

GENERAL PURPOSE STANDING COMMITTEE NO. 3

13 September 2004

Examination of proposed expenditure for the portfolio area

POLICE

The Committee met at 8.00 p.m.

MEMBERS

The Hon. A. R. Fazio (Chair)

The Hon. P. Forsythe
The Hon. E. M. Obeid
The Hon. G. S. Pearce

Ms L. Rhiannon
The Hon. J. S. Tingle
The Hon. H. S. Tsang

PRESENT

The Hon. John Watkins, *Minister for Police*

Ministry for Police

Mr L. Tree, *Director-General*

NSW Police

Mr K. Moroney, *Commissioner of Police*

Crime Commission

Mr P. Bradley, *Commissioner*

Police Integrity Commission

Mr T. Griffin, *Assistant Commissioner*

Minister's Office

Mr J. Murray

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: I have received a letter from the Opposition Whip advising that the Hon. Patricia Forsythe will be substituting for the Hon. Charlie Lynn at tonight's hearing. I also advise that in the deliberative meeting held earlier the Committee accepted the request of the Minister for Police that we deal with questioning as follows: NSW Police budget questions from 8.00 p.m. to 9.00 p.m.; Crime Commission budget questions from 9.00 p.m. to 9.20 p.m.; Police Integrity Commission budget questions from 9.20 p.m. to 9.40 p.m.; and Ministry for Police questions from 9.40 p.m. to 10.00 p.m. In order to facilitate that, we will take 20 minutes of questions in the first area and any unused time will be reallocated. For the subsequent three areas we will deal with questions in five-minute blocks and any unallocated time will be reallocated.

In accordance with the usual proceedings I declare this meeting open to the public. I welcome you to this public hearing of General Purpose Standing Committee No. 3. First I thank the Minister and the departmental officers for attending tonight. At this meeting the Committee will examine the proposed expenditure for the portfolio area of Police. Before questioning commences, some procedural matters need to be dealt with. In relation to the broadcasting of proceedings I point out that in accordance with the Legislative Council guidelines for the broadcast of proceedings, which are available from the attendants and the clerks, only members of the Committee and witnesses before the Committee may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs.

In reporting the proceedings of the Committee you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. In relation to the delivery of messages, there is no provision for members to refer directly to their own staff while at the table. Members and their staff are advised that any messages should be delivered through the attendants on duty or through the Committee clerks. Departmental officials are to identify themselves for the benefit of members and Hansard. They are to do that by giving their name, position and department or agency before answering a question referred to them. I have already advised you on the time allocation arrangements. I therefore declare the proposed expenditure open for examination and ask you, Minister Watkins, whether you wish to make a brief opening statement?

Mr JOHN WATKINS: Just very briefly. I am answering matters of policy as Minister and I am very pleased to be here to answer questions about the budget. I would ask that members of the Committee direct their questions to me and, if necessary, I will refer to the heads of agencies. I am very pleased that Commissioner Ken Moroney is available here. Also, in accordance with past practice, it is accepted that the Commissioner of the New South Wales Crime Commission is not photographed and those photographs are not published. I would ask the Committee to respect that practice, and that that rule apply to any filming or photographing that takes place this evening.

CHAIR: That is understood, and my understanding is that that procedure was followed last year as well.

Mr JOHN WATKINS: Otherwise I am happy to receive questions.

CHAIR: We will start with the Opposition.

The Hon. PATRICIA FORSYTHE: Madam Chair, before we move into questions, the Minister indicated that he would like all questions asked through him. I understand that according to the standing order it is acceptable for questions to be asked directly of a departmental officer. Can you rule on the procedures?

CHAIR: Which standing order are you referring to?

The Hon. PATRICIA FORSYTHE: As you know, these standing orders do not have numbers, but page 20 of the Budget Estimates Guide 2004-05 states, "Committee members may ask questions directly of departmental officers".

CHAIR: Yes, that is the case, Committee members may ask questions directly of departmental officers. However, the standing orders do not prohibit the Minister answering those questions if he chooses to do so.

The Hon. GREG PEARCE: Minister, earlier this year you issued eight ministerial directives which effectively withdrew the commissioner's financial management flexibility. Did you issue those financial directives before or after the commissioner agreed to a two-year extension to his contract?

Mr JOHN WATKINS: Could you repeat that? There was an allegation made in that question that I need to hear again because it is inaccurate.

The Hon. GREG PEARCE: The question was, earlier this year you issued eight ministerial directives—I do not need to quote from them; we have them—which effectively withdrew the commissioner's financial management flexibility. Did you issue those financial directives before or after the commissioner agreed to a two-year extension to his contract?

Mr JOHN WATKINS: I am happy to clarify the issues in relation to the eight memorandums. I deny outright that it withdraws flexibility from the commissioner in financial matters. The facts are—and I do look forward to putting some of this on the record because there have been a whole range of inaccurate comments made by the Opposition in particular about these matters—for the first time the NSW Police budget for 2003-04 topped \$2 billion. Even without the one-off increases to pay for the new headquarters at Parramatta, that is an 8.3 per cent increase in the Police budget. That is the ninth record allocation and, interestingly, the Police budget is now 91 per cent higher than it was when the Government came to power in 1995.

The mini-budget which was delivered by the Treasurer on 6 April contains a requirement for \$4.56 million in savings. That was required because, as you will recall—and it is important to put it on the record—the Federal Government ripped over \$400 million out of the State budget. It was therefore required for the State Government to take action in that—

The Hon. GREG PEARCE: I thought that went to the nurses and teachers, not to police.

Mr JOHN WATKINS: And that was one of the reasons for the mini-budget.

The Hon. GREG PEARCE: Did you say that the New South Wales police service has actually got its budget at this stage? Mr Moroney, do you have a budget that you can spend?

Commissioner MORONEY: No, the budget has not been allocated at this time.

The Hon. GREG PEARCE: So you have not been given a budget?

Mr JOHN WATKINS: Madam Chair, I will finish the answer that I was in the middle of.

The Hon. GREG PEARCE: A moment ago you denied taking away the financial management but the police service does not actually have a budget yet.

CHAIR: Order! The Hon. Greg Pearce will allow the Minister to finish his answer before he asks a subsequent question.

Mr JOHN WATKINS: There were a number of memorandums that were at the heart of the question that the member asked, and I am happy to go through them. The first was in relation to the mini-budget, which came down in April. It said, in brief, that:

The mini-budget was announced on 6 April. The Treasurer advised me that while—

The Hon. GREG PEARCE: Where does it say that in your directive?

Mr JOHN WATKINS: Madam Chair, there was a memorandum issued by me on 13 April.

The Hon. GREG PEARCE: 13 April, thank you. Which one—

Mr JOHN WATKINS: And it is called—I will say it again—"Reduction in NSW Police Headquarters Civilian Staffing", and it opens by saying:

The mini-budget was announced on 6 April and it aims to protect front-line services and promote efficiency in government agencies. The Treasurer has advised me that while front-line policing services are protected from any savings proposal, there is a need to reduce administrative expenditure in New South Wales. Consistent with these aims I would appreciate action being taken through the mechanism of the expenditure review committee for a plan to be prepared to reduce the actual civilian staff establishment of the following headquarters commands by no less than 6 per cent.

It then goes on to outline savings in areas such as public affairs, legal services, business and technology services, education services, human resources, financial services and infrastructure and processing.

The Hon. GREG PEARCE: Is that your memorandum or is that some memorandum from the Treasurer?

Mr JOHN WATKINS: This is a memorandum from me to Commissioner Moroney. That is one of the memorandums you referred to. I make clear again that those savings are in administrative areas and not from operational policing. A second memorandum—because you have asked questions about these—also issued on 13 April, relates to improved policy capacity in the Police portfolio. Under that memorandum of 1 July 2004 funding for 10 administrative positions will be transferred from police headquarters to the Ministry for Police. That transfer was done to rationalise and improve policy development and co-ordination in the Police portfolio, and that will enable us to enhance policy development in areas such as child protection and counter-terrorism, and that builds upon the established arrangement whereby the Minister is responsible for policy in the Police portfolio.

There was a third memorandum, also issued on that day, 13 April, and it is titled "Transfer of NSW Police Properties Function". Again, new arrangements from 1 July 2004 saw a removing of responsibility for the properties function in NSW Police to the Department of Commerce and the Ministry for Police. I issued that memorandum on 13 April and I formally advised the commissioner of that decision. The reasons for that I am happy to give in detail later, if members of the Committee would like, but it was about ensuring the best possible service to front-line police with regard to property issues.

There was another memorandum, also issued on that day, titled "Restructures in the NSW Police", and it says to the commissioner:

The mini-budget announced on 6 April aims to protect front-line services ... I am concerned that in this climate the NSW Police budget faces additional pressure from proposals to review restructure of rear line commands with NSW Police and accordingly I would appreciate you taking action to ensure that no work is undertaken on any proposal to review restructure of rear-line commands without approval.

All these memos, by the way, have been well and truly debated, explored, and the details kicked over in the media and other places in the months ensuing. There was another memorandum entitled "Creation of Evaluation and Reclassification of Positions in NSW Police", and the direction given there was:

To ensure that no position, either police or civilian, is evaluated, created or reclassified without any express written approval.

There was another memorandum regarding business cases, seeking that:

a committee be established to identify current and future requirements for business cases throughout the organisation. This committee will set standards and criteria for the content presentation of business cases and establish a program for the preparation of business cases within the annual budget cycle.

And the final memorandum, I believe also dated that day, headed "Financial Decisions by the Senior Executive and the Minister", and I formalised requests that I had made that initiatives that have a financial impact be accompanied with a business case, that all Cabinet minutes also include an analysis of the potential financial resource implications, and any matters approved by a commissioner's executive team [CET] with financial resource implications be forwarded to me for final approval with the source of funds for the initiative clearly identified.

These different memorandums, as I have said, have been highly publicised. Throughout all of this there is to be no impact on front-line police services. We have record numbers of police; we have a record budget and I have made clear that any changes that may arise out of memorandums will not

impact on any front-line policing services. All of these memorandums have been well advertised, well referred to in Parliament, in the media, several times; they also make absolutely perfectly good financial sense. It is the appropriate way to run a very large organisation with a budget of over \$2 billion and it is also something that the commissioner is comfortable with in dealings with me over this important matter of the budget.

The Hon. GREG PEARCE: So to summarise what you have said, in that last memorandum, which is the key one, anything that the commissioner's executive team wants to do which has financial resource implications has to be forwarded to you for approval.

<2>

You have taken approval away from the commissioner and away from the commissioner's executive team and at this stage you have not given the police a budget within which they can actually spend their own funds. Thank you. When will you give that financial independence back to the commissioner?

Mr JOHN WATKINS: The third dot point actually says—and the important part of that third dot point is that any matters approved by the CET with financial resource implications be forwarded to me for final approval with a source of funds for the initiative clearly identified.

The Hon. GREG PEARCE: So you have taken the final approval away from the—

CHAIR: Order! I have cautioned the Hon. Greg Pearce before about interrupting the answers. Let the Minister finish his answers.

The Hon. GREG PEARCE: You have taken away the independence from the commissioner and his team.

CHAIR: You are making assertions, not asking questions. Do you have any further questions?

The Hon. GREG PEARCE: I have lots of questions.

CHAIR: When you ask them, let the Minister answer them without interruption.

Mr JOHN WATKINS: I would like to respond to—

The Hon. GREG PEARCE: Could we return to the expenditure review committee, which you mentioned as well?

Mr JOHN WATKINS: I would like to respond to the assertion first. We cannot just allow that to lay there.

The Hon. GREG PEARCE: That is what you have said; that is what your direction says. You have not given the commissioner a budget so he cannot spend his own money, and you have taken final approval for any of those expenditures—

CHAIR: Order! The Hon. Greg Pearce will be silent.

The Hon. EDDIE OBEID: Point of order: Just ignore this rabble; it is as simple as that. Madam Chair, he is not abiding by the rules. He has asked a question and the Minister is entitled to answer. If he is not happy with the answer he can ask a supplementary question. Let him answer the question.

CHAIR: I uphold the point of order. The Minister may proceed.

Mr JOHN WATKINS: As I say again, because those allegations just cannot be allowed to stand, the point of this memorandum is that a source of funds for the initiative be clearly identified. The other point that the honourable member is alluding to—and it comes up constantly in debates about policing—is what is the relationship between the Minister and a commissioner of police? Leaving aside the very warm and professional relationship that Commissioner Moroney and I have,

what is the relationship between a commissioner and a Minister for Police? It is quite clear that, at the end of the day, it is the Minister for Police who is responsible to the Parliament and to the people of New South Wales about all matters in relation to budget and policy development. The commissioner and I work together on those things but, at the end of the day, I am responsible to this Parliament and to the people of New South Wales for those budgetary matters, those financial matters, and policy development matters within NSW Police.

The areas that the commissioner is responsible for and that I would not step into are operational matters in relation to the policing of New South Wales. And why would I step over the line there when we have a commissioner who is vastly experienced, with almost 40 years of experience in NSW Police. It would be inappropriate for me as Minister to seek to direct the commissioner, or indeed any police officer, in the exercise of those operational responsibilities. I do not do that. I take advice from Commissioner Moroney about operational matters and I am very happy to receive it because he is a fine, talented and experienced police officer and commissioner. But I do have a responsible to the Parliament and to the people of New South Wales about budgets, about the expenditure of budgets, about the reporting of that and about a whole range of policy matters.

Leaving principle aside and coming to the actual relationship between Ken Moroney and me, you only have to check the public record, at attestation parades, at presentation ceremonies, where I am nothing other than complimentary of the vast experience and the leadership provided by Ken Moroney—I have to say, in contrast to members of the Opposition, who in this place and in the media, many times have criticised the leadership of Commissioner Moroney and other members of NSW Police. I will not do that. I will not ever criticise the fine leadership of Ken Moroney or the hard work of the men and women of NSW Police.

The Hon. GREG PEARCE: I take it from what you have just said that you claim that you have no role and no authority in relation to the allocation of money for operational matters?

Mr JOHN WATKINS: I am sorry, I missed that..

The Hon. GREG PEARCE: I take it from what you have just said that what you are trying to say is that you do not have any active role in relation to the allocation of funding for operational matters?

Mr JOHN WATKINS: Operational policing is funded from budgets that Police receive from the Treasury.

The Hon. GREG PEARCE: So the police service decides how to spend that. You do not.

Mr JOHN WATKINS: The division of budgets across the board is certainly down to me and, as I said here earlier and I need to say it again quite clearly, there have been no cuts to front-line operational police. But, yes, I am responsible for the funds that are made available to police throughout New South Wales, whether it is to local area commands, whether it is to the State Crime Command where our detectives are, or whether it is to educational services or legal services. It is the task and role of government to provide those funds. The expenditure of those funds, especially in relation to operations within, say, the State Crime Command or within local area commands is a matter for operational police, but I am certainly responsible for the level of funds that are provided. After advice and discussion with the commissioner, I am certainly responsible for the division of the budget, a record budget of \$2 billion, with a substantial increase over last year and a substantial increase each year that we have been in government. Does that answer your question?

The Hon. GREG PEARCE: No. My question is: have you assumed any role in the allocation of funds between operational areas?

Mr JOHN WATKINS: I am trying to get to the heart of your question.

The Hon. GREG PEARCE: As distinct from making policy decisions, have you got a direct role in allocation of funds amongst operational areas, yes or no?

Mr JOHN WATKINS: Of course I do.

The Hon. GREG PEARCE: What is that?

Mr JOHN WATKINS: I have just explained it. The State Crime Command budget, the local area commands budget, communications—these are front-line policing services. Those that are not front line are human resources, legal services and others. The division of that budget across the board, how much money is apportioned this year for operational police in local area commands, in legal services or whatever, is determined by the Minister after discussion with the Commissioner of Police.

Within that, it comes down to the local area commander determining how he or she will spend their budget on operations. Will they run more operations on a Friday night, will the State Crime Command or the robbery squad put more funds into a particular operation than another. Of course that is not for me to decide. That is for the professionals we employ to run and organise those sections. Overall, yes, of course I am responsible for where the funds go within the Police budget and I am unapologetic about that, but no, I do not direct the police where to spend that operationally.

The Hon. GREG PEARCE: But at the moment you have not given the commissioner a budget that he can use himself. You are the one who is deciding how much goes to the LACs, how much goes to the robbery squad and how much goes to other operational areas.

Mr JOHN WATKINS: No.

The Hon. GREG PEARCE: You just said you were. You just said you made that decision but you do not deal with how the LAC actually spends its money. That is obvious, but at the moment you are deciding how much the LACs get, how much the robbery squad gets, how much all the other operational areas get, and the commissioner does not have his own budget. He cannot do that. You have taken that away.

Mr JOHN WATKINS: You are confusing two or three issues there.

The Hon. GREG PEARCE: I am not confusing anything. I am relating what you have said.

CHAIR: Order! Allow the Minister to answer your question.

Mr JOHN WATKINS: The New South Wales Government, through the budget process, provides a budget to NSW Police. It has done that, and that is what it has always done.

The Hon. GREG PEARCE: But you have not done it this year yet.

Mr JOHN WATKINS: No, that process has occurred. That is why we are sitting here tonight.

The Hon. GREG PEARCE: Commissioner Moroney said it has not occurred.

The Hon. EDDIE OBEID: You have not asked the question of Commissioner Moroney.

The Hon. PATRICIA FORSYTHE: Yes, we did.

The Hon. GREG PEARCE: I did.

CHAIR: Order! The Minister will be allowed to answer the question.

Mr JOHN WATKINS: These fairly basic processes are why we have gathered here tonight. A budget has come down from the State, which has provided record levels of funding to NSW Police.

The Hon. GREG PEARCE: Which you are administering.

Mr JOHN WATKINS: That I am responsible for, yes. What then happens is that that Police budget is then divided up amongst the myriad number of commands that operate within NSW Police. The recurrent budgets for local area commands for this financial year, 2004-05, have not been

finalised. The commissioner and I are working hard on those allocations and hope to be able to publish those in the next few weeks. That is later than I would like, and later than the commissioner would like, but last year the LACs and other commands within NSW Police did not get their budgets for the year until December. This year the commissioner and I are hopeful of having those budgets out to the different commands within the next few weeks, this month.

That is not what I or the commissioner would like, and we are moving towards changing our budget process so that the breakdown of the annual budget is provided to local area commands and other commands, I would reckon, within six to eight weeks certainly of the start of the new financial year. But it is a huge process, it is a huge budget, and we are working towards that. This year it will probably be three months better than last year. Next year I would expect us to be even better. I have to say again, however, there will be no cuts to front-line police, front-line local area commands, the State Crime Command or other front-line agencies.

I need to reiterate, harking back to the issue about the commissioner and me and the division of our responsibilities, that section 8 (1) of the Police Act sets out the legal relationship between the commissioner and the Minister. It says, "The Commissioner is, subject to the direction of the Minister, responsible for the management and control of NSW Police." The Minister's authority to direct the commissioner was confirmed by the joint parliamentary committee on police administration chaired by the Hon. Duncan Gay in 1993.

The commissioner controls the operations of the force and the record numbers of its officers. It is more than appropriate for the Minister and the Government to control and be responsible for the budget and to ensure that the expenditure is in accordance with budgetary allocations. My memorandums ensure that is the case and I am absolutely unapologetic about it. It is my responsibility. If I did not do it, you would be asking me here why I did not.

CHAIR: It is now time for questions from the crossbench.

The Hon. JOHN TINGLE: Minister, as we have discussed before in these hearings, my main concern in looking at the budget of NSW Police is the function and role of the New South Wales Police Firearms Registry, which is obviously central to the whole system of registration. As you know, for the last couple of years there have been quite considerable delays in processing different types of applications with the budgetary allocations to that registry. Has the situation improved since we discussed it last time, and would you say that it is in better shape now than it was 12 months ago?

Mr JOHN WATKINS: Thank you for the question. I do acknowledge that the honourable member is tireless and forceful, and also very intelligent in his advocacy on behalf of firearms owners in New South Wales. In 2003-04 an additional \$2.9 million was allocated to the firearms registry and there will be a further \$2.7 million this year and next year. The funding will come in part—and I know this has been difficult for them—from the first firearms licence fee increase since 1991.

The firearms registry is in Murwillumbah in northern New South Wales. It serves the needs of almost 181,000 firearms licensees in New South Wales. The extra funding has meant more staff at the registry. It has gone from 50 to about 90. There is a dedicated call centre for customer inquiries that is staffed from 8.30 a.m. to 4.30 p.m. on week days and with the extra staff we have had to open an annex, also in Murwillumbah, about 200 metres from the central registry. They are linked through technology in King Street and 31 new staff have commenced their employment and I understand there is further recruitment ongoing for the final ones. The new positions are made up of firearms assessors, adjudicators, administrative support officers, call centre operators, intelligence and compliance officers, data integrity and validation officers and a legal officer.

<3>

The turnaround taken in processing permits to acquire has improved but we are striving for continual improvement so that licensed firearms users have the most professional and effective registry. That is why I have asked the Ministry for Police to convene a working party to look at short-term measures to address the problems in particular of data inaccuracies and backlogs in the firearms registry. The first meeting of that working party will be this week, on Wednesday at 10.00 a.m. I have asked them to report back to me quickly, and I am very happy to share the results and take your advice on those matters.

I have visited the firearms registry twice. I am struck by the capacity of the people working there but also by, earlier last year, the overwhelming flood of work that they were facing, hence our extra staff. It is better than it was. It is not yet as good as it can or should be. I hope that when the final 10 people are employed we will continue to make improvements. In particular, I want to see that data cleansing and the processing of applications to be done as efficiently as possible. I cannot give you more detail than that about that particular aspect of it, but I am determined to have that place running well shortly—and so too, I have to say, are the men and women who work there.

The Hon. JOHN TINGLE: Would you like to perhaps take a guess at when it might be operating properly, with permits to acquire turned around in 28 days and license applications dealt with promptly?

Mr JOHN WATKINS: My understanding is that things will improve as those final 10 come on board. It certainly has improved a lot. I understand that a large wave of reapplications hit us last year. A huge bulk of those have been processed so that there are not as many applications coming through at present. So there have been improvements, and these improvements will continue. It is difficult to give such a detailed response, but I am very happy, in particular perhaps after that meeting on Wednesday, to brief you and other interested parties. That working party will help us identify the problems and how we can best move ahead.

The Hon. JOHN TINGLE: Minister, can I take you a bit through the finances of it?

Mr JOHN WATKINS: Yes.

The Hon. JOHN TINGLE: The \$2.9 million which was allocated was to the end of the previous financial year, that is, 30 June this year. Had all that funding been provided by 30 June?

Mr JOHN WATKINS: I understand so, but I will check on that and perhaps get back to you before the end of this meeting.

The Hon. JOHN TINGLE: I understand that it was allocated as sort of an advance to be paid back by increased fees. Apart from that, where did the money come from? Did it mean any cuts to any other parts of the Police budget?

Mr JOHN WATKINS: No. They were not internally moved funds. They were funds from Treasury given to us specifically for the firearms registry on the understanding that over a period of time into the future the increase in fees would bring those funds back and that that would be returned to Treasury.

The Hon. JOHN TINGLE: You also allocated \$2.7 million in the current financial year and the next financial year, with the basis that that will be paid for by the increased fees. If in fact the increased fees are covering the cost of the registry and it is not as great as necessary, is it possible that the foreshadowed increases in those fees—again I think it was on a consumer price index [CPI] basis—could be forgone? In other words, if the money is coming in to pay that and you do not need to increase the fees, would you consider not increasing the fees?

Mr JOHN WATKINS: You are right to identify that when the increase in fees was announced I also announced that there would be CPI increases. The fees had not gone up since 1991, I think. I am not in the business of just putting up fees for no particular purpose. It was made very clear that the increase in fees was to fund the work of the registry. I also announced that there would be CPI increases into the future. I want enough fees to fund the registry. I do not want fees from firearm owners in New South Wales to fund other aspects of the Police portfolio. I do not need it and I do not want it.

The Hon. JOHN TINGLE: So you do not want to make a profit out of it.

Mr JOHN WATKINS: I do not want to make a profit out of the firearms registry. However, I have to tell you that very careful financial models were put together, and they were checked a couple of times because Treasury was also concerned that the fee increase did not in fact allow the registry to make a profit. Treasury looked after the interests of firearms owners in New South Wales. My

understanding is very clearly that it was felt that the fee increase we came to would service the needs of the registry. I do not want to make a profit out of it. I will reconsider into the future CPI increases if the fee increase that we have initiated returns more to us than we expect.

The Hon. JOHN TINGLE: Can you confirm that those fees will go into the registry, not into consolidated revenue, as they used to?

Mr JOHN WATKINS: They will go to fund the registry.

The Hon. JOHN TINGLE: That is what I was asking. Will the money go to fund the operations of the registry, not into consolidated revenue?

Mr JOHN WATKINS: Certainly, the level of funds that are raised from fees is the funding level that we will receive to run the firearms registry—no more, no less. If it is not appropriate in the future, as I said, we will look at that. I can confirm that the \$2.9 million had been allocated by the end of the year. To give some other details for completeness, firearms licence holders now have the option of a five-year licence or a two-year licence for categories A, B, C, or H firearms. The cost of a five-year licence is \$200 or \$40 a year, which we said at the time is about comparable to a silver drivers licence. For most firearms holders who relicensed in the 2002-03 calendar year, those fees will not commence until 2008-09 because they received a five-year licence then. That means quite a way off.

The fees will be automatically adjusted in line with the consumer price index in January of each year. This will ensure that they continue to reflect the cost of providing the services. There are also concessions that remain unchanged, such as pensioners with category A and B licences, as well as for farmers. We are not in the business of making money out of this. It is to ensure that the registry provides the service that it should as efficiently as possible.

The Hon. JOHN TINGLE: By way of an observation, you would acknowledge, of course, that it was a very heavy increase of some 500 per cent, so I have quite a few constituents who are clearly unhappy about that. Obviously, I would like to try to hold the line if I could. There is another very important matter in addition to the staff, the buildings and the funding, and that is the question of the integrated licensing system [ILS], which I think is generally acknowledged not to be operating extremely well. In fact, it is operating very poorly. It is at the heart of the whole business of registration and licensing. I understand that there is still a lot of work to be done on that. Can you give us any idea what it will cost to bring it up to the stage where it can be integrated into other States and Territories and start to function properly?

Mr JOHN WATKINS: This was one of the issues that I discussed with the people at the registry when I visited recently, and it is why the Ministry for Police has been asked to convene that working party: to look at, firstly, short-term measures, as well as long-term measures, the backlogs in the registry, the data inaccuracies, and the ILS—as I said, that meeting will be held this week—so that we can move to a better system, a more accurate system of licensing. Again, I will be better able to give you some direction and information about what we intend or can do, certainly after that meeting.

The Hon. JOHN TINGLE: Have you been given a total cost in either money and/or police resources of the recent statewide audit of safe storage? It was a massive operation. I simply wonder whether anybody has called for a cost-benefit study on it.

Mr JOHN WATKINS: It was a massive exercise. This was the safe storage audit of firearms holders across New South Wales. Last week I was in Tamworth discussing it with the local area commander, and he said that there were places there that his police went and visited to do the safe storage audit that they never knew existed. They were way up in the back of the back blocks, in the hills west of Tamworth. That happened in every local area command across New South Wales. It was done very efficiently and well, and I thank the New South Wales police who were responsible for that, wherever they served.

It was easier in city and residential locations but difficult in some other parts of the State. I simply believe that it was a centrally important role for the police to undertake to do those audits. It was time consuming. It was a big job but it was an important policing task. It impacted on local area commands because front-line officers carried out the audit. It is very difficult to give you a costing of

that because they were often out doing other work anyway and they would call in after making contact with a firearms owner and do the audit. So there is no detailed assessment of costs that has been explained to me, and that would be a very onerous thing to do. However, police see it as an important part of what they do.

The Hon. JOHN TINGLE: As an aside to that, have you been given any estimate of the level of compliance with safe storage? How many people were found well out of it, and how many people were complying by storing the way they are supposed to? I have heard stories on both sides of that, and I would be interested to hear your impression of how successful it was.

Mr JOHN WATKINS: The police who conducted that audit, as I said, throughout New South Wales, were instructed to undertake inspections at a mutually agreeable time. Police were required to telephone in advance and so on. They have completed the audit. Regarding the level of compliance, I will see if I can get you a response before the end of this committee hearing.

The Hon. JOHN TINGLE: The obvious purpose of the question is: Did the audit result in any improvement in the level of compliance? I suppose that is what I am getting at.

Mr JOHN WATKINS: I will see if I can get a detailed response before this meeting finishes.

The Hon. JOHN TINGLE: On a different line, I understand that there is a suggestion that there should be an audit of a licensee's safe storage whenever that licensee applies for a permit to acquire a firearm. Given that under such an arrangement licensees might have to be inspected several times a year or even twice in a matter of a few weeks—I bought a couple of rifles last year within about six weeks of each other—and if police had to audit my safe storage that frequently, do you consider that the cost of such a repetitive measure could be justified? It would be expensive.

Mr JOHN WATKINS: Yes, it would. I am not formally considering such a proposal. I have heard it mentioned by you and also mentioned once in passing as a suggestion by a police officer. If we moved to consider such a proposal, I would certainly discuss it with you as a representative of licensed firearms owners in New South Wales. As you are aware, section 92 (c) of the Firearms Act provides that a condition of a firearms licence is that a licensee must, in accordance with such arrangements as agreed on by the licensee and the commissioner, permit the inspection by a police officer of the facilities in respect of storage and safe keeping of the firearms in his or her possession. It is not something that has happened as regularly as it should have in the past. That is why we initiated the statewide audit. I am open to, in the future, looking at ways of ensuring the safe storage of firearms, as any responsible firearms owner is, but I have not yet formally considered the suggestion that you make or that has been referred to there.

The Hon. JOHN TINGLE: I can assure you that I certainly did not make the suggestion. I suppose what I am asking—and I think you have probably answered this—is that if someone had to be inspected two or three times a year, there would be no change in storage and it would be a waste of police resources. That is what I am getting at.

Mr JOHN WATKINS: I will take your advice on these matters.

<4>

The Hon. JOHN TINGLE: Minister, there seems to be a contradiction in the Firearms Act insofar as collectors are concerned. Section 17C (a) says a suitably licensed collector may possess a post-1946 pistol but section 8 says he cannot. Would you consider an amendment to clarify that and allow collection of that type of firearm?

Mr JOHN WATKINS: Following your representations on the issue I am happy to be able to inform you that I asked the Ministry for Police to consider those sections of the Firearms Act relating to the collection of post-1946 pistols. Section 8 of the Act outlines the licence categories permitted under the Act and introduces a firearms collectors licence. A number of exclusions apply to this licence category, specifically any pistol manufactured after 1 January 1946 cannot be held pursuant to a firearms collectors licence. However, the Firearms Amendment (Prohibited Pistols) Act 2003 amended the Firearms Act of 1996 by adding a number of new sections. This included a new section 17C in the Firearms Act, which extended the coverage of firearms collector licences to pistols

manufactured after 1946. The intent of that section was confirmed both in my second reading speech on 17 June last year and in the explanatory notes to the Firearms Amendment (Prohibited Pistols) Bill, so that this section would displace the prohibition on collecting post-1946 pistols contained in section 8 of the Firearms Act. The intent is that that prohibition be displaced.

Although paragraphs (e) and (f) of section 34 (2) of the Interpretation Act would permit the use of both the second reading speech and the explanatory notes to determine the intent of a particular provision, I will for the purposes of clarification be seeking the inclusion of an amendment to section 8 of the Firearms Act by way of a statute law revision program. That proposed amendment will maintain the current exclusions except where otherwise permitted by sections 17C and 20 of the Act, allowing the collection of post-1946 pistols under a firearms collectors licence. I think that will deliver to you and to people interested in collection certainty. It may have already been there but this will make it very clear.

With regard to your question relating to compliance, because the statewide audit was such a large job, it is not yet complete. I do not have the compliance figures as yet. I will inform the member and the community of firearms owners in New South Wales of those results as soon as they are available, and I thank them for their co-operation.

The Hon. JOHN TINGLE: Finally, Minister, is it a glitch in the prohibited pistols Act that licensed firearms dealers had their personal pistol licences taken from them so that they now do not have a pistol with which to protect the stocks of firearms they hold? Given the security risks for those stocks and the potential cost in public safety because the stocks are not protected, is it worthwhile considering an amendment to the Act to return those licences to those dealers?

Mr JOHN WATKINS: That is not an issue that is under consideration at the moment. To permit firearms dealers to hold a pistol licence to protect their stock would be contrary, I understand, to the Council of Australian Governments agreement on handguns. It is not something that is under consideration at the moment.

The Hon. JOHN TINGLE: But is there any concern that stocks are not able to be protected? Obviously it will make it much easier for a robber or a criminal to take those stocks from a dealer when he or she has no way of stopping them from doing so?

Mr JOHN WATKINS: I would prefer and I believe that increased safe storage of those weapons is the biggest protection to them being stolen. With regards to the statewide audit, I understand it is 96 per cent complete. So there are some outstanding, and that is probably largely due to the remoteness of certain locations.

The Hon. HENRY TSANG: Over the past few years has been any encouragement given to people from ethnic communities to join the police force? I notice that in central Sydney there has been an increase in the number of police, men and women, of Asian origin. Can you give me some information relating to the encouragement given to people from non-English-speaking backgrounds—Asian and Arabic to join the police force?

Mr JOHN WATKINS: I will try to get those figures before the end of this meeting. The honourable member is right in identifying the need to increase the different ethnic backgrounds of serving police. It has been a truism that the best police force has a profile that reflects the community it polices. Police forces across Australia probably have not done that as well as they should have. It is changing in all States and it is changing, I understand, more quickly in New South Wales than in other jurisdictions. Certainly the recruitment of police from different ethnic backgrounds is of essential importance to the future of NSW Police. I am advised that a recent study at Charles Sturt University showed recruits identifying an ethnic background increasing from 2 per cent to 7 per cent.

Late last year the commissioner and I spoke to a forum of senior police and others about what measures, programs, we can put in place to increase the percentage of police from different ethnic communities. So, we are determined to do that. It is pleasing to see there has been an increase. We will work to ensure that increased continues so that NSW Police even better reflects the community it polices. I understand it is difficult to check those numbers specifically but that is something I will work further on.

It raises all sorts of particular issues and where police in different ethnic communities wish to work as well. Sometimes police from particular ethnic communities do not want to work in those areas where there is a concentration of persons from their background. That is fine too. If we can employ people with different ethnic backgrounds, they bring a whole new perspective to the force, other skills, particularly language skills, that can be used. Both the commissioner and I have been very public in committing ourselves to increase the number of people from different ethnic backgrounds to NSW Police.

The Hon. HENRY TSANG: Community liaison officers are very constructive in liaising with the community and police. Would you encourage more community liaison officers to work for the police force?

Mr JOHN WATKINS: We have a bank of ethnic community liaison officers [ECLOs] in a large number of our local area commands across New South Wales. Some have one, some have two, and I think some even have three because their local area commands have wide ranging communities within them. They are doing fine work at the moment. They are an important part of NSW Police.

The Hon. HENRY TSANG: Would you consider a fast-track system so they can become police officers, to encourage them to become police officers?

Mr JOHN WATKINS: We have encouraged many people to become police officers. It is a very popular profession at the moment, as is evidenced by the large number of people who have submitted applications to become police officers. I think the role of an ECLO is different from that of a sworn police officer, but we need both.

Ms LEE RHIANNON: What is the current backlog of untested DNA samples in New South Wales?

Mr JOHN WATKINS: Since DNA testing began in 2001, more than 22,900 people have been tested, and that includes more than 6,400 suspects or volunteers and more than 16,500 convicted offenders. More than 2,774 warm links, where testing is done to connect or exclude a suspect, have been recorded. Over 5,577 cold links, where police had no previous leads linking suspect to an offence or a crime scene, have been recorded, and 1,342 convictions have been recorded from these cold links for offences ranging from stealing to murder.

We also have compulsory DNA testing of certain types of prisoners, and as a result of that there has been one murder conviction. In the Supreme Court earlier this year Peter John Stone pleaded guilty to the murder of Natalie Henderson at Liverpool 13 years ago. Swabs taken from him in 1999, when he was in prison for another matter, matched the DNA found at the scene of Ms Henderson's murder.

Regarding the backlog, every Australian jurisdiction, like others around the world, is dealing with the consequences of the demand for this new technology. In part, that has meant, as the question alludes to, delays in processing samples. This is mainly because, as technology and experience have allowed, we have increased the number of samples we take. Statistics relating to testing in New South Wales attest to this. More than 21,000 samples were submitted to the New South Wales Division of Analytical Laboratories in 2003. Police attended more than 95,000 crime scenes in 2002-03, more than double the number attended four years ago. We are spending more each year on DNA analysis. In 2001-02, we spent \$2.3 million; in 2002-03, we spent \$2.9 million, and in 2003-04 we are spending \$4 million.

This shows that the tests are paying off but we need to alleviate delays, and we are working to do that. In the short term NSW Police has provided extra staff to the Division of Analytical Laboratories to prioritise cases, and police have asked the health laboratory to identify outstanding cases by crime category so priorities can be more readily identified. It is important to note that police retain the right to expedite testing if the case requires urgent attention, but in the longer term I have asked the Ministry for Police to develop a plan to address the very large growth in DNA testing. This strategic planning for forensics is due to come to me in the coming weeks.

So, there is a delay caused by the very rapid growth in the number of DNA samples put forward for testing. We have moved resources and prioritised to deal with some of those delays but I want to go further. Hence we will develop more substantial responses to ensure that we get on top of that. I also understand that delays such as that experienced by New South Wales have also been experienced in other jurisdictions.

Ms LEE RHIANNON: So, can you put a figure on the backlog?

Mr JOHN WATKINS: No.

Ms LEE RHIANNON: Not even approximately?

Mr JOHN WATKINS: No.

Ms LEE RHIANNON: You had a lot of other figures there?

Mr JOHN WATKINS: Yes, but not at the moment, not here.

Ms LEE RHIANNON: Does anybody else here present have the figures?

Mr JOHN WATKINS: I do not have that level of detail to provide to you but I will see if I can provide it before the end of this meeting.

Ms LEE RHIANNON: What is the average length of time that investigating police, victims of crime and people on remand wait for the results of DNA tests that may implicate or exonerate a suspect?

<5>

Mr JOHN WATKINS: That does depend.

Ms LEE RHIANNON: I understand the police sometimes need to fast-track it. For the majority of the cases what is the time frame?

Mr JOHN WATKINS: I cannot say because it really does depend upon the seriousness of the crime and the priority sought by New South Wales Police.

Ms LEE RHIANNON: You spoke about a development plan, if I understood you correctly.

Mr JOHN WATKINS: A plan to deal with some of this growth and the delays, yes.

Ms LEE RHIANNON: Is that a set of guidelines?

Mr JOHN WATKINS: Guidelines might be part of it. We are looking more at practical issues in relation to resourcing, other deliverers, a range of measures. It is not done yet.

Ms LEE RHIANNON: When do you expect it to be done?

Mr JOHN WATKINS: There are many different aspects to it. I would like to have a resolution of some of these outstanding issues by the end of the year so that we have a plan in place.

Ms LEE RHIANNON: Commissioner, would you like to comment on the plan, how it is going, and your involvement with it?

Commissioner MORONEY: I have no direct or personal involvement in the plan. Suffice to say it is being done under the aegis of the Director of the Forensics Services group. Detective Superintendent Phil Fogel is working in consultation with the Division of Analytical Laboratories [DAL], which, as you know, is part of the Department Of Health. I would expect that Deputy Commissioner Scipione, to whom superintendent Fogel reports, would provide that advice to me in order that I can provide it to the Minister by the due date of 31/12. I have no information to hand about the outstanding status of the backlog of work. That would be contained within the records of DAL.

The Hon. GREG PEARCE: So you get them, Commissioner?

Mr JOHN WATKINS: It is clear that this new technology is going to be with us in the future of crime fighting. One of the recent developments in New South Wales Police was the establishment of a full-time unit within the Homicide Squad that is reviewing about 360 unsolved murder files—cold cases. They are looking at murder investigations that go back 30 years. Specific detectives are set aside and they are currently reviewing that. They are dedicated and experienced, and one of the tools they will use, one of the tools other than first-class investigative methods, is whether or not there are DNA samples that can be used. We are going to find a greater call on DNA to provide assistance to police. It has grown very quickly and I am determined to put together a plan that adequately provides to police the wherewithal that they need to have these DNA tests done within a time frame that is acceptable.

Ms LEE RHIANNON: Minister, you spoke earlier about the need for some samples to be fast-tracked in certain crime categories. Does that mean that you do have guidelines that would assist people to make those decisions?

Mr JOHN WATKINS: To assist DAL?

Ms LEE RHIANNON: To assist the police officers, I assume. I am not sure of the chain of command in terms of making decisions about whether material should be tested. In answer to an earlier question you said that some cases are given priority. How is it determined which cases are given priority? Do you have a set of guidelines?

Mr JOHN WATKINS: My understanding is that that would be determined by the investigators who are looking after a particular matter. In certain cases DNA sampling would be more important than in others. In certain cases it is perhaps the critical issue; in other cases it is an extra because there may be a clear amount of information. So it really does depend upon the needs of a particular investigation.

Ms LEE RHIANNON: I do not understand the chain of command within New South Wales Police. Is it an investigating detective or does it go up to the Commissioner, who has a call on which case, which DNA sampling, will be given priority?

Mr JOHN WATKINS: I am advised that samples are currently prioritised. I have an answer that I gave to the Hon. Peter Breen in June this year. Samples are currently prioritised by DAL based on the nature of the crime and the court dates. DAL will also examine cases urgently if a specific request is made by the Acting Director of Forensic Services. I understand there is also triaging at both ends at the local area command level, if that is where the investigation is being undertaken, and at DAL, and that they are memorandums of understanding in place between New South Wales Police and DAL. So they may be the guidelines you are referring to.

Ms LEE RHIANNON: Could you table those guidelines?

Mr JOHN WATKINS: I will take some advice on that.

Ms LEE RHIANNON: How much of the New South Wales Police DNA testing budget is allocated to testing already imprisoned people so they might be linked to unsolved cold cases?

Mr JOHN WATKINS: I do not have a division of that budget, but again I will seek some information and perhaps be able to get it to you by the end of this meeting.

Ms LEE RHIANNON: You might take this question on notice. How much of the New South Wales Police DNA testing budget is allocated to tests that may exonerate remandees and serving prisoners of crimes they are suspected of or convicted of?

Mr JOHN WATKINS: There is no specific budget allocation for DNA testing that is intended to achieve those outcomes.

Ms LEE RHIANNON: For prisoners who assert they are not guilty of a crime and want to get their DNA tested, there is no provision for them to come through the system?

Mr JOHN WATKINS: My understanding is there are other avenues for convicted persons in New South Wales who feel they have been wrongly convicted to appeal those matters. There is no specific budget allocation set aside within New South Wales Police or provided to DAL to deal with that particular group of persons.

Ms LEE RHIANNON: Even if there is no budget allocated, does that mean they cannot access DNA testing?

Mr JOHN WATKINS: If you are an individual in New South Wales who has been convicted of a crime and you are in gaol—they are the ones you are alluding to—there are other processes in place by which you could seek to have your matter overturned. There are a range of reviews that are available. In legal argument there are a range of matters that you may seek to have looked at. Seeking DNA testing to prove you are innocent may be one of those avenues. That is really something that would be for the legal appeal process, which is separate from the functions of New South Wales Police.

The Hon. PATRICIA FORSYTHE: Minister, you abolished the position of Executive Director of the Corporate Services Unit, and then the Finance Director resigned during the investigation into financial mismanagement which uncovered the fact that New South Wales police were knowingly in breach of tax laws and that staff were accepting free gifts. What measures have been put in place since then to ensure that fringe benefits tax [FBT] has been paid and that staff are no longer accepting free gifts?

Mr JOHN WATKINS: What was the first part of your question? I missed the first part.

The Hon. PATRICIA FORSYTHE: You abolished the position of Executive Director of the Corporate Services Unit and then the Finance Director resigned during the investigation into financial mismanagement which uncovered the fact that New South Wales police were knowingly in breach of tax laws and that staff were accepting free gifts.

Mr JOHN WATKINS: For the matter of accuracy, there is a position of Executive Director of Corporate Services. That has not been abolished.

The Hon. PATRICIA FORSYTHE: Regardless, the basis of the question still stands. What measures have been put in place since then to ensure that FBT has been paid and that staff are no longer accepting free gifts?

Mr JOHN WATKINS: Regarding the second part of your question, allegations of financial mismanagement on behalf of two previous employees in New South Wales Police, this again received media coverage back in July in Sydney. I am advised by the Commissioner of Police that investigations have been completed into allegations of financial mismanagement within New South Wales Police. The two people against whom the allegations were made are no longer employed by New South Wales Police. They were members of the Police Senior Executive Service. Their contracts were terminated or not renewed for reasons unrelated to the allegations.

The allegations were such that if they were sustained—and they were not because the people were no longer employed by New South Wales Police—they may have resulted in internal disciplinary action. But that did not happen because their contracts with New South Wales Police had come to an end. That is the end of the matter in relation to those two persons.

The Hon. PATRICIA FORSYTHE: I am asking about the system. Has anything been done to put in place measures to ensure that police pay FBT and that they no longer accept gifts?

Mr JOHN WATKINS: The matters that were highlighted against those two were not sustained. Perhaps before the end of the meeting I might be able to tie down the last detail of that question. But we do have an Executive Director of Corporate Services in New South Wales Police.

The Hon. GREG PEARCE: Minister, who are the members of the Expenditure Review Committee?

Mr JOHN WATKINS: The Expenditure Review Committee was established by Commissioner Moroney and me for very good financial planning reasons. An amount of \$2 billion has been allocated to meet the recurrent and capital expenses—

The Hon. GREG PEARCE: You may not have heard me. I asked who the members of the committee are. You have already told us about the \$2 billion.

Mr JOHN WATKINS: I am happy to answer that question. That \$2 billion is a 6.3 per cent increase—

The Hon. GREG PEARCE: I just want to know the members of the committee.

Mr JOHN WATKINS: It is a massive police budget. It is absolutely appropriate that that budget—

The Hon. GREG PEARCE: Do you not know the members of the committee?

Mr JOHN WATKINS: I do.

The Hon. GREG PEARCE: Would you like to just answer the question as to the members of the committee?

The Hon. HENRY TSANG: Madam Chair, would you order the Hon. Greg Pearce to allow the Minister to answer?

The Hon. PATRICIA FORSYTHE: The member is entitled to an answer.

CHAIR: The Hon. Patricia Forsythe is correct. The member is entitled to an answer, but it is a longstanding precedent in Committee hearings that Ministers or witnesses may give their answers in the way they desire. The Minister's reply is in order.

Mr JOHN WATKINS: Thank you, Madam Chair. I am going to come to it, but I think you need to know about the Expenditure Review Committee.

The Hon. GREG PEARCE: You already explained that in answer to a previous question about your eight orders to the Police Commissioner. I do not want you to waste your time going over it again. You already have it on the record. Just tell us who the members of the committee are.

Mr JOHN WATKINS: Thank you. It is financially good management, where you have such a large budget, to ensure that it is properly managed. The Commissioner and I determined that to do so we would establish an Expenditure Review Committee—something that I think every government department should do. It was established in October 2003 to review expenditure across non-operational areas. The membership of it includes Mr Les Tree, who is the Director-General, Ministry of Police; Deputy Commissioners Madden and Scipione; Senior Assistant Commissioner Adams; and the Commissioner's and my chiefs of staff. That is the Expenditure Review Committee.

<6>

The ERC focuses on expenditure on non-operational items, such as non-operational travel, the engagement of temporary staff, agency staff or contractors and non-police staff generally. The ERC reports to the commissioner and to me to ensure that NSW Police lives within its budget.

The Hon. GREG PEARCE: Are you a member of the ERC?

Mr JOHN WATKINS: No.

The Hon. GREG PEARCE: You said you were.

Mr JOHN WATKINS: No, the ERC reports to me and to the commissioner. My chief of staff and the commissioner's chief of staff are members of the ERC. It reports to commissioner and to me to ensure that NSW Police lives within its budget. I think it has done a very good job. The commissioner and I value its advice. That good advice enables us to keep a close eye on expenditure. At the end of the day, that is a central responsibility for both the commissioner and me.

The Hon. GREG PEARCE: Is the new deputy director-general, Ms Fitzgerald, a member of the committee?

Mr JOHN WATKINS: No. The membership of the committee is the Director-General of the Ministry for Police, the two deputy commissioners—Madden and Scipione—Senior Assistant Commissioner Adams and the two chiefs of staff. The commissioner's chief of staff is Chief Superintendent Bernie Aust and my chief of staff is Mr Josh Murray.

The Hon. GREG PEARCE: What was the recruitment process for the new deputy director-general and who was on the selection panel?

Mr JOHN WATKINS: Before answering that question I will finalise my answer to the previous question about the FBT. Apparently the Pricewaterhouse report was received and investigated. All FBT liability will be enforced by NSW Police. The end of year financial audit by the Audit Office has not disclosed noncompliance with regard to FBT. The police gift policy has also been enforced. However, if the honourable member has any other allegations of wrongdoing in relation to those matters, I would be very happy to refer them to the ICAC, if the honourable member has not already done so.

In July 2004, the Ministry for Police assumed responsibility for a number of new aspects—properties, planning, additional policy development functions and was given a specific mandate in relation to improved financial advice provided to the Minister. To facilitate those additional functions, the ministry was expanded by 22 positions—from 25 personnel to more than 40. The additional positions include five positions in police properties and planning, which were funded by transfers from NSW Police; 10 positions for the additional policy development functions, which were transferred from non-operational areas of the NSW Police headquarters; 5 positions for additional policy and correspondence functions, which were funded by Treasury; and 2 further positions were funded by Treasury for the provision of additional financial advice to the Minister. It is important to outline the shape of the ministry because that new structure resulted in the appointment of the new deputy director-general.

The transfer of those positions builds on established arrangements whereby the Minister has responsibility for policy and budget within the portfolio. To manage the increased staff and associated responsibilities, a new senior executive service position of deputy director-general was created. That position is responsible for management of the ministry's policy and parliamentary support functions. The position was established following approval by the Director-General of the Premier's Department and an independent evaluation by Mercer CED. There had not been such a position for some time. The position was advertised in the press, as is normal, and in the New South Wales Public Service notices in accordance with the public sector recruitment requirements. The appointment was made following a merit selection process. The selection panel comprised the Director-General of the Ministry for Police, the Commissioner of the New South Wales Crime Commission and the former Director-General of the Department of Education and Training. That is a substantial and well-respected selection panel.

The position of deputy director-general is not new to the ministry. It was first established in 1992 under the previous Government, and at that stage the ministry had fewer staff than it has now. However, the position was disestablished in 1997 following a restructure of the ministry. The re-establishment and appointment of a deputy director-general reflects the ministry's increased size and responsibilities. The change in emphasis for the ministry will enable the commissioner and NSW Police to focus more on operational and frontline policing matters. It will also provide to me with the level of advice that I need about policy and budget issues and deliver to police in the field advice about property issues in particular. Ms Jane Fitzgerald was appointed after a rigorous process.

CHAIR: The time for questioning on the general NSW Police budget has expired. I would like an indication from Committee members whether they have any questions on the New South Wales Crime Commission budget.

The Hon. GREG PEARCE: We still have quite a few questions on the issue that we have been dealing with.

CHAIR: That is not the question. Do Committee members have questions on the New South Wales Crime Commission budget?

The Hon. GREG PEARCE: We do not intend to raise those questions until we have concluded questioning the Minister for Police.

CHAIR: This was not the agreement we came to in the deliberative meeting before the hearing. It was agreed that we would try to stick to the requested outline for the ministry officers.

The Hon. GREG PEARCE: That was your agreement.

CHAIR: No, it was the Committee's decision. If the honourable member did not attend that deliberative meeting that is unfortunate. Mr Tingle, do you have any questions?

The Hon. JOHN TINGLE: No.

CHAIR: Mr Pearce, do you have any questions for the Crime Commission?

The Hon. GREG PEARCE: We have told you already that we intend to continue asking questions of the—

The Hon. HENRY TSANG: Do you have any questions?

CHAIR: That was not the question.

Mr JOHN WATKINS: If there are no questions of the Crime Commissioner, we should work that out. I am happy to keep answering questions about any of my portfolio responsibilities. However, if there are no questions of the commissioner it would be silly to ask him to stay until some later stage in the evening only to be told that there are no questions. I am happy to deal with questions in relation to the Crime Commission now and then come back to questions about NSW Police. However, if there are no questions for the Crime Commissioner he should be told and allowed to leave.

CHAIR: I am not attempting to gag questions; I am simply attempting to work out the most efficient use of our time.

The Hon. GREG PEARCE: We are not going to get to questions for the Crime Commissioner tonight, so I am happy to let him leave.

CHAIR: No. The Committee agreed earlier to accept a request from the Minister's office. A copy of the letter was attached to the agenda circulated for today's hearing. It was proposed that we do the NSW Police budget questions from 8.00 p.m. until 9.00 p.m., Crime Commission budget questions from 9.00 p.m. until 9.20 p.m., Police Integrity Commission questions from 9.20 p.m. until 9.40 p.m. and then Ministry of Police questions from 9.40 p.m. until 10.00 p.m. If honourable members do not have questions about some of these other areas, they can continue with general questions.

The Hon. GREG PEARCE: That is what we have said we want to do.

CHAIR: The honourable member is being deliberately obstructive. I have asked a number of times whether honourable members have—

The Hon. GREG PEARCE: We have not seen the letter.

CHAIR: It was attached to the agenda. Do you have any questions on the New South Wales Crime Commission budget?

The Hon. GREG PEARCE: The letter was received today. At what time?

CHAIR: That is irrelevant because it was attached to the agenda that was circulated. If you want to waste more time—

The Hon. GREG PEARCE: We have indicated that we do not intend to ask any questions of the Crime Commissioner tonight.

CHAIR: It is not a matter of tonight. There is no automatic assumption that there will be supplementary hearings in this portfolio area.

The Hon. GREG PEARCE: We will deal with that separately at a meeting.

CHAIR: In that case you may forgo the opportunity to ask questions of the Crime Commissioner.

Mr JOHN WATKINS: It seems that there are no questions of the Crime Commissioner.

CHAIR: They will not tell us.

Mr JOHN WATKINS: I apologise on behalf of the honourable members to the Crime Commissioner, who has many active matters, that he has not been given some indication—

The Hon. HENRY TSANG: Will the honourable member ask those questions first? He is the only person obstructing the proceedings.

The Hon. GREG PEARCE: Madam Chair, if you are not going to accept the indication that we have given that we will not get to the Crime Commissioner tonight, and that we are prepared to accept the proposition put by the Minister that the commissioner be excused, we should move into a deliberative meeting and deal with this matter.

CHAIR: We can waste time going into a deliberative meeting, but I do not think there will be any change to the agreement reached earlier.

The Hon. GREG PEARCE: Then there is no point. We will not reach the Crime Commissioner tonight. It is 9.26 p.m.

CHAIR: The honourable member is completely out of order in this regard. I ask the Crime Commissioner to join the Minister and invite questions on that part of the budget. If there are no questions, he will be excused. The media are advised they are not to take any footage of the Crime Commissioner. However, audio recording is permitted.

Mr JOHN WATKINS: We are here to answer questions, if there are any.

CHAIR: Do honourable members of the Opposition have any questions for the Crime Commissioner?

The Hon. GREG PEARCE: We will reserve our questions for the Crime Commissioner.

CHAIR: This is the only opportunity honourable members will have to ask them.

Mr JOHN WATKINS: It does not appear that there are any questions for the Crime Commissioner.

The Hon. GREG PEARCE: We are reserving them.

Mr JOHN WATKINS: I do not want to hold him here when there are obviously no questions.

CHAIR: Mr Tingle, do you have any questions for the Crime Commissioner?

The Hon. JOHN TINGLE: No.

CHAIR: In that case, I thank you for your attendance; you are excused. We will proceed with the New South Wales Police Integrity Commission. Do honourable members of the Opposition have any questions for the commissioner?

The Hon. GREG PEARCE: We will reserve our questions.

CHAIR: Mr Tingle, do you have any questions?

The Hon. JOHN TINGLE: No.

CHAIR: Ms Rhiannon, do you have any questions?

Ms LEE RHIANNON: No.

The Hon. HENRY TSANG: I seek clarification. If honourable members of the Opposition have no questions now, should they put them on notice—

The Hon. GREG PEARCE: No, we have questions we want to continue to ask of the Minister.

The Hon. HENRY TSANG: —so that these witnesses are not called back causing a waste of public money? The questions should be put on notice.

CHAIR: That is correct. If there are no questions, I thank the Police Integrity Commissioner for his attendance this evening. Do honourable members have questions of Mr Tree about the Ministry for Police budget?

The Hon. GREG PEARCE: I want to continue to ask questions of the commissioner as well.

CHAIR: Does the Minister have any objection to the commissioner returning to the table?

Mr JOHN WATKINS: No.

CHAIR: We have half an hour left. We will divide it into 10-minute brackets. Any unused time will be re-allocated. The first 10 minutes is for members of the Opposition.

<7>

Mr JOHN WATKINS: For the sake of completeness regarding the ethnic community liaison officers, there is one in Ashfield local area command, two in Bankstown, one in Blacktown, one in Burwood, four in Cabramatta, one in Campbelltown, two in Campsie, one in City Central, Eastwood, Ku-ring-gai, Green Valley, Holroyd, Hurstville, Liverpool, Macquarie Fields, Manly, Northern Beaches, Marrickville, Mount Druitt, North Shore, Rosehill, St George and Wollongong, and two in Fairfield, Flemington and Parramatta. There is a whole range of languages spoken by these ethnic community liaison officers.

Ms LEE RHIANNON: I seek clarification. Regarding the questions you said you would try to have answered tonight, if you are unable to have the questions answered tonight will you take them on notice?

Mr JOHN WATKINS: Yes.

CHAIR: The 10-minute allocation for Opposition questions will commence now.

The Hon. PATRICIA FORSYTHE: Minister, would you clarify the outcome of the PricewaterhouseCoopers report into the issue relating to the fringe benefits tax?

Mr JOHN WATKINS: I think you have highlighted in your question that there were issues in relation to fringe benefits tax compliance. But, as I referred to earlier, the end of year financial audit by the Audit Office has not disclosed non-compliance on the fringe benefits tax. The level of detail about the fringe benefits tax eludes me at the moment. The allegations made in the PricewaterhouseCoopers report were taken seriously and the work was done. But, as I said, the gift policy has been reinforced and the matter has been dealt with seriously.

The Hon. PATRICIA FORSYTHE: Did the report determine that police owed a sum of tax to the Australian Taxation Office and the Office of State Revenue?

Mr JOHN WATKINS: I am not sure. I will see if I can get that information.

The Hon. GREG PEARCE: Commissioner, one of the ministerial directives provides, "No position, either police or civilian, is to be evaluated, created or reclassified without the Minister's express written approval." Another provides that no review, restructure or realignment of commands is to take place without the Minister's express written approval. Do these ministerial directives impact in any way on your discretion and the manner in which you operate and run the police service?

Mr JOHN WATKINS: Can I just—

The Hon. GREG PEARCE: Do not gag the Commissioner; please allow him to answer the question.

CHAIR: Order! As I established earlier, the Budget Estimates Guide states on page 20 that questions can be asked of anyone. It does not specify whether that person has to answer. It is quite acceptable for another witness from the portfolio area to answer the question.

Mr JOHN WATKINS: I am happy for the Commissioner of Police to respond to the question. I will then add something.

Commissioner MORONEY: I understood that the basis of the question was whether I am comfortable with those specific directives. Yes, in the overall context of the financial management of NSW Police, the eight directives were lawful directions of the Minister for Police in the broader context of financial management. I am comfortable with them and, yes, I can work within them.

The Hon. GREG PEARCE: My question was: What sort of impact do the directives have on your discretions and your ability to run the police service in an operational sense? The question was not whether you can work within the directives but, rather, whether they have had an adverse impact, or some sort of impact, which removes your discretions and your ability to run the police service in the way you want to, given your experience.

Commissioner MORONEY: Obviously, the primary import of each of the directives is that each of them requires a specific level of consultation with the Minister. I am comfortable with that. I believe that, as has already been indicated, they fit within the proper purview of part 8 of the Police Act and that they are lawful directions. I can accommodate them; I am comfortable with them. In terms of the specific impact they may have, I believe it is none other than a high level of consultation in respect of each and every one of these positions in the broader context of applying the Police budget across the board.

Mr JOHN WATKINS: Madam Chair, one of the commissioner's failings is that he is amazingly polite. I am amazed at his capacity to be polite, given some of the insults and pressures he bears in this most important job. One of the reasons why such a requirement is there is that NSW Police today is still impacted upon by the unfunded restructures put in place by the previous commissioner. My reference to our commissioner's politeness is that he would not criticise the person in the position prior to him.

The restructures that NSW Police went through under Peter Ryan have led to problems faced in the budget. It is one of the reasons this requirement was put in place. I have nothing but faith in, and admiration for, Commissioner Ken Moroney. But he and I are paying for some past mistakes of previous commissioners. NSW Police paid a large amount for that unfunded restructure. It was my determination, agreed to by the commissioner, that we would not do that again. It is an inappropriate way of dealing with a large budget. Hence that memorandum.

The Hon. GREG PEARCE: What were your predecessor Ministers doing while these mistakes were being made by the now reviled former Commissioner Ryan?

Mr JOHN WATKINS: I am Minister for Police now and I am happy to answer for the current budget. It is one of the reasons the memorandum is in place. May I return to the matter regarding PricewaterhouseCoopers and advise that there was no identification of tax liability not paid to the tax office.

The Hon. PATRICIA FORSYTHE: What about the Office of State Revenue?

Mr JOHN WATKINS: Perhaps I will receive further updates throughout the evening.

The Hon. PATRICIA FORSYTHE: Minister, you recently abolished the position of mental health lecturer at the Goulburn Police College and insisted that the psychiatric nurse on staff take a redundancy. Exactly how many other positions have been made redundant or abolished at the Goulburn Police College since January this year, and what were those positions?

Mr JOHN WATKINS: There are judgments and allegations made in that question that really are not accurate, and I need to deal with them. We all know that dealing with the mentally ill is one of the great challenges faced by our police every day. I am very aware of those recent reports in relation to mental health training for New South Wales police. I am advised that one lecturer at Goulburn recently responded to a call for expressions of interest for a voluntary redundancy package. As part of the call for expressions of interest staff were asked, "Is anyone interested?" This person said yes, they were interested; it was entirely voluntary. Mental health training is a priority for New South Wales police, at Goulburn and out in the field in our local area commands—

The Hon. PATRICIA FORSYTHE: Then why were you seeking a redundancy?

Mr JOHN WATKINS: I will come to that. All recruits at Goulburn Police Academy continue to receive the same training in how to deal with mental health issues as the training that was provided when this particular person was in office, and now the same training will be delivered to people going through the Goulburn academy. As an agency working around the clock, police are often the first point of contact with mentally and behaviourally disordered people who come to their attention. It is important that they receive the training necessary and have appropriate backup from other government agencies to perform those difficult tasks.

I can tell you that other NSW Police initiatives in this area involve mental health contact officers in each of the 80 NSW Police local area commands, a 1998 memorandum of understanding between NSW Police, the Centre for Mental Health and the Ambulance Service, and a series of training videos to assist police in understanding and dealing with a broad range of mental health issues that may arise in their day-to-day operations. Let us get the first part straight. The same course is being taught to all people going through Goulburn police academy, in addition to other mental health initiatives being taught to police by other staff in that section. The second part of your allegation—

Ms LEE RHIANNON: Does the job still exist? Did the person go but did the job stay?

Mr JOHN WATKINS: There are teachers there who have the capacity to teach the course, and they are doing so.

Ms LEE RHIANNON: I conclude from that answer that the actual position went.

Mr JOHN WATKINS: I am going on to talk about positions. The changes at the Goulburn Police College were due to the implementation of the Public Service Association's 6 per cent pay deal

that was signed four years ago. The PSA agreed to work harder, with fewer staff and more money, those changes have recently been implemented at the college, and the lecturer responded to an offer of voluntary redundancy. The other issue I need to make clear is that there are staff available to teach this course at Goulburn. It was alleged by members of the Opposition and others that in some way the New South Wales Coroner was concerned about this lecturer taking voluntary redundancy. The Executive Director Corporate Services, who has responsibility for the college, spoke to the lecturer about this issue last week, and he advised me that the Coroner has no concerns about these changes.

The Hon. GREG PEARCE: You saying that the people who are available to teach mental health are experts in that category?

Mr JOHN WATKINS: The teachers at Goulburn have expertise in a whole range of policing matters that New South Wales police deal with every day, including dealing with persons suffering mental health episodes. The staff we have at Goulburn, either employees of NSW Police or from Charles Sturt University, have a wide range of expertise and professionalism in dealing with a whole range of policing matters. That is why it is the outstanding police college in the nation.

The Hon. GREG PEARCE: The college no longer has an expert psychiatric lecturer?

Mr JOHN WATKINS: The college has exceptionally well trained, capable people who are able to teach the mental health components and every other aspect of the course. I need to make the point again that this person took a voluntary redundancy. They sought to take advantage of the call for expressions of interest; they put their hand up. I am now able to tell you that there are approximately 150 civilian staff in educational services at Goulburn, in addition to the serving police.

The Hon. PATRICIA FORSYTHE: Do any of them have expertise in psychiatric teaching?

Mr JOHN WATKINS: I have answered that question.

Commissioner MORONEY: The answer is no.

CHAIR: Time for Opposition questions in that segment has now expired. We will now move to crossbench questions.

The Hon. JOHN TINGLE: Minister, one of the major changes you have made in the last year or so has been to the security industry. Was there a compensation cost, or any other kind of cost, involved in trying to clean up that industry, and are you satisfied that the measures you have taken have been successful? I think we would agree that the industry was a mess.

Mr JOHN WATKINS: Regarding the finance issue, I am advised that there is no outstanding tax liability on the files at the Australian Taxation Office or the Office of State Revenue. Regarding the security industry, I inherited a process of review of the security industry which I continue, with the commissioner's advice. The reforms I announced are just one part of the Government's package to crack down on illegal handgun use in the community. There were a number of other initiatives that I inherited: ensuring that only citizens worked in the security industry, improving training within the industry, and doing better background checks of people employed in the industry. The previous Minister initiated a lot of that, and we are now bearing the fruit of that, but it needs to go further.

<8>

But it does need to go further. Hence I focused in particular to this point on firearms within the security industry. The security industry is very large in New South Wales—about 40,000 strong. But nothing like that number have a licence to carry a firearm; it is less than a quarter of that. The focus of the commissioner's reforms are to ensure that firearms in the security industry are only available when necessary, and therefore harder to steal and more easily traced and linked to crimes. The initiatives that have been put in place include limiting the total number of guns in the industry, and banning guns in sectors of the industry that cannot demonstrate an absolute need for them. We have taken a lot of guns from the security industry, and we have increased the safe storage requirements for those companies that are still allowed to use handguns—those safe storage requirements escalate according to the number of guns that are held by the individual or the companies. We have restricted the calibre

of weapons that are available to the security industry and we have removed all guns outside that range. There is now no handgun available in the security industry that is larger than—if larger calibre is the correct term—than that of police firearms. That was not the case before. We have increased security firm audits by the Firearms and Regulated Industries Crime Squad, and we have increased training requirements for security firms.

The NSW Police Security Industry Registry is responsible for licences and the maintenance of licensing information. It co-ordinates data and exchanges relevant information with operational police. Since 1 February 2003 a total of 406 security licences have been revoked under the mandatory revocation provisions. Since the commencement in February 2003 of the new requirements relating to applicants for security licences having to be Australian citizens or permanent residents, 5,331 applications have been rejected for failure to provide evidence and 16,800 previous licence holders have chosen not to reapply. These are amazing figures: 5,000 applications have been rejected and 16,000 have decided not to reapply because of their awareness of the new regime in place. In one particular case a security guard who applied for a master licence had his prints scanned at the local police station because of the requirement now to take fingerprints. The electronic scan of his prints was matched to a criminal history under another identity. That criminal record prevents him from holding any form of security licence in New South Wales for 10 years after the last offence. His application was refused after he was charged with offences relating to a forged birth certificate that he had attempted to use in the licence application. That means that a further 10-year ban starts with that latest conviction.

Since we started taking fingerprints from guards and scanning them through the unsolved crimes database, we have had 15 hits. In 14 of these cases the people were able to satisfy police that there was a legitimate reason for the fingerprints to be at the crime scene; they were there doing security. But one security guard's prints allegedly matched a case file from a 1996 break and enter at a school on the North Shore. He was arrested and charged with an offence and he will face court. So we are bearing down on the security industry. I recently met the Security Industry Advisory Council—I think that is its full title—and advised it that our work will continue, in particular in relation to the training of security guards, a whole range of training that they should have available to them, including firearms training. I am determined, as is the commissioner, to continue our reforms of the security industry so that the community of New South Wales can be comfortable, first, that the security industry is peopled by legitimate, upstanding individuals—overwhelmingly it is, but we know that there have been problems in the past—and, secondly, that those given the privilege of carrying a sidearm are persons of the utmost integrity and are trained in the safe use of those sidearms.

The Hon. JOHN TINGLE: I have heard suggestions lately about which I would like you to comment. Has there been any attempt at a compromise within the police budget by reducing the ratio of highway patrol cars compared to the number of fixed speed cameras being set up? In other words, are we seeing more reliance on the fixed speed camera than on the highway patrol car to catch speeding motorists?

Mr JOHN WATKINS: No. We have adopted in New South Wales—and I am not talking only of NSW Police; it is also the RTA—a range of new technologies to keep our roads safer, and it is actually working. It needs to work better because there are still too many accidents and fatalities, but it has improved over recent years. The number of officers that undertake highway patrol is dependent upon a range of factors. The commander of traffic services advises that compared to the situation that existed in 1995 there are more sedans available now for highway patrol duties and whereas we now have five dedicated RBT trucks, there were none in 1995. The simple truth is that we are deploying all police resources, but the highway patrol in particular, more strategically than before. Police do not now randomly patrol highways. Instead intelligence-led rostering in the deployment of highway patrol officers to regional traffic blackspots occurs regularly. We have also invested in new technology to assist the work of police in highway patrol duties. New random breath testing devices were launched in April; they are quicker. Last year 600 sets of road spikes were deployed to highway patrol police; 1800 officers have been trained in their use and they have been successfully deployed more than 30 times to end dangerous disputes. We have also given all New South Wales police, not just highway patrol, the power to suspend drivers licences at the roadside in cases of aggravated dangerous driving. And from next month in-car video units will be installed in all highway patrol vehicles across New South Wales.

Another strategy is to conduct higher profile blitzes that target such offences as excessive speed, driver fatigue, alcohol and drug impaired driving and not wearing seat belts. This year such operations were conducted at Easter, on Anzac Day and Australia Day, and on the Queen's Birthday and other long weekends. Stay Alert 2004 was a recent operation that saw 108,341 breath tests conducted, 9,600 people charged with speeding and 454 drivers charged with drink driving. The number of major crashes recorded over that weekend dropped by 106 to a total of 583. The number of people injured also fell. On Anzac Day we had Operation Go Slow, when 7,500 people were detected speeding. Obviously people were not going slow! There were 93,000 random breath tests conducted and 428 people charged with drink driving. Compared with the same period last year the number of major crashes reported over the weekend dropped by 248 to a total of 564, and the number of people injured fell by 140 to 195.

So it is better focus; it is greater use of technology; it is much more effective policing. And I tell you that the highway patrol police that I have met love their job. They are effective and they are absolutely determined to bring down injury and death on the roads.

The Hon. JOHN TINGLE: But there is no shift in emphasis from highway patrol cars to cameras?

Mr JOHN WATKINS: No, there is not. I do not run the cameras, it is an extra, but we have brought about quite dramatic reductions in injury and death over the past 15 years in New South Wales. We needed to, and we will keep working on that. NSW Police know better than anyone in our State about the trauma and pain of road injury and fatality. They are absolutely committed to effective work to drive that statistic down, and the commissioner and I are totally supportive of that.

CHAIR: The Government members have indicated that they do not have any questions. Ms Lee Rhiannon will be allocated five minutes for questions and the balance of the time will go to the Opposition.

Ms LEE RHIANNON: Have any police weapons been stolen over the last financial year?

Mr JOHN WATKINS: Can I take that on notice?

Ms LEE RHIANNON: Yes. I also ask: Have any been stolen and, if so, how many? What role did you and your department have in stopping the drug offenders compulsory treatment pilot in the Illawarra and the far North Coast? I am referring to the package funded by the Prime Minister in relation to which he gave \$31.8 million to New South Wales. This pilot gave police a discretion to caution adult offenders apprehended for illicit drug offences involving possession or use of small amounts of drugs other than cannabis, such as cocaine, heroin, ecstasy and LSD?

Mr JOHN WATKINS: I am advised that program was run by the Attorney General, so you would need to direct that question to him.

Ms LEE RHIANNON: How many sniffer dogs are presently being used in police operations in New South Wales?

Mr JOHN WATKINS: Again, I do have that information but I do not have it at the top of my mind.

Ms LEE RHIANNON: How many sniffer dog operations have been undertaken on New South Wales public transport? Would you take that question on notice? How many have been undertaken, in total, across New South Wales? From these operations, how many people registered a positive reaction from a sniffer dog? Of these people how many were found to have drugs in their possession? Of these people how many had drugs in quantities below the amount necessary for a charge of deemed supply? How many people, who you would describe as drug sellers as opposed to drug users, have your sniffer dog operations found? Could you take those questions on notice please, Minister?

Mr JOHN WATKINS: I can actually answer that question. The legislation to clarify the use of drug detection dogs in public places commenced on 22 February 2002. NSW Police drug detection

dogs can be used without a search warrant at licensed premises other than a restaurant; at sporting events, concerts, dance parties, parades and similar public entertainment events; on trains and stations on the Bankstown, inner west, eastern suburbs, North Shore, Illawarra, Northern, southern and western train routes; and on buses and at bus stations on the Albury, Grafton and Kempsey routes. The dogs can be used elsewhere but only under warrant.

You asked a question about drug dogs being used to detect users rather than suppliers. The ability to use dogs without a warrant on train and bus routes and other places enables police to disrupt active drug markets by disrupting the access of consumers to illegal drugs. That is what they are there for: to intervene. The use of the dogs in public places such as licensed premises and entertainment areas helps to crack down on drug markets in such places. By intercepting drug customers, interfering with illegal drug sales and collecting intelligence, police can more readily identify sources of drug supply. Drug law enforcement requires police to pursue several strategies at once, targeting the trade at all levels. This includes measures to reduce visible drug dealing and street level markets. The detection rates reveal that over 70 per cent of persons searched following a positive indication being given by a detector dog either had prohibited drugs in their possession or admitted contact with prohibited drugs.

<9>

The vast majority of the remaining 30 per cent are suspected of having been in contact with prohibited drugs but have not made any admissions in that regard. They are very talented dogs. I am advised that the dogs are very valuable law enforcement tools and NSW Police will continue to deploy them to crack down on the illicit drug trade. NSW Police does not provide certain details about exact deployment of drug dogs for operational reasons, but I am happy to provide answers to the rest of your detailed question.

Ms LEE RHIANNON: Thank you. I was not asking where they were deployed but the numbers and those comparisons. If you could take that on notice, I would appreciate it.

Mr JOHN WATKINS: I will seek that information.

The Hon. GREG PEARCE: Mr Tree, could you tell us what are the current salaries and allowances of the director-general and the deputy director-general of the ministry?

Mr JOHN WATKINS: I understand they are available.

Mr TREE: That was a question on notice.

Mr JOHN WATKINS: Sorry, could I hear the question again?

The Hon. GREG PEARCE: The current salaries and other allowances of the director-general and the deputy director-general?

Mr JOHN WATKINS: I understand that they are publicly—

The Hon. GREG PEARCE: Yes, but I am checking what the current figures are. I know that figures have been made public, but I want to check that they are up to date.

Mr JOHN WATKINS: For the deputy director-general, the remuneration is at SES level 3. For the director-general of the Police Ministry it is a standard senior executive service contract. It follows the Public Sector Employment and Management Act and relevant government guidelines. The remuneration is at SES level 6 and that is paid in accordance with relevant government guidelines. So it is SES level 6 for the director-general and SES level 3 for the deputy director-general.

The Hon. GREG PEARCE: In July you advertised for a parliamentary support manager at a remuneration package of \$131,138. Has that person been employed and exactly what will that person be doing?

Mr JOHN WATKINS: I understand that, yes, that person has been employed. The person undertakes a range of duties in relation to ministerial correspondence, which, as you would know, is

an essential and important part of the functions of a Minister and ministry. In any one year I receive of the order of 10,000 letters, so to appropriately process and seek information from NSW Police for answers and then ensure that those matters are dealt with appropriately is most important and is a most onerous job. The position also involves ministry administration and providing assistance with parliamentary matters.

The Hon. GREG PEARCE: Is there currently an agreement between the police service and Charles Sturt University in relation to the Goulburn police college?

Mr JOHN WATKINS: There is no police service in New South Wales; it is NSW Police. But to answer your question, between Charles Sturt University and the provision of education at Goulburn, yes.

The Hon. GREG PEARCE: Is that agreement a public document?

Mr JOHN WATKINS: I am not sure. It is a commercial contract so there may be some limitation in it being made available.

The Hon. GREG PEARCE: Could it be made available to the Committee?

Mr JOHN WATKINS: It is commercial-in-confidence, but I will take advice as to whether or not it could be provided to the Committee.

CHAIR: The time for questioning in this session has expired. We do not have any tabled documents. I advise the Minister that the Committee has resolved that the return of answers to questions taken on notice at the hearing is to be within 35 calendar days. I thank the Minister, the officers of NSW Police and the Police Ministry for attending.

Mr JOHN WATKINS: Madam Chair, you are in charge of the Committee, but I am perfectly happy to stay and answer any further questions.

CHAIR: This evening?

Mr JOHN WATKINS: Yes, but I am in the hands of the Committee, obviously.

CHAIR: No, I have received an indication from the majority of the Committee that they are happy with the established finishing time. Minister, thank you for your attendance at tonight's hearing. Also I would like to say that I have noted that NSW Police co-operated in the filming of Channel 7's new show *Forensic Investigation*. It is not often that one sees on television the actual tapes of people's interviews; I found it most interesting.

Mr JOHN WATKINS: Before I leave, I thank the Committee for its indulgence and its questions. I would also like to thank Hansard and the staff of the New South Wales Parliament. I know it is late in the evening. In particular, I thank all my agency heads, Commissioner Moroney, his staff and my personal ministerial staff.

The Committee proceeded to deliberate.