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 7 DELAYS IN PROCESSING FOI'S**

**Ms SYLVIA HALE:** I would also like to know whether you or the Minister, or both of you, received a letter in late February or early March from the New South Wales Combined Community Legal Centres Group regarding delays in the processing of freedom of information applications?

**The Hon. TONY KELLY:** Well, I was not the Minister for Police then. So I certainly did not.

**Ms SYLVIA HALE:** Commissioner, have you any recollection?

**Mr SCIPIONE:** I certainly have not got any advice to that effect here with me. So, I will take that on notice and make sure that we provide it to you.

-----  
**ANSWER :**

The NSW Police Force has advised me :

Records indicate that such a letter was received at the Public Affairs Branch on 22 February 2008. Regrettably, the correspondence was mislaid and not received by the FOI Unit. It has now been recovered and a response is being prepared.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 8 PROHIBITED WEAPONS REVIEW**

**CHAIR:** Order! If no other Government member has a question, I have a question for Mr Tree. It is in relation to the prohibited weapons review. I understand that submissions closed last month for that. When do you anticipate that the review will be finalised? Did you accept late submissions? Mine was late.

**Mr TREE:** I am sure we did. Our standard practice is to accept late submissions on any reviews the Ministry undertakes. We will be assessing the submissions and we will take late submissions. As to when the review will be completed, I would imagine it will take us some months, but we will come back with a suggested time frame.

-----  
**ANSWER :**

I am advised that the review is due to be finalised in 2009.



**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 9 NUMBER OF ATTEMPTED ABDUCTIONS**

**The Hon. MICHAEL GALLACHER:** Commissioner, do you remember saying on 26 September, in reference to the number of alleged abductions/stalking events, that the New South Wales Police Force had received 30 reports of alleged attempted abductions in the past seven days compared to a total of 20 for the previous six weeks. Do you recall that, sir?

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

**The Hon. MICHAEL GALLACHER:** We have been monitoring reports, both in the media as well as in the police media that since the end of August and early September our list now runs to 67 events over that time. Is that consistent with the figures that you have?

**Mr SCIPIONE:** I do not have the current figures here, Mr Gallacher. I am happy to take it on notice and come back to you on that, but I have not got those current figures as of today.

**The Hon. MICHAEL GALLACHER:** What do you have with you?

**Mr SCIPIONE:** In fact, the figures I have are not even as current as those that you have quoted. They particularly relate to 2007 and are based on the Bureau of Crime Statistics and Research [BOCSAR] figures. I am happy to take those on notice and make sure that we get that information to you. What I have is that there were 247 abduction attempts in Sydney in 2007, according to BOCSAR statistics.

-----  
**ANSWER :**

The NSW Police Force has advised me :

The total number of attempted abductions recorded in the Computer Operational Policing System in the 6 week period from 30 August 2008 to 10 October 2008 is 34, including 6 incidents determined by police not to have occurred.

**BUDGET ESTIMATES QUESTIONS  
PART A : QUESTIONS 1 - 10  
FROM THE HEARING ON 14 OCTOBER 2008**

**Q. 10 NUMBERS OF FIREARMS**

**The Hon. ROY SMITH:** Earlier my colleague Ms Sylvia Hale referred to the proliferation of weapons—referring to firearms—in our community. All the statistics I have seen from the Bureau of Crime Statistics and Research in relation to firearms crime suggest that that is not the case. All the statistics I have seen show that the number of firearms in the community has been declining for many, many years. Is there evidence that there is a proliferation of weapons in the community, compared to previous years? Is there an increase or a decrease?

**Mr SCIPIONE:** I do not have any advice with me. I am assuming that you are talking about firearms when you mention weapons, as opposed to other weapons.

**The Hon. ROY SMITH:** Yes.

**Mr SCIPIONE:** Non-firearm. I would have to get that advice. I do not have that here with me. Certainly, at this stage trends with regard to offences that have been committed using firearms have generally remained stable. Indeed, if you were to consider robbery with a weapon that is not a firearm, that has fallen significantly; there has been a 17 per cent reduction over the past 24 months. In terms of the actual numbers of firearms that are seized, I need to take that on notice. Certainly at this stage we continue to work to take illegal firearms out of the community on the basis that they are being used to commit crimes. Before I could make a comment with regard to these trends I would certainly like to see the data. I will take that question on notice.

-----  
**ANSWER :**

The NSW Police Force has advised me :

The question did not state a specific timeframe. However, statistics provided by the Firearms Registry for the past 3 years show the following increases or decreases in the numbers of registered firearms over the previous year :

2006 :	2.71% increase
2007 :	4.85% increase
2008 :	2.37% increase (1 January – 27 October)

I am advised by the NSW Police Force that it is not possible to estimate the actual number of illegal firearms at large at anyone time in the community. However the

NSW Police Force actively pursues a number of law enforcement strategies designed to target illegal possession of firearms.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MS HALE**

**Failure to wear badges**

1. Are you aware that regulations number 73 and 74 of the Police Act regulation specify that police officers must wear identification, either as a name or number?
  2. Why were some police not wearing badges identifying them by name or number at the Climate Camp protests?
  3. How many complaints about the failure to wear identification badges have been received by the NSW Police in the last 12 months?
- 

**ANSWER :**

The NSW Police Force has advised me :

1. Yes.
2. Name tag compliance for Public Order and Riot Squad (PORS) police was enforced at the Climate Camp operation. It is unclear from the photo supplied whether the PORS officer is wearing a name tag, as the plastic sleeves on the type of protective overvest worn in the photo sometimes reflect and obscure the tag.

Mounted Unit police at the Climate Camp were wearing riot vests over their uniform shirts which obscured their name tags. This was brought to the attention of the Commander of the unit who rectified the situation by having the officers place the badges on their outer vests.

All Operational Support Group police at the Camp had their name plates on at the beginning of the shift. The officer depicted in the photograph subsequently put his leather jacket on due to cold weather and unfortunately did not have a name badge on his jacket.

3. 3.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MS HALE**

**APEC Excluded persons list**

4. How the people on the excluded persons list who were members or had attended meetings of Greenpeace or Mutiny, but who had no known history or convictions for any violent act, deemed to be "potential leaders of violent or unlawful activity during APEC 2007" as Mr. Daley, a Police spokesperson, said?
5. Did the Commissioner of Police list people based on group affiliation alone? If not, what intelligence did he base the listing on that those on the list were "leaders of violent or unlawful activity"?
6. The criteria for listing on the excluded persons list related to violent, rather than unlawful, activity. Was the listing of those with no prior convictions at all beyond the scope of section 26 of the APEC Meeting (Police Powers) Act?
7. Was the APEC excluded persons list more about intimidating people who wanted to demonstrate about issues, such as the United States invasion of Iraq or Australia's failure to sign the Kyoto Protocol, than about protecting visiting heads of state?

-----

**ANSWER :**

4-7. The NSW Police Force has advised me :

The Excluded Persons List was about protecting visiting heads of state and the community.

The Commissioner was satisfied all persons listed met the test set out in section 26 of the *APEC Meeting (Police Powers) Act 2007* based on previous charges and related intelligence.

Section 26 of the Act contains the criteria and refers to "... persons who would pose serious threats to the safety of persons or property (or both) in an APEC security area during the APEC period". Such a threat includes unlawful activity as well as violence.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MS HALE**

**Fleet Cars**

8. What is the percentage of hybrids in the car fleet associated with the Arts portfolio?
9. Is there a mechanism within the agency to reward staff who choose not to exercise an entitlement to a fleet vehicle as a part of their package but use public transport instead?
10. What car does the Director-General drive?

-----

**ANSWER :**

As this matter falls outside of my portfolio responsibilities, I suggest the Member redirect her question to the appropriate Minister.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MS HALE**

**Use of Sniffer Dogs**

11. How many police dogs and handlers attended the Enmore Theatre in Sydney on the night of 15 October 2008?
12. Why was the Enmore Theatre singled out for this operation?
13. Were the police acting on specific intelligence in conducting this operation?
14. If so, what was the nature of this intelligence?
15. How many patrons were searched?
16. How many arrests were made?
17. What charges were laid?
18. Which entertainment venues in Sydney have been subject to police operations involving the attendance of police dogs over the past twelve months?
19. How many arrests have been made and what charges have been laid as a result of these operations?
20. How many convictions have been recorded and for what offences as a result of these operations?

-----  
**ANSWER :**

The NSW Police Force has advised me :

11. One drug dog and one handler.
12. The operation targeted Newtown Local Area Command as a whole. A number of locations, including several licensed premises, were attended by police.
- 13-14. Drug dog operations are conducted based on received intelligence and other relevant information. I am not going to give details of the intelligence in question.
15. 14 persons on the premises of the Enmore Theatre and 2 in the immediate vicinity of the theatre were searched.

- 16-17. 6 people on the premises and one in close proximity to the theatre were found to be in possession of cannabis. All 7 were issued with Cannabis Cautions.
18. Drug dogs are generally deployed in operations targeting drug supply in nominated areas, not specific premises.
19. Of incidents recorded as involving drug detection dogs for the period October 2007 to September 2008, police took action against 1050 offenders for 1,304 offences. Of these actions, court action was taken against 514 offenders for 765 offences, of which 622 were for Possess Prohibited Drug.
20. Of the abovementioned 622 drug possession matters, 70% have currently been finalised, with a conviction rate of 97%.



**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

21. In relation to each of the following properties:

- a. Can the Minister provide details of whether the NSW Police Force has previously owned or does currently own these properties?
- b. If the NSW Police Force previously owned the property, was ownership of the property transferred to another State Government body or United Group Services Pty Ltd, if so which?
- c. If the NSW Police Force previously owned the property and it was sold or disposed of, on what date did that happen and what were the proceeds of the disposal?

<b>Suburb</b>	<b>Address</b>	<b>Further information</b>
Aberdeen	85 New England Hwy	
Adamstown	67 Narara Rd	
Denman	22 Palace St	
Dubbo	111 Darling Street	Police residence
East Maitland	2 John St	
East Maitland	20 John St	
Hamilton	Milton St	Former Police Station
Kiama	30 Terralong St	
Lambton	22 Dickson St	
Maitland	1 Semphill St	Unimproved land
Mayfield	221 Maitland Rd	
Merriwa	Vennacher St	Police residence & Unimproved land
Morriset	Dora St	
Paxton	Cnr Earps Rd & Northcote Ave	
Scone	143 Liverpool St	
Wangi Wangi	242 Watkins Rd	
Waratah		Unimproved land
West Wallsend	1 South St	

-----

**ANSWER :**

The NSW Police Force has advised me that:

The following properties referred to in the Honourable Member's question remain Crown Land under the control of the NSW Police Force:

- Denman
- Hamilton
- Kiama
- Merriwa
- Morisset
- Wangi Wangi
- Waratah

The property at Dubbo is Crown Land and is under the control of the Police & Citizens' Youth Club NSW Inc

Details regarding the status of the other properties are publicly available elsewhere, including in previous Annual Reports of the NSW Police Force.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

22. How many Police Officers are assigned to the Alcohol and Licensing Enforcement Command?

-----

**ANSWER :**

The NSW Police Force has advised me that the authorised strength of the Alcohol and Licensing Enforcement Command is 30.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

23. How many authorised positions are there for Officers of the rank of:
- a. Sergeant
  - b. Senior Sergeant
  - c. In relation to each of these, how many positions are currently unfilled?

-----

**ANSWER :**

The NSW Police Force has advised me :

There are 2,584 authorised Sergeant positions.

There are 278 authorised Senior Sergeant positions.

The actual strength of these ranks varies from day to day.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

24. What are the current specialist SAP licensing staffing levels for the following areas:
- a. Kings Cross LAC
  - b. Eastern Suburbs LAC
  - c. Surry Hills LAC
  - d. City Central LAC
  - e. The Rocks LAC
  - f. Manly LAC
  - g. Parramatta LAC
  - h. In respect of each indicate the number of full-time positions and the number of part-time positions.

-----

**ANSWER :**

The NSW Police Force has advised me that authorised licensing officer positions are as follows :

Kings Cross LAC - 3  
Eastern Suburbs LAC - 2  
Surry Hills LAC - 3  
City Central LAC - 1  
The Rocks LAC - 2  
Manly LAC - 1  
Parramatta LAC - 2

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

25. In relation to the introduction of Tasers for General Duties Officers on 2 October 2008:
- a. How many Tasers have been deployed and fired since 2 October 2008?
  - b. How many Police Officers were injured in 2007/2008 while attempting to affect an arrest of an alleged offender?
  - c. Are records kept by the NSW Police Force of incidents where Police draw their firearms?
  - d. If so, how many Police Officers drew their firearm in 2007/2008?
  - e. On how many occasions did Police Officers fire their police-issued Glock pistol in 2007/2008?

-----

**ANSWER :**

The NSW Police Force has advised me :

- a) Records indicate that Tasers were used on 4 occasions between 2 October 2008 and 14 October 2008.
- b) Records indicate that 667 officers were injured in 2007-08 and that 89 of these officers were injured more than once.
- c) Yes.
- d) Service firearms were used on 17 occasions.
- e) 2 of those 17 occasions involved the discharge of service firearms.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

26. In relation to The Hills Local Area Command:

- a. How many Police Officers were attached to The Hills LAC on 30 September 2008?
- b. How many of these Officers were on the following forms of leave as at 30 September 2008:
- c. Long term sick leave
- d. Maternity leave?

-----

**ANSWER :**

The NSW Police Force has advised me :

As at 30 September 2008, there was an authorised strength of 99 officers and an actual strength of 103 officers.

At any one time there may be a number of officers on leave, including recreation leave, sick leave and maternity leave. There might also be overstrength officers allocated to a Command to address these issues.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

27. In relation to Shoalhaven Local Area Command:

- a. How many Police Officers were attached to Shoalhaven LAC on 30 September 2008?
- b. How many of these Officers were on the following forms of leave as at 30 September 2008:
  - i. Long term sick leave
  - ii. Maternity leave?
- c. Have premises ever been used as a Police Station or Shopfront Police Station in Sanctuary Point?
  - i. If so, which years or otherwise did it operate?

**ANSWER :**

The NSW Police Force has advised me :

As at 30 September 2008, there was an authorised strength of 126 officers and an actual strength of 145 officers.

At any one time there may be a number of officers on leave, including recreation leave, sick leave and maternity leave. There might also be overstrength officers allocated to a Command to address these issues.

Huskisson Police Station services the Sanctuary Point community.



**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

28. In relation to St Marys Local Area Command:

- a. How many Police Officers were attached to St Marys LAC on 30 September 2008?
- b. How many of these Officers were on the following forms of leave as at 30 September 2008:
  - i. Long term sick leave
  - ii. Maternity leave?

-----  
**ANSWER :**

The NSW Police Force has advised me :

As at 30 September 2008, there was an authorised strength of 126 officers and an actual strength of 123 officers.

At any one time there may be a number of officers on leave, including recreation leave, sick leave and maternity leave. There might also be overstrength officers allocated to a Command to address these issues.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

29. In relation to Lake Macquarie Local Area Command:

- a. How many Police Officers were attached to Lake Macquarie LAC on 30 September 2008?
- b. How many of these Officers were on the following forms of leave as at 30 September 2008:
  - i. Long term sick leave
  - ii. Maternity leave?

-----  
**ANSWER :**

The NSW Police Force has advised me :

As at 30 September 2008, there was an authorised strength of 186 officers and an actual strength of 217 officers.

At any one time there may be a number of officers on leave, including recreation leave, sick leave and maternity leave. There might also be overstrength officers allocated to a Command to address these issues.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

30. During the public hearing into Budget Estimates 2008-2009 on the 14<sup>th</sup> of October 2008; Mr P. Bradley, Commissioner, NSW Crime Commission, confirmed that during Operation Mocha; involved what was in his words, 'a controlled operation'. Concerning the conduct of 'controlled operations':
- a. What legal advice was sought by the Crime Commission and the NSW Police in advance of this controlled operation being undertaken?
  - b. What oversight did the operation receive, from the Minister, the Commissioner, and the Police Integrity Commission?
  - c. Was the controlled operation referred to the Police Integrity Commission for oversight?
  - d. What advice was taken by senior officers participating in, and responsible for the operation concerning the disposal of the drugs used in the controlled operation? And from whom was this advice sought?
  - e. At what stage was former Police Minister Carl Scully informed of the operation?
  - f. What is the protocol for informing the Minister, Commissioner, and Police Integrity Commission when a controlled operation of this nature is undertaken?
  - g. Subsequent to the controlled operation that was the subject of Operation Mocha, what changes has the Crime Commission made to its operating procedures that could specifically affect the way in which controlled operations are undertaken?

-----  
**ANSWER :**

(a-g) The NSW Crime Commission has advised me :

Operation Mocha was a joint operation with the Commission and the Australian Federal Police.

It was targeting a major criminal syndicate for the sale and importation of illegal drugs.

The operation allowed for an informant to sell 7 kilograms of cocaine, 6 kilograms of which were not recovered.

The Crime Commissioner oversees the operations of the Crime Commission.

Operation Mocha took place prior to the passing of the *Police Integrity Commission Amendment (Crime Commission) Bill* in July 2008, which allows for PIC oversight of the Crime Commission with regard to serious misconduct or corruption.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

31. Regarding the handling of complaints to the Police Integrity Commission concerning the conduct of Crime Commission operations and investigations:
- a. What is the exact number of complaints referred to the Police Integrity Commission concerning the NSW Crime Commission?
  - b. Of these complaints, how many were referred to the PIC by the NSWCC themselves in advance of controlled operations?
  - c. How many complaints were referred to the PIC by members of the NSW Police Force, or NSW Police seconded to the NSWCC?
  - d. How many complaints were referred to the PIC by members of the general public?
  - e. How many complaints were referred to the PIC by persons of interest to the NSWCC?
  - f. How many complaints were referred to the PIC by informants to the NSWCC?
  - g. What additional funds did the PIC request from the NSW Government to fulfil their recently mandated NSWCC oversight obligations?
  - h. Have any of these funds been allocated to the employee salaries?
  - i. If yes, how many staff are dedicated to the oversight of the NSWCC?
  - j. If there are no staff dedicated to the oversight of the NSWCC, will the PIC be requesting additional funds to facilitate this?

-----  
**ANSWER :**

I am advised :

Data regarding complaints made about the NSWCC to the PIC will be reported in the PIC's Annual Report.

The NSW Government has allocated an additional \$754,000 in 2008-09 to fund the oversight of the NSWCC.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

32. In respect of each primary allegation made to the Police Integrity Commission relating to the Crime Commission how many related to:
- a. Pervert the course of justice
  - b. Soliciting or accepting bribes
  - c. Improperly accessing/disclosing information
  - d. Improper associations
  - e. Improperly investigating or interfering with an investigation by another officer
  - f. Financial misconduct
  - g. Managerial/procedural issues
  - h. Offence punishable, on conviction, by 5 years or more imprisonment?

-----  
**ANSWER :**

I am advised :

Data regarding complaints made about the NSWCC to the PIC will be reported in the PIC's Annual Report.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

33. Regarding the recently mandated oversight functions of the Police Integrity Commission with specific regard to the New South Wales Crime Commission:

a. Given that intelligence gathering and monitoring resources can, and have been shared between the two Commissions where joint investigations are concerned, what legislative and procedural protections have been put in place to ensure the security of investigations the Police Integrity Commission undertakes that involve the NSW Crime Commission?

-----

**ANSWER :**

I am advised that legislative protections are set out in the *Police Integrity Commission Act 1996*. The PIC is also developing internal procedures to protect the integrity of investigations into NSWCC matters.

**BUDGET ESTIMATES QUESTIONS  
PART B : QUESTIONS 1 - 34  
FOLLOWING THE HEARING ON 14 OCTOBER 2008**

**QUESTIONS FROM MR GALLACHER**

34. Regarding the shared resources of the Police Integrity Commission and the NSW Crime Commission:
- a. The NSW Crime Commission has indicated that both agencies have a full suite of resources and electronic infrastructure with which to carry out their respective roles?
  - b. What specific resources are shared by the NSW Crime Commission and the Police Integrity Commission?
  - c. Does the Police Integrity Commission quarantine some resources from being shared with NSW Crime Commission, due to their new legislative oversight requirements that might see them having to investigate the Crime Commission or its officers?

-----

**ANSWER :**

I am advised by the Police Integrity Commission :

The PIC and the NSW Crime Commission have not been involved in a joint investigation since Operation Florida. There are no specific resources which are shared by the two organisations. However, each organisation does own particular pieces of technical and surveillance equipment which from time to time may be loaned to the other organisation for the purposes of an investigation being conducted by that other organisation. This relationship also exists between the PIC and the NSW Police Force. There are very few such items in question. Such arrangements do not interfere with the PIC's capacity to oversight either the NSW Police Force or the NSWCC.

**Tony Kelly MLC**  
Minister for Police