

# **GENERAL PURPOSE STANDING COMMITTEE NO. 1**

**Monday 1 December 2003**

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

## **PREMIER**

**The Committee met at 5.30 p.m.**

## **MEMBERS**

Reverend the Hon. F. J. Nile (Chair)

The Hon. A. S. Burke

The Hon. J. C. Burnswoods

The Hon. C. E. Cusack

The Hon. M. J. Pavey

The Hon. G. S. Pearce

The Hon. P. T. Primrose

Ms L. Rhiannon

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## **PRESENT**

### **Premier's Department**

**Dr C. Gellatly**, *Director-General*

**Mr B. Fitzmaurice**, *Assistant Director-General*

### **Cabinet Office**

**Mr R. Wilkins**, *Director-General*

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

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

**Budget Estimates  
General Purpose Standing Committee Secretariat  
Parliament House  
Macquarie Street  
SYDNEY NSW 2000**

**CHAIR:** For the benefit of Committee members, for this hearing the Hon. Melinda Pavey will be a participating member, and I have been advised by the Opposition Whip that the Hon. Greg Pearce will substitute for the Hon. Don Harwin.

I declare this meeting open to the public. I welcome you to this supplementary estimates hearing of General Purpose Standing Committee No. 1. I thank the departmental officers for attending today, particularly those who have been asked to attend at very short notice. At this meeting the Committee will examine the proposed expenditure for the Premier's Department. Before questions commence some procedural matters must be dealt with. As to the broadcasting of proceedings, part 4 of the resolution referring the budget estimates to the Committee requires the Committee to hear evidence in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings. Copies of the guidelines are available from the attendants.

I point out that, in accordance with Legislative Council guidelines for the broadcast of proceedings, only members of the Committee and witnesses 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 this Committee the media must take responsibility for what they publish or for what interpretation they place on anything that is said before the Committee. There is no provision for Committee members to refer directly to their own staff while they are at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendant on duty or the Committee clerks.

For the benefit of members and Hansard, I ask departmental officials to identify themselves by name, position and department or agency before answering any question referred to them. When a member is seeking information in relation to a particular aspect of a program or subprogram it will help the Minister and the Committee if the program or subprogram is identified in the budget papers.

I encourage witnesses to answer questions put to them during the hearing, particularly when an indication has been given of the possible areas of questioning. The Committee must report back to the House by Thursday of this week so I ask members to place on notice tomorrow any questions that are not answered during this hearing. I declare the proposed expenditure for the Premier's Department open for examination. Do any of the witnesses wish to make a brief opening statement?

**The Hon. GREG PEARCE:** I note during the previous hearing that Mr Fitzmaurice was asked to provide a copy of the ministerial handbook and guidelines. I understood that he had undertaken to do that. Do you have the ministerial handbook and guidelines with you?

**Mr FITZMAURICE:** Yes.

**The Hon. GREG PEARCE:** Would you be able to make a copy of that available to the Committee?

**Mr FITZMAURICE:** Yes.

**Minister's Office Administration Handbook, March 2003 tabled.**

**The Hon. GREG PEARCE:** You may have been aware of some evidence given earlier in estimates hearings by the Director-General of the Department of Health in which she referred to employees who were called senior executive service [SES] lookalikes. Are you aware of what she was referring to?

**Dr GELLATLY:** It is not a common terminology. There are SES employees who are on SES contracts. There are other temporary employees, such as section 38 employees. I presume that is what is being referred to.

**The Hon. GREG PEARCE:** I will give you the definition given to us in the hearings. Dr Horvath said that there were a number of positions in the area health services that are not covered by the Public Sector Management Act. However, the conditions of their employment and the nature of their duties are such that they are deemed to be equivalent to the senior executive service. They are paid rates that are similar to those determined by the Statutory and Other Officers Remuneration

Tribunal and all other conditions are the same. Does that give you an indication as to the sort of employee she was talking about?

**Dr GELLATLY:** Yes, I imagine that they are normally temporary-type staff who are employed for specific periods. The area health services have their own employment arrangements as distinct from the broad Public Sector Management Act, which covers all the agencies that are covered under that Act. Obviously there are also State-owned corporations. Across the public sector as a whole there is a range of employment arrangements. Everyone does not relate to the Public Sector Management Act.

**The Hon. GREG PEARCE:** I am told that the number of these SES look-alikes in the area health services was 90. Do you have any people working in the Premier's Department who would qualify as SES lookalikes?

**Dr GELLATLY:** I could probably think of one.

**The Hon. GREG PEARCE:** Could you indicate to me why you would select that person as an SES look-alike?

**Dr GELLATLY:** Often the situation is that if you want to have an SES position you have to establish it, have a clear number of functions, and have a contract for up to five years so that it is clearly part of the structure and about delivering the services that are required—that is part of the overall structure of your agency. Sometimes you have occasions when expertise is required and you want only the shorter term. You are not sure of the period of time. It is an adjunct either to the normal SES contracts or the full-time, permanent employees.

**The Hon. GREG PEARCE:** Would you have any idea of how many of these sorts of employees would be employed across the Government?

**Dr GELLATLY:** No.

**The Hon. GREG PEARCE:** Who makes the decision to employ these types of people?

**Dr GELLATLY:** Basically each agency head makes decisions on how they are going to use their resources within the budget that is allocated through the Parliament to the Minister and they have their allocation determined. They normally work on a base establishment. They have a number of SES contract positions. They have a number of public sector positions that are under the Public Sector Management Act if they are in the sector, but it is basically up to them to decide how they use those resources. At times they might believe that is possible. As I said, the area health services are a bit different because they have separate employment legislation.

**The Hon. GREG PEARCE:** There is a very helpful document on the Premier's web site, the Overview Report for the New South Wales Public Sector Workforce Profile 2001. Is the 2002 profile complete yet?

**Dr GELLATLY:** Yes, I think that is actually up on the web. We are working currently on the 2003 profile because it is an annual collection as at 30 June each year.

**The Hon. GREG PEARCE:** The 2001 profile shows 4,671 employees who were earning between \$80,500 and \$104,984 and 4,773 earning over \$104,985. What proportion of those would be senior executive service [SES] employees?

**Dr GELLATLY:** Certainly the majority of the ones over \$104,000 would be SES. I think currently across the sector there are in the order of 800 SES employees. What is the number there?

**The Hon. GREG PEARCE:** The figure is 4,773, and this is in 2001.

**Dr GELLATLY:** There are other categories. There is the senior officer category and that includes State-owned corporations [SOCs]. So it is for every agency, including the SOCs and all the authorities, and some of them have senior positions that would not be classified as SES because they

are under their own arrangements. They might have an enterprise agreement that sets up their own employment conditions.

**The Hon. GREG PEARCE:** On the 2001 figures, and taking the 4,671 employees on the lower scale I gave you—

**Dr GELLATLY:** So between \$80,000 and \$104,000?

**The Hon. GREG PEARCE:** Yes, an average of, say, \$92,750. The cost to taxpayers of them would be roughly \$433 million a year; and if you take the 4,773 on \$104,000-plus, and I have just taken an average of \$120,000 a year, that is another \$572 million. So, on the 2001 figures, the top public servants alone are costing the taxpayers \$1.05 billion. Does that surprise you?

**Dr GELLATLY:** No, because basically the Government expends about \$35 billion on employees and roughly the full-time equivalent is about 280,000 employees, so if you added their bill up you are talking about a \$35 billion enterprise. That is a lot of money to manage.

**The Hon. GREG PEARCE:** I think some of the banks would be pretty congratulatory about a billion dollar staff cost. That is a direct cost.

**Dr GELLATLY:** The top limit for a chief executive officer [CEO] is about \$350,000. We are in the realms of the private sector and they are people who are running often \$6 billion and \$7 billion industries. In terms of private sector comparisons the top public servants are relatively underpaid but they do it for other reasons than just money: they like the jobs, they are doing a good public service; they are hard jobs and they are demanding, particularly with political pressures. I am saying that that sort of bill is quite reasonable for a public sector of that size.

**The Hon. GREG PEARCE:** A billion-plus for just the top—

**Dr GELLATLY:** \$35 billion in the whole sector.

**The Hon. GREG PEARCE:** Do any of your officers here know whether in fact this document is on the web for 2002, and can you find out when the 2003 figures will be there?

**Dr GELLATLY:** I do not know. I am sure it is up there. It has been finished and, as I say, we are working on the 2003 profile.

**The Hon. GREG PEARCE:** Do you know off the top of your head what the change between 2001 and 2002 would have been like?

**Dr GELLATLY:** No. I came prepared to answer questions on the budget.

**The Hon. GREG PEARCE:** Just in relation to the information collected in here, I note it is a very detailed specification and detailed list of information. I am wondering if you might be able to assist the Committee by giving us the various titles and salary levels of the senior public servants earning above \$105,000?

**Dr GELLATLY:** The 4,000?

**The Hon. GREG PEARCE:** Yes. It is quite detailed and it has all been collected. People can do wonderful things with information technology these days.

**Dr GELLATLY:** Part of the collection that was set up there was obviously a detailed survey that goes to each agency.

**The Hon. GREG PEARCE:** So it is going to each agency already?

**Dr GELLATLY:** There is a survey which goes to each agency to collect the information. That is returned usually in an aggregated form, not with the individual data entries. They will give us in each of the fields how many are in the different groups. But it would not have the titles and that sort

of thing. They would give an answer to the survey question but they would answer a question about a particular field and would put the number in; they would not put in all the individual details. That is how we do surveys like that.

**The Hon. GREG PEARCE:** But they collect it, this is the format?

**Dr GELLATLY:** The individual agencies will obviously know the titles for each of those categories.

**The Hon. GREG PEARCE:** I am sure the public will be very interested. Would it not be reasonably easy to have the agencies send you in that information?

**Dr GELLATLY:** I am not clear why. We are doing a workforce profile survey which we initiated about three years ago so we have an accurate picture of what the public sector is doing because one of the concerns we have is about the ageing of the workforce; we need to know the various categories and various characteristics. So we initiated this survey about three years ago, I think. As I said, a survey form goes out to each agency and they send the information back in and it is kept confidential for privacy reasons and so on.

**The Hon. GREG PEARCE:** I understand the confidentiality for privacy reasons. What I am getting at is that I think a lot of people in the community, and certainly I, would be very interested to know what you are spending a billion dollars on. If you collected the information, or the department and agencies have collected the information, I do not see why you would not be able to make it public. You have made the report public.

**Dr GELLATLY:** But I am trying to explain, we have not got that individual information, all the details of each position. Every agency's annual report has to show how many people they have in the different categories. For every SES I think above level 5 there has to be a performance report that is included in the annual report. All the agencies, including SOCs and everyone, have structures of their agencies which will identify the senior positions. It is not as if those structures of the senior executive positions in all agencies are secret. The *Government Gazette* prescribes all the SES positions and all the other agencies put it in their annual report.

**The Hon. GREG PEARCE:** What you have just told us is that each agency has this information already collected on a computer disk, or however they store it, and what I am asking is why you cannot obtain that information from each of the agencies and make it public without breaching any of the privacy requirements. If the information is there, it has been collected, and it is sitting on the computers in the various agencies, why do you not want to disclose it?

**Dr GELLATLY:** It is not a matter of not wanting to disclose it. I think I will have to double check but my understanding is that there is a cell in the survey that says, "How many staff have you" —

**The Hon. GREG PEARCE:** I have got the survey here if you want to see it.

**Dr GELLATLY:** I did not come prepared for this sort of questioning on that sort of issue. Can I have a look at it please?

**The Hon. PETER PRIMROSE:** Mr Chairman, my understanding is that this committee is required to provide a report this week and that any information that was made available would have to be made available by no later than nine o'clock on Wednesday. So even though the honourable member is clearly not getting through in terms of what collation of information means, we still have the nine o'clock Wednesday restriction when all the answers to all this information will have to be made available.

**The Hon. GREG PEARCE:** I would be quite happy for Dr Gellatly to take the question on notice and provide to the Committee either an explanation as to why this information cannot be made public, or the information I requested, which is the titles and salary levels of all of those in the top band of the report.

**Dr GELLATLY:** I am happy to take it on notice. But my first look at this is that all of this has a coding in the format about the type of employment category. It does not specify the title of the position or anything like that.

**The Hon. GREG PEARCE:** It does further on, I think. But I do not want to debate that with you. If I could have an indication of the time it will take you to look at that.

**CHAIR:** To clarify that, is this information on the agency's web site? Would they have that on their own web site?

**The Hon. GREG PEARCE:** That is as I understood from Dr Gellatly's earlier answers.

**Dr GELLATLY:** It is certainly in their annual reports.

**CHAIR:** So the information is available?

**Dr GELLATLY:** The information is available in annual reports, in which people put their structures and the titles of all the positions in their senior executive.

**The Hon. GREG PEARCE:** I think we understand that.

**CHAIR:** I just need to be clear whether the witness has to provide information or whether the member has access to those web sites to look at it.

**The Hon. GREG PEARCE:** I do not think we do, because it has been done in a format where it has been collected and then sent to the Premier's Department. It has not been put on the individual web sites, from what I can tell. But that would be an easy solution.

**Dr GELLATLY:** Might I reiterate that my understanding is that the information we have collected has been subject to privacy provisions. So we are clearly bound by those. That is why we publish the aggregates. Like most surveys, censuses and so on, which do not publish the individual details, you publish the aggregates for that cell.

**The Hon. GREG PEARCE:** I am happy for you to take it on notice and give us your response.

**Dr GELLATLY:** But I am not sure what I am taking on notice.

**CHAIR:** That is why I asked the question. Each agency has that information?

**Dr GELLATLY:** If they are senior executive positions, and who are employed in them, yes.

**CHAIR:** It is not in the Premier's Office.

**The Hon. GREG PEARCE:** It is more than the SES. It is those listed in the top category of the survey result. And, if the answer is that there are privacy considerations in relation to those other than SES, then that is the answer. But I would like an answer.

**Dr GELLATLY:** I will take it in that spirit: that, if there are privacy considerations, that will be the answer.

**The Hon. GREG PEARCE:** Mr Wilkins, can I ask you whether you have heard of the term "SES look-alikes"?

**Mr WILKINS:** No.

**The Hon. GREG PEARCE:** Having heard the description given tonight, and having heard Dr Gellatly identify one in his department, are there any similar people who come to mind in Cabinet?

**Mr WILKINS:** No.

**The Hon. CATHERINE CUSACK:** Did you receive the questions on notice that I sent via the Committee—questions relating to a number of issues to be raised here this evening?

**Mr WILKINS:** Yes.

**Dr GELLATLY:** Which ones?

**The Hon. CATHERINE CUSACK:** It was in my letter.

**Mr WILKINS:** I think we did.

**The Hon. JAN BURNSWOODS:** Mr Chair, can I make the point, which I have made at several previous hearings, that they are indicative questions to help the witnesses prepare for this hearing; they are not questions on notice, with the status of questions that the Committee might, for instance, put on notice as of today. I think some witnesses have not been clear on that distinction.

**The Hon. CATHERINE CUSACK:** I might clarify, though, that there was a resolution of the Committee that these questions be forwarded in order to assist witnesses to prepare for this hearing. That is why they were sent through. Have you had an opportunity to prepare responses to those questions? I might ask Mr Wilkins first.

**CHAIR:** Have you got a copy of the questions?

**Mr WILKINS:** Yes.

**The Hon. CATHERINE CUSACK:** Would you mind making those available to the Committee?

**Mr WILKINS:** I will read them out if you like.

**Dr GELLATLY:** Can we check what area you are talking about?

**CHAIR:** The member will ask the question and the witness will answer the question.

**The Hon. CATHERINE CUSACK:** For each of your portfolio agencies, how much was spent on media monitoring by Reham Australia Monitoring Services, as outlined in the Premier's Department circular 2002-03?

**The Hon. JAN BURNSWOODS:** I would like five cents for every time this question has been asked. We would all be very rich!

**The Hon. CATHERINE CUSACK:** Excuse me. I have offered the witnesses the opportunity to table the answer, and you specifically asked that it be read it.

**The Hon. JAN BURNSWOODS:** No, I did not.

**Mr WILKINS:** I did.

**CHAIR:** Have you been able to identify the basis of the question?

**Mr WILKINS:** Yes. We purchased services to the value of \$585.20 from Reham in 2002-03. Broadcast Monitoring Services were obtained from the media monitoring unit in the Premier's Department.

**The Hon. CATHERINE CUSACK:** Can I ask the same question of Dr Gellatly?

**Dr GELLATLY:** The Premier's Department spent \$270 on services provided by Reham. The Premier's Office spent \$215,800 on services provided by Reham.



**The Hon. CATHERINE CUSACK:** Does that include funds expended by Mr Fitzmaurice's unit?

**Dr GELLATLY:** Yes. They are included as part of the Premier's Department.

**The Hon. CATHERINE CUSACK:** All Ministers' officers who have been asked this question have indicated that the Reame media monitoring they received has been funded by the Premier's Department. I am sorry, but did you give me the figure of \$290?

**Dr GELLATLY:** No. For the Reame contract, which was set up for radio and television across the whole sector, there are 120 clients. The total expenditure is \$3.2 million by the Government, with an average per client of \$26,000. That contract, I should say, was put in place because it enabled some buying power and some better rates across the sector.

**The Hon. CATHERINE CUSACK:** Did you estimate what the expenditure was prior to that new arrangement?

**Dr GELLATLY:** No.

**The Hon. CATHERINE CUSACK:** How many clients did you say?

**Dr GELLATLY:** One hundred and twenty.

**The Hon. CATHERINE CUSACK:** Does that include all ministerial offices?

**Dr GELLATLY:** Yes.

**The Hon. CATHERINE CUSACK:** In relation to public relations and media staff, for each of your portfolio agencies how many media or communications advisers were employed as officers of the department?

**Dr GELLATLY:** None in the Premier's Department.

**Mr WILKINS:** None.

**The Hon. CATHERINE CUSACK:** Returning to the earlier question: Can you table the list of 120 clients for Reame Media Monitoring Service?

**Dr GELLATLY:** Yes, we can table that.

**The Hon. CATHERINE CUSACK:** Would that be possible in the next day?

**Dr GELLATLY:** Yes.

**The Hon. GREG PEARCE:** Dr Gellatly, at the estimates hearing the Hon. Duncan Gay asked the Premier a number of questions in relation to the salary packages of Mr Walt Secord, Ms Amanda Lampe and Mr Graeme Wedderburn, and the response was that you make those determinations.

**Dr GELLATLY:** Yes.

**The Hon. GREG PEARCE:** Can you now answer the question as to what are the salaries for Mr Walt Secord, Ms Amanda Lampe and Mr Graeme Wedderburn?

**Dr GELLATLY:** Walt Secord is \$178,218, Amanda Lampe is \$155,303, and—

**The Hon. GREG PEARCE:** Can you also answer the same question for Jim Maher, Nino Tesoriero and Ben Wilson?

**Dr GELLATLY:** No. They are not in the Premier's Department or the Premier's portfolio.

**The Hon. GREG PEARCE:** So you do not determine their salaries?

**Dr GELLATLY:** Yes, I do, because they are special temporary employees under the Public Sector Management Act, and I sign off on their salaries. Graeme Wedderburn's is \$204,512.

**The Hon. GREG PEARCE:** I am sorry, but I did not quite understand. You said that for Jim Maher, Nino Tesoriero and Ben Wilson you did determine their salaries.

**Dr GELLATLY:** I sign off on them when they are forwarded through by the chief of staff of their ministerial office. But I was not given any notification that they were expected of me. The only questions I was asked were about the Premier's Office.

**The Hon. GREG PEARCE:** Could you take that on notice?

**Dr GELLATLY:** Yes.

**The Hon. GREG PEARCE:** How long would it take to get those answers?

**Dr GELLATLY:** You can have them tomorrow.

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

**Ms LEE RHIANNON:** Last week, papers relating to the ports growth plan were delivered from the Premier's Department to the Legislative Council. The papers include an email about the port strategy which says that the strategy should be considered by an infrastructure committee on September 3 and by the budget committee on October 15. Did Premier Carr announce the policy before it was considered by the budget committee?

**Dr GELLATLY:** I did not have anything to do with the timing of meetings. I am not sure who the email is from.

**Ms LEE RHIANNON:** Are any of the departmental officers here who are able to assist?

**Mr WILKINS:** This goes into Cabinet process, which I do not feel able to get into. I think you would have to address those questions to the Premier, as the chair of Cabinet. I am not prepared to answer the question.

**Ms LEE RHIANNON:** I will rephrase the question. Did Premier Carr announce the plan before it was finished?

**Mr WILKINS:** I am not sure that I understand that question. Policies evolve, or are developed, over a period of time. What do you mean by "finished"?

**Ms LEE RHIANNON:** We have had difficulty in obtaining the ports growth plan. Did the Premier make that announcement before the ports growth plan, to which the first term of reference of the Standing Committee on State Development refers, was finalised in a form that could be released to the public?

**Mr WILKINS:** I think you would have to address that question to the Premier, rather than to us. Whether or not you consider a plan to be at a stage where it can be publicly announced is a matter of judgment for politicians in a policy context.

**Ms LEE RHIANNON:** The papers include emails in which a senior official, Chris Wilson, expresses concerns about the plan and the Cabinet minute. Mr Wilson says that the Booz Allen and Hamilton report was primarily a financial analysis and that it did not contain a strategic, economic analysis. He said that the broader social and environmental outcomes have not been addressed and that a failure to do this could compromise attempts to consider the development application and environmental impact statement for Port Botany. Has the Premier's Department sought to rectify this by commissioning a full economic, social and environmental analysis of Port Botany?

**Mr WILKINS:** There are two things about that. Firstly, it does not really concern the Premier's portfolio per se. It is really a question that would be better addressed to other portfolios or other Ministers. Secondly, it goes to questions of Cabinet deliberation, and I am not in a position to answer questions about what Cabinet did or did not deliberate about.

**CHAIR:** Ms Rhiannon, I have just been advised by the Committee Clerk that you need to ensure that the material given to the inquiry has been authorised to be made public.

**Ms LEE RHIANNON:** I was referring only to the terms of reference of the Standing Committee on State Development and nothing else. The material I was referring to is not under privilege; it has been publicly released.

Dr Gellatly, the papers I received included emails from you in which you expressed concerns about the plan and the Cabinet minute. You agree with Mr Wilson that the Booz Allen and Hamilton report does not consider all the issues, and you say that developing Port Botany will create further population, traffic and other environmental pressures. Has the Premier's Department made any response to these concerns?

**Dr GELLATLY:** Firstly, I would like to see the emails that have been quoted from. As Mr Wilkins has indicated, the final decisions on these are made in the Cabinet process. As always in these discussions there are comments between different portfolio staff, but the decision is made by Cabinet based on the submission by a Minister and discussion at that level.

**CHAIR:** Ms Rhiannon, do you have a copy of the email to clarify that?

**Ms LEE RHIANNON:** No, I do not, but I can ask one of my staff to obtain it.

**CHAIR:** It seems unclear whether it originated from Dr Gellatly.

**Ms LEE RHIANNON:** Yes, it is an email from Dr Gellatly. I will obtain the documents so the matter can be clarified.

**The Hon. JAN BURNSWOODS:** Mr Chair, I also would like to be certain that the papers, which were presumably tabled under Standing Order 18, have been made public. If Ms Rhiannon is going to get her staff member to produce the email, perhaps in the meantime one of the Clerks could check the wording. Orders for papers are not normally made public.

**Ms LEE RHIANNON:** Yes, they are.

**The Hon. JAN BURNSWOODS:** Sometimes they are, and sometimes they are not.

**Ms LEE RHIANNON:** In this case I was told that there were no documents under privilege. I have a lot more questions on the matter, so I will ask my staff to produce the documents.

**The Hon. JAN BURNSWOODS:** I would like the other matter clarified before we go down a path—

**CHAIR:** The Committee Clerk could check whether it was part of the motion that the documents be tabled.

**Ms LEE RHIANNON:** I will resume questions on this matter later.

**The Hon. CATHERINE CUSACK:** Mr Fitzmaurice, I understand there is a *Ministers Handbook* in addition to the *Ministers Office Administration Handbook*, is that correct?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** Are you able to make the *Ministers Handbook* available to the Committee?

**Mr FITZMAURICE:** It is a publication of the Cabinet Office.

**Mr WILKINS:** It is partly a publication of the Cabinet Office. I think it is in the Parliamentary Library.

**The Hon. CATHERINE CUSACK:** Is it possible to make the handbook available to the Committee?

**Mr WILKINS:** I imagine so.

**The Hon. CATHERINE CUSACK:** Mr Fitzmaurice, for how long have you held your current position?

**Mr FITZMAURICE:** Approximately seven years.

**The Hon. CATHERINE CUSACK:** You were formerly employed on the private staff of the Premier when he was Minister for the Environment, is that correct?

**Mr FITZMAURICE:** No.

**The Hon. CATHERINE CUSACK:** Did you work on the Premier's ministerial staff?

**Mr FITZMAURICE:** No.

**The Hon. CATHERINE CUSACK:** The Independent Commission Against Corruption [ICAC] states in its report that you did work on the Premier's ministerial staff or were seconded to his ministerial staff for a four-month period at one stage.

**Mr FITZMAURICE:** No, I have never worked on the Premier's private staff.

**The Hon. CATHERINE CUSACK:** Can you assist me by reconciling the ICAC's description with the fact that you say you did not work on the Premier's staff?

**Mr FITZMAURICE:** They got it wrong.

**The Hon. CATHERINE CUSACK:** You have only ever had a professional relationship with the Premier, is that right?

**The Hon. JAN BURNSWOODS:** What sort of relationship are you talking about?

**The Hon. CATHERINE CUSACK:** As opposed to a political relationship.

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** I show you a campaign publication issued by the Premier's Department during the 1988 State election. Do you agree that the publication shows a photograph of you and your wife?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** That would be a political publication, would you agree?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** If you have never had any political relationship with the Premier, can you explain how you came to be in that photograph in a political publication?

**The Hon. PETER PRIMROSE:** Can you also explain your relationship, how you direct your wife to do things, and whether she is totally responsible to you for her political activities?

**CHAIR:** You may take the question as applying to your participation in the photograph; we will not involve your wife.

**Mr FITZMAURICE:** From my recollection, that photograph was taken outside work time. What I do in my non-work time is a matter for me.

**The Hon. CATHERINE CUSACK:** So there is some political relationship outside work time?

**Mr FITZMAURICE:** I am not sure what you mean by "political relationship".

**The Hon. CATHERINE CUSACK:** Involvement in a political campaign on behalf of the Premier.

**Mr FITZMAURICE:** I was never involved in a political campaign for the Premier directly.

**The Hon. CATHERINE CUSACK:** This photograph would suggest that you were involved in a photograph as part of the Premier's political campaign.

**Mr FITZMAURICE:** What was the date of that publication?

**CHAIR:** I think the witness should have an opportunity to check the document. We assume it is genuine.

**The Hon. CATHERINE CUSACK:** I show you the document.

**Mr FITZMAURICE:** It is dated 1988. It predates my appointment to the Premier's Department.

**The Hon. CATHERINE CUSACK:** Have you recently visited the New South Wales Government's United Kingdom office?

**Mr FITZMAURICE:** No.

**The Hon. CATHERINE CUSACK:** Have you been undertaking a number of overseas trips as part of your official activities?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** Can you indicate to us how many you have had in the past 12 months?

**Mr FITZMAURICE:** Perhaps the best thing to do, Chair, would be to refer to the annual report of the Premier's Department, which lists my overseas travel for the period of the financial year ending 30 June.

**Dr GELLATLY:** Can I just indicate that, as Mr Fitzmaurice has said—and it is mentioned in the annual report—he has had three trips during the year 2002-03. They are part of the Fiji Government's civil service reform project that we have been doing with AusAID. The cost of those trips is provided by AusAID, particularly the work that has been going on with the senior executive development project that we have had with AusAID in Fiji.

**The Hon. CATHERINE CUSACK:** Does any of this relate to trade and investment?

**Dr GELLATLY:** No. It is basically capacity building for the public sector of Fiji and is part of the AusAID project.

**The Hon. CATHERINE CUSACK:** Mr Fitzmaurice, would you be expecting to be taking up a position shortly in the UK office of the New South Wales Government?

**Mr FITZMAURICE:** I have that expectation, Ms Cusack, but I would not want to prejudice the opportunity I do have because certainly no formal offer has been made and I certainly have not signed anything.

**The Hon. CATHERINE CUSACK:** Do you have information in relation to the budgets of ministerial offices?

**Mr FITZMAURICE:** Not on me, no.

**The Hon. CATHERINE CUSACK:** Do you have a global figure of the Government's expenditure on ministerial offices?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** Would you provide that for us?

**Mr FITZMAURICE:** Is that for 2002-03 or 2003-04?

**The Hon. GREG PEARCE:** Do both.

**Mr FITZMAURICE:** The total figure for the ministry, as approved by the budget committee for 2002-03, was \$35,911,688.

**The Hon. GREG PEARCE:** Is that \$35 million?

**Mr FITZMAURICE:** Correct.

**The Hon. GREG PEARCE:** That is the figure, I assume, that appears in Budget Paper No. 3, Volume 1, page 2-51 beside "Net cost of services" under program 4.1, "Services for Administration of Government". Is that that figure?

**Mr FITZMAURICE:** No.

**Dr GELLATLY:** Can I just expand on the allocation. It varies, according to whoever the host agency is for the Minister. In the Premier's Department budget, we are the host agency for 10 Ministers plus the Premier. The other agencies have different host agencies. So the allocation for a ministerial office is then included in the host agency budget. So in our budget we only have—we have the Leader of the Opposition included in ours, too.

**The Hon. GREG PEARCE:** The Leader of the Opposition is shown on a separate page so that is very easy to follow. What I am trying to get to are the 10 ministries that you have just described and the figure for each of those ministries—if you could take us through those, unless you have that figure with you. Within the overall figure that Dr Gellatly has just described, the 10 ministries plus the Premier makes 11. What is the individual budget for each of those 11 ministries?

**Mr FITZMAURICE:** I would have to give you the estimates for 2003-04.

**The Hon. GREG PEARCE:** Of course, yes.

**Mr FITZMAURICE:** Because we were not the host agency for the 10 Ministers.

**The Hon. GREG PEARCE:** But you can give us the actual for 2002-03 for each of the 11 ministries and the budget for 2003-04.

**Mr FITZMAURICE:** That is 2003-04?

**The Hon. GREG PEARCE:** Yes, 2003-04.

**Mr FITZMAURICE:** Perhaps if I can just give you the estimates for 2003-04. The Premier's office is \$5,964,807, the Special Minister of State is \$2,191,767, Minister Hickey is \$1,218,870, Justice is \$1,294,733, Juvenile Justice is \$1,473,326, Agriculture is \$1,562,751, Regional Development is \$1,581,232, Rural Affairs is \$1,667,130, Tourism and Sport and Recreation, and Women is \$1,894,294.

**The Hon. GREG PEARCE:** That is nine, unless I missed one.

**Mr FITZMAURICE:** The Minister for Community Services is \$1,837,976.

**The Hon. GREG PEARCE:** That is 10, including Premier's, so there is still one more.

**Mr FITZMAURICE:** Did I do the Special Minister of State?

**The Hon. GREG PEARCE:** Yes. You gave us Premier's, Special Minister of State, Hickey, Justice, Juvenile Justice, Agriculture, Regional Development, Rural Affairs, Tourism and Sport and Recreation, and Community Services, so there is one more.

**Mr FITZMAURICE:** Energy and Utilities is \$1,637,886.

**The Hon. GREG PEARCE:** Does that sheet that you have there include the breakdown as to the number of staff of each of those ministerial offices?

**Mr FITZMAURICE:** No.

**The Hon. GREG PEARCE:** Can you obtain that information for us?

**Mr FITZMAURICE:** Yes.

**The Hon. GREG PEARCE:** Would you be able to do that by tomorrow?

**Mr FITZMAURICE:** I should be able to tell you. Yes, I can do it by tomorrow.

**CHAIR:** You will take that on notice, unless you have got it there already?

**The Hon. GREG PEARCE:** If you have got it there, you can just scoot through them.

**Mr FITZMAURICE:** Premier, 29. Perhaps it would be easier if I go through the Cabinet?

**The Hon. GREG PEARCE:** Yes, that would be easier.

**Mr FITZMAURICE:** The Deputy Premier, 13; the Treasurer, 14; Minister Della Bosca, 12; Minister Knowles, 15; Minister Debus, 14; Minister Scully, 14; Minister Iemma, 11; Minister Costa, 15; Minister Watkins, 12; Minister Tebbutt, 13; Minister Sartor, 9; Minister Nori, 12; Minister Kelly, 10; Minister Campbell, 9; Minister Macdonald, 10; Minister Beamer, 8; Minister Meagher, 7; Minister Hatzistergos, 6; Minister McBride, 7; Minister Hickey, 6, and that makes a total of 246.

**The Hon. CATHERINE CUSACK:** Do those figures include staff and resources for Parliamentary Secretaries?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** Are they allocated to a cost centre by each Minister's office or are they a separate cost centre?

**Mr FITZMAURICE:** They are paid for out of the allocation to the Minister's office—no additional funds.

**The Hon. CATHERINE CUSACK:** And do those figures you have just given us include the cost of ministerial vehicles?

**Mr FITZMAURICE:** The dollar figures?

**The Hon. CATHERINE CUSACK:** Yes?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** Do they include the cost of rent for the offices?

**Mr FITZMAURICE:** Yes.

**The Hon. CATHERINE CUSACK:** Can you tell us what component would be a staff cost?

**Mr FITZMAURICE:** Yes. Would it be best if I go through the list?

**The Hon. GREG PEARCE:** Yes, I think so.

**Mr FITZMAURICE:** Premier's Office, \$3,011,087—

**CHAIR:** These are the staff costs?

**The Hon. CATHERINE CUSACK:** Yes, applying to ministerial offices.

**Mr FITZMAURICE:** Deputy Premier, \$1,202,145; Treasurer, \$1,488,370; Special Minister of State, \$1,259,390; Minister Knowles, \$1,545,615; Minister Debus, \$1,516,993; Minister Scully, \$1,259,390; Minister Iemma, \$1,030,410; Minister Costa, \$1,202,145; Minister Watkins, \$1,173,523; Minister Tebbutt, \$984,614; Minister Sartor, \$830,053; Minister Nori, \$1,059,033; Minister Kelly, \$961,716; Minister Campbell, \$778,532; Minister Macdonald, \$830,053; Minister Beamer, \$801,430; Minister Meagher, \$618,246; Minister Hatzistergos, \$572,450; Minister McBride, \$606,797; and Minister Hickey, \$515,205.

**The Hon. GREG PEARCE:** Can I just clarify with you whether the figures you have just read out are the raw salary figures or do they include superannuation?

**Mr FITZMAURICE:** They are employee related.

**The Hon. GREG PEARCE:** That is the total. Do those staff numbers include the entire Minister's office, including receptionists and so on, or merely advisers?

**Mr FITZMAURICE:** That is everyone.

**The Hon. GREG PEARCE:** The drivers?

**Mr FITZMAURICE:** No.

**The Hon. GREG PEARCE:** Not the drivers?

**Mr FITZMAURICE:** No.

**The Hon. GREG PEARCE:** How are those salaries decided? Are they decided by Dr Gellatly?

**Dr GELLATLY:** Yes, we have a structure. We have various levels for the ministerial officers and similarly for the Leader of the Opposition.

**The Hon. GREG PEARCE:** They are the same, are they?

**Dr GELLATLY:** There are similar gradings.



**Mr FITZMAURICE:** Yes.

**The Hon. GREG PEARCE:** Are they under an award?

**Dr GELLATLY:** They are a special determination under the Public Sector Employment and Management Act that the Director-General of the Premier's Department makes. There are some pay scales. There are seven grades. The first is the Minister's staff 1, which is administrative assistant; Minister's staff 2, which is assistant advisory, executive assistant and senior administrative assistant—

**The Hon. GREG PEARCE:** What were those rates?

**Dr GELLATLY:** Minister's staff 1, \$30,000 to \$40,000; Minister's staff 2, which is assistant advisory, executive assistant and senior administrative assistant, \$40,000 to \$60,000; Minister's staff 3, which is senior assistant, adviser and senior executive assistant, \$60,000 to \$75,000; Minister's staff 4, adviser, \$75,000 to \$90,000; Minister's staff 5, senior adviser, \$90,000 to \$110,000; and principal adviser and chief of staff with Minister's staff, grades 6 and 7, which are determined by the Director-General of the Premier's Department based on individual situations. What we have attempted to do is to try to bring some consistency and some structure into that with the development of the seven grades, so that when staff come into the various offices, they slot into a grade that is consistent across offices.

**The Hon. GREG PEARCE:** Are the grade 6 and grade 7 positions SES contracts?

**Dr GELLATLY:** No. They are still under the special employee, I think it is called—

**The Hon. GREG PEARCE:** They are not SES lookalikes?

**Dr GELLATLY:** Yes, you could—I mean, they are a period-of-contract employment that lasts while that Minister is still in the position, so they are a short-term, temporary employment, which is obviously part of any employment arrangements.

**The Hon. GREG PEARCE:** Can you give us a global figure for the numbers of grade 6 and grade 7?

**Dr GELLATLY:** Minister's staff 7, there are 21; Minister's staff 6, there are 16; Minister's staff 5, there are 21; Minister's staff 4, there are 62; Minister's staff 3, there are 56; Minister's staff 2, there are 57; and Minister's staff 1, there are 13, adding up to 246, which is consistent with the amount that the budget has provided for.

**The Hon. GREG PEARCE:** On those categories 6 and 7, are there 21 category 7s?

**Dr GELLATLY:** Yes. Given there are 21 Ministers, there are 21 chiefs of staff.

**The Hon. CATHERINE CUSACK:** In relation to the other 10 ministerial offices, details of which were not obtained in the earlier answer, I understand that all of their budgets are actually approved by MAPS and that all ministerial staff are regarded as employees of the Premier's Department. Is it possible to get information about those other 10 ministerial offices?

**Dr GELLATLY:** In what regard? The allocations are approved by the budget committee. We administer them as the host agency.

**The Hon. CATHERINE CUSACK:** How can we get details of the allocations for those 10?

**Dr GELLATLY:** You have been given the total allocations and also the amount of remuneration already.

**The Hon. GREG PEARCE:** My colleague is asking about the 10 ministries that fund their own ministerial offices. Mr Fitzmaurice has given the staff numbers and the budgets for the 21 Ministers.

**Dr GELLATLY:** I am not sure what you are after.

**CHAIR:** Mr Fitzmaurice went through the whole Cabinet.

**The Hon. CATHERINE CUSACK:** I apologise. We were given the staff costs for the 21 Ministers, not the total.

**Dr GELLATLY:** Yes, you were given the total costs too.

**The Hon. CATHERINE CUSACK:** Was that \$35 million for the 21 ministerial offices.

**Dr GELLATLY:** Correct. We read out the total budgets.

**The Hon. GREG PEARCE:** Mr Fitzmaurice read out the total budgets for the 11 Premier's offices, and then read out the salary budgets for the 21 ministerial offices.

**Dr GELLATLY:** You want the other 10?

**The Hon. GREG PEARCE:** Yes, that is what we are after. Mr Fitzmaurice would you be able to run through those.

**Mr FITZMAURICE:** Could I clarify that? Are you asking about 2003-04?

**The Hon. GREG PEARCE:** I will come back to 2002-03 later.

**Mr FITZMAURICE:** So, I will speak to 2003-04?

**The Hon. GREG PEARCE:** Yes, the current budget.

**Mr FITZMAURICE:** Who do you not have?

**The Hon. GREG PEARCE:** We have Premier, Special Minister of State, Minister Hickey, Justice.

**Mr FITZMAURICE:** Perhaps I could go through the column again.

**The Hon. GREG PEARCE:** That would probably be the fastest way of doing it.

**Mr FITZMAURICE:** Total for 2003-04: Premier, \$5,964,807; Deputy Premier, \$2,082,149; Treasurer, \$2,416,156; Della Bosca, \$2,191,767; Minister Knowles, \$2,453,287; Minister Debus, \$2,406,839; Minister Scully, \$2,185,518; Minister Iemma, \$1,921,468; Minister Costa, \$2,056,222; Minister Watkins, \$1,932,914; Minister Tebbutt, \$1,837,976; Minister Sartor, \$1,637,886; Minister Nori, \$1,894,294; Minister Kelly, \$1,667,130; Minister Campbell, \$1,581,232; Minister Macdonald, \$1,562,751; Minister Beamer, \$1,473,326; Minister Meagher, \$1,238,225; Minister Hatzistergos, \$1,294,733; Minister McBride, \$1,235,142; and Minister Hickey, \$1,218,870.

**The Hon. GREG PEARCE:** In relation to each budget figure, into what categories do you break them?

**Mr FITZMAURICE:** "Employee related", "Accommodation" and "Other operating".

**The Hon. GREG PEARCE:** Would you take me through the two other categories, the budget figures for accommodation and other operating expenses for each ministry?

**Mr FITZMAURICE:** Minister Carr, accommodation, \$1,313,230; Deputy Premier \$478,514, Treasurer \$438,296.

**CHAIR:** If that document is not confidential perhaps copies can be made for the Committee. Does it contain other information?

**Mr FITZMAURICE:** It does contain other information.

**The Hon. GREG PEARCE:** What other information does it have? I have already asked you whether it was broken down into other things.

**Mr FITZMAURICE:** I am in your hands Chair, I am happy to go through it. It lists "Employee related", "Accommodation", "Other operating" and "Total".

**Dr GELLATLY:** We could provide a list of the information tomorrow, in a tabular form.

**The Hon. GREG PEARCE:** That would be fine. Mr Fitzmaurice, I said I would like to come back to 2002-03 figures, the actuals. Were you able to locate those?

**Mr FITZMAURICE:** I do not have actual figures for the 21 ministries.

**The Hon. GREG PEARCE:** You do not have them with you, or they do not exist?

**Mr FITZMAURICE:** I do not have them with me. I would have to collect them from the various agencies.

**The Hon. GREG PEARCE:** Would you be able to do that tomorrow? It is very difficult to compare them.

**Mr FITZMAURICE:** I will try my best.

**CHAIR:** Are they the figures for 2002-03?

**The Hon. GREG PEARCE:** Yes, the actuals for 2002-03. To make it easy on all of us the same sheet would be the easiest thing, that is, employee costs, accommodation costs, other costs and the total. Will you take that question on notice and hopefully have it back to the Committee tomorrow?

**Mr FITZMAURICE:** Yes. I will do my best. It will require me to contact other agencies.

**The Hon. GREG PEARCE:** I expected you would have those figures centralised, given that you were working on the budget.

**Mr FITZMAURICE:** I have them for those for whom we are host agency.

**The Hon. GREG PEARCE:** You will have to contact the other 10?

**Mr FITZMAURICE:** Yes.

**The Hon. GREG PEARCE:** Dr Gellatly, was the Premier's trip to New Zealand in June 2003 organised through the Premier's Department, Office of Protocol and Special Events?

**Dr GELLATLY:** Do you have the dates?

**The Hon. GREG PEARCE:** In the earlier estimates hearing, the Premier said his only official visit in 2002-03 was to New Zealand in June 2003, I am not sure which days.

**Dr GELLATLY:** I think if I recall correctly, the Premier's answer was that he was invited to address the University of Otago, Foreign Policy School.

**The Hon. GREG PEARCE:** He did not say "Foreign Policy School", but it was the University of Otago.

**Dr GELLATLY:** I will take that on notice.

**The Hon. GREG PEARCE:** Would you be able to respond to that tomorrow?

**Dr GELLATLY:** Normally the Premier's trips are organised out of his office.

**The Hon. GREG PEARCE:** His personal office?

**Dr GELLATLY:** It depends on the category of the visit. I will check it.

**The Hon. GREG PEARCE:** It was only one visit. Do you know whether the cost of that trip was met by the University of Otago or whether part of it was met by the Government?

**Dr GELLATLY:** I will find out.

**The Hon. GREG PEARCE:** You will find out if a portion of the cost, or the whole cost, was incurred? Would it be possible to break down the cost, if in fact the State paid for it, into travel costs, accommodation costs and incidentals?

**Dr GELLATLY:** Yes.

**The Hon. GREG PEARCE:** In relation to the staffing figures you gave us earlier, how are those figures worked out for Mr Secord and the others who were mentioned earlier? Are they again in that category?

**Dr GELLATLY:** They are a special determination. It is a practice that goes back to when I worked for previous Premiers. Premier Fahey had the same issue with his chief of staff, had an above-grades remuneration that was determined based on negotiation. Clearly, in those positions the individual circumstances need to be taken into account. So that has been the traditional way that they have been done for both sides of politics.

**The Hon. GREG PEARCE:** In relation to the media staff, as distinct from the chief of staff, are they in those five categories that you mentioned earlier or how are they determined?

**Dr GELLATLY:** They would be in the senior levels.

**The Hon. GREG PEARCE:** So they would all be level six, level seven?

**Dr GELLATLY:** The whole lot across all ministries. I would have to check on the numbers. I think I gave you the numbers that are in each category.

**Ms LEE RHIANNON:** Can I ask one of you about the relationship between the Premier's Department and the Powerhouse Museum? I would like to know about the relationship with regard to the oversight and the activities of the Powerhouse Museum.

**Dr GELLATLY:** From a broad point of view, the Powerhouse Museum is an agency under the Public Sector Management Act in terms of its employment relations. We would have interaction with it in terms of its employment of staff and any cross-sector industrial relations, employee relations issues.

**Ms LEE RHIANNON:** Do you know whether the Premier's Department, the Ombudsman or any other body is conducting or planning to conduct a full investigation into the problems and issues relating to the recent Treasures in Palestine show?

**Dr GELLATLY:** I am not aware of that.

**Ms LEE RHIANNON:** To ask more specific questions, in August 2003 the Powerhouse Museum officers submitted to management an exhibition proposal for the Treasures of Palestine. The proposal said that visitors should feel they are witnessing an otherwise unfamiliar side of the representation of Palestine that humanises the people, history and politics, and often-biased media coverage. The submission said:

The display will invite visitors to reflect on the unresolved Palestinian question.

Given these objectives, why did the Powerhouse Museum remove all photos and other materials depicting Israeli army soldiers and cut two documentary films from the show, leaving it as just a fashion, film and craft show with no political content?

**Mr WILKINS:** Can I answer that wearing another hat—which I was not invited here as—as Director General of the Ministry for the Arts? The fact of the matter is that the trustees considered this very carefully and decided that they were not going to become a political football in what is a very difficult and vexed issue. They decided that the material submitted to them included material that was highly controversial and inflammatory to some sections of the community and that it would be better if it were shown without that material. Therefore, they took the decision, in discussion with the proponents of the exhibition, to have certain parts of the exhibition excluded. It was clearly on the basis that they were a museum in terms of purveying technology, arts, crafts, design. They are not a political platform for anybody on whatever political issue. It was essentially a decision that the trustees made.

**Ms LEE RHIANNON:** Then why did the Powerhouse Museum director, Mr Kevin Fewster, tell *Lateline* on 18 November that lack of time and space had led to the show being culled but then, on the other hand, give a similar answer to what you have just given to the *Australian Jewish News* in an article on 17 October that said the changes were to ensure it was "free of political propaganda"? Which is correct?

**Mr WILKINS:** The latter is correct, so I have no idea why he said the former.

**Ms LEE RHIANNON:** Therefore, was it for political reasons that the museum management reduced the space allocated for the exhibition so that only the level three design gallery was used and not the surrounding annex and corridor? So all the reasons for the culling were to do with that factor?

**Mr WILKINS:** On the contrary, it was because they did not want to be involved in any political reasons. It was the avoidance of using the Powerhouse Museum, a forum funded by the taxpayers of New South Wales, as a political stage, if you like, on which an extremely vexatious political issue could be played out.

**Ms LEE RHIANNON:** Did the Israeli ambassador visit the Powerhouse Museum on the morning of 7 October?

**Mr WILKINS:** I have no idea.

**Ms LEE RHIANNON:** In your role can you take on notice and provide for the Committee a full list of informal and formal contacts made with Jewish, Israeli, Arabic and Palestinian organisations in connection with the preparation of this exhibition, including the places and times of all meetings, emails and phone calls?

**Mr WILKINS:** No, I cannot do that. Within any tractable time frame it would be impossible to figure that out, and I am not sure that there are records of all of those interactions. So I think that is an unreasonable request under the circumstances.

**Ms LEE RHIANNON:** Considering your explanation about why this decision was made, why was the *Australian Jewish News* the only community media organisation contacted more than one day in advance of the show?

**Mr WILKINS:** I have no idea whether that is true, and if it is true I have no idea why that was the case.

**Ms LEE RHIANNON:** Why did the Powerhouse Museum director, Kevin Fewster, tell the *Australian Jewish News* that he contacted Stephen Rothman, President of the Jewish Board of Deputies, but then tell *Lateline* that Stephen Rothman contacted him?

**Mr WILKINS:** I have no answer to that. I am not familiar with those different interviews or what Dr Fewster said.

**Ms LEE RHIANNON:** Considering that you have explained why the exhibition was cut back but it still went ahead, why was the exhibition still not advertised in the Museum's *Sydney Morning Herald* display advertisements on 22-23 November and 29-30 November?

**Mr WILKINS:** I do not know that.

**Ms LEE RHIANNON:** Do you think that there is a suggestion in that lack of usual procedure for the staging of an exhibition at the Powerhouse Museum suggesting that the exhibition was still downgraded even once the changes had been made?

**Mr WILKINS:** No. I think that is jumping to conclusions on the basis of very slim evidence. My understanding, having spoken to the chairman of the trust at the time some of these difficult decisions were being made, was that there was not any attempt to downplay it provided it was depoliticised; that it was actually an exhibition that concentrated on arts, crafts, design, et cetera; that there was no intention whatsoever of downplaying it. So I have no idea on what basis the museum made decisions to advertise or not to advertise, but in my experience they are decisions not made at the highest level. They are normally made by people who make some assessment about the appeal of particular exhibitions and how they are best purveyed to the public, how you can best advertise them and at what times you should advertise them. I do not think that is likely to have been at all influenced by political decisions.

**Ms LEE RHIANNON:** I take it from your comments, and there has been wider public comment about the fact that this exhibition has generated considerable comment, that all the feedback that has been and is being received on this exhibition by the museum's web site has been filed and responded to according to the correct procedures?

**Mr WILKINS:** The answer to that is twofold. I am not sure what are the protocols and procedures for the museum. That is an operational matter in which I, as head of the Ministry for the Arts, would rarely get involved. So far as whether or not they are actually responding to these things according to whatever protocols they have, I do not know the answer to that.

**Ms LEE RHIANNON:** Could you take that question on notice? It is just a process question that I believe comes under your responsibilities.

**Mr WILKINS:** So you are asking whether they are responding to correspondence?

**Ms LEE RHIANNON:** Are they responding to correspondence received by the web site? They have an interactive web site where you can give feedback. These days I understand that the usual process is that government departments give feedback to those responses that come via web sites and emails. Is all the feedback that has been and is being received on this exhibition by the museum's web site being filed and responded to according to the correct procedures?

**Mr WILKINS:** Can I just clarify that question? It is the Government's practice—and I am sure that Dr Gellatly will confirm this—that when information comes in that is in the nature of a letter or a piece of correspondence, whether it is by email or whether it is by letter, there is a response. If it is just a general comment it does not necessarily evoke a response, although I would imagine that it would be properly filed. I will find out what precisely has come in, in so far as we can do that by tomorrow, and I will find out what the responses have been. I will get whatever information I can.

**CHAIR:** It is really a question about whether or not they have been responded to.

**Mr WILKINS:** Yes.

**Ms LEE RHIANNON:** The question that I asked was whether the proper process was being followed.

**Mr WILKINS:** We will also find out what is the proper process.

**Ms LEE RHIANNON:** I return to the questions that I was asking earlier concerning papers that I received from the Premier's Department, which include emails and a note from the Premier's Department, Co-ordinator General's Unit, which is signed by Mr John Dermody. There is also a handwritten note which appears to be signed by Dermo, which I presume is Mr Dermody. Those documents have now arrived so I can hand them over to you. We also have the other documents that relate to them. That is what I would like to ask questions about.

**CHAIR:** Are those emails?

**Dr GELLATLY:** If they seem a bit different they were not from me; they were from—

**Ms LEE RHIANNON:** I will explain that when you see the documents. There is one document there from you.

**CHAIR:** Are you asking questions on each of those documents?

**Ms LEE RHIANNON:** I am asking questions about different documents.

**Dr GELLATLY:** There are a lot of news clippings.

**Ms LEE RHIANNON:** I was going to ask you a question about them. I find interesting the way in which you work out your documents. There are 134 news clippings, one issues paper, two draft plans, one final plan on a largely unrelated subject, one set of notes, one letter and six emails. While we are waiting for the documents to be photocopied I will ask you some other questions so as to save time.

**Dr GELLATLY:** I would prefer to have the documents in front of me.

**Ms LEE RHIANNON:** I wish to ask general questions about the folder that is in front of you while we are waiting for the other documents to be photocopied. As there is a large number of press clippings I was wondering whether those clippings are collated and filed on an ongoing basis for use in policy making and analysis, or did someone in your department put the clippings together in the seven days between 18 November and 25 November—18 November being the date when the papers were called for and 25 November being the day when the papers had to be handed over?

**Dr GELLATLY:** It is my understanding that at the time there is a call for documents by the Legislative Council whatever documents are on the files at that time are provided. There is no special collection of documents.

**Ms LEE RHIANNON:** I just read out an analysis of these documents. However, the 134 news clippings far outweigh the other few emails, notes and drafts that there are. In preparing a ports growth plan does the bulk of your work consist of collecting newspaper articles? Could you outline what role these newspaper articles play in developing your policy and strategy?

**Dr GELLATLY:** The short answer is no, I am not sure. You would have to analyse the package of material to see how many copies there are of the same document. I gather that the documents that were tabled were from the Premier's Department and the Department of Infrastructure, Planning and Natural Resources. I now have the documents.

**Ms LEE RHIANNON:** You can see among those documents an email from Mr Wilson who said that the Booz Allen Hamilton report was predominantly a financial analysis and that it did not contain a strategic economic analysis. He then said that the broader social and environmental outcomes had not been addressed and that a failure to do that could compromise attempts to consider the DA-EIS for Port Botany. Has the Premier's Department sought to rectify that by commissioning a full economic, social and environmental analysis of Port Botany?

**Dr GELLATLY:** The Premier's Department was not responsible for the port and freight strategy. Those are someone's comments—the comments of one official to another official. As Mr Wilkins said before, a policy of this nature is determined by Cabinet or by a committee of Cabinet.

**Ms LEE RHIANNON:** You forwarded an email from Greg McDowall. Greg McDowall agrees with Mr Wilson that the Booz Allen Hamilton report does not consider all the issues. He said that developing Port Botany would create further population traffic and other environmental pressures. Has any response been made by the Premier's Department to those concerns?

**Dr GELLATLY:** As I said, it is not our role to determine those sorts of policies. They are comments by officials and policy is determined by Cabinet.

**Ms LEE RHIANNON:** Considering you are involved in this email discussion, is that not part of your the work of your group?

**Dr GELLATLY:** The only comment I put on that is, "As discussed." I forwarded it on. I have not made any comments on a particular policy.

**Ms LEE RHIANNON:** You said "As discussed." What was discussed?

**Dr GELLATLY:** I asked him to receive it.

**Ms LEE RHIANNON:** That was the content of your discussions?

**Dr GELLATLY:** Yes. I just want to make it clear that it is not the role of the Premier's Department to have a major say in the policy of port freight strategy. Obviously, that is an issue for other Ministers, such as the Minister for Transport Services and the Minister for Infrastructure Planning and Natural Resources. They then take it to Cabinet. In any issue that is round at any time there are always officials around the sector who all have different views on parts of it. But the way the policy gets determined is by the Minister taking something to Cabinet.

**Ms LEE RHIANNON:** Let us explore what John Dermody has said. From press clippings it would appear that the Premier and the Premier's Department have had an input. John Dermody states in his email:

Because the Lower Hunter was not constrained by a coastal escarpment as Port Kembla is, I believe that it is the logical area for major future industrial development.

He stated further that Newcastle was seen as a favoured long-term option over Port Kembla and that an either/or choice could present between Port Kembla and Newcastle. Does the Premier's Department have a view about whether Port Kembla is a viable alternative port?

**Dr GELLATLY:** As I said earlier, the policy on the port and freight strategy and the relative roles of Sydney, Port Botany, Newcastle and Port Kembla are determined by Cabinet. It is not a matter of what are the views of Premier's Department officials.

**Ms LEE RHIANNON:** The document the Premier's Department talks about a ports growth strategy. Could you explain the relationship between the ports growth strategy and the ports growth plan that the Premier spoke about initially on 5 October at the Labor Party conference and about which he has spoken many times since?

**Dr GELLATLY:** They are really policy issues in which I have no direct involvement.

**Ms LEE RHIANNON:** Is there anybody else?

**Mr WILKINS:** I should say that that is entirely a matter for another portfolio. What you have here is advice from one department and the Premier's Department on a complex issue that engages the attention of a number of different administrations. The decision is eventually made by Cabinet after looking at a complex mix of advice, of which that is a bit. It is then a matter for the responsible Ministers to engage in. The Premier happened to announce it. That does not mean that it is a policy that he is going to administer. It is a policy by a group of Ministers, including the Minister for Transport Services and the Minister for Infrastructure and Planning, and Minister for Natural Resources. So, we are not in a position to answer some of the questions I expect you will raise on this issue.



**Ms LEE RHIANNON:** The reason I asked the questions is that large folder of material about the ports growth plan, which was what the release of documents called for, and that the Premier spoke about it. It would appear that the Premier has had an input into these matters and, therefore, to some extent—I appreciate not fully but to some extent—you would be able to answer.

**Mr WILKINS:** The Premier has an input into many issues but the Premier's Department or the Cabinet Office does not administer them all. We do not in detail administer them. It would be a false assumption to think that just because the Premier mentioned something we are responsible for administering it.

**Ms LEE RHIANNON:** I will come to some other aspects of the papers. The papers I received include emails inviting people to a meeting of the ports expansion investigation in July and a meeting of the ports strategy steering committee in August, but the papers do not contain any minutes of these meetings, any follow-up, any reports that produced any emails that were sent about the agenda of the meetings. Is it usual practice for meetings of this kind to be completely undocumented?

**Mr WILKINS:** I am not sure what these bodies are, actually. They sound like bureaucratic bodies of which there must be hundreds in the public sector. What their modus operandi is I am not quite sure. I would be surprised if we had a working group that met on an ongoing basis that did not take some sort of notes somewhere, but I am not familiar with the particular bodies you are talking about. They are not things that I think about on a constant basis.

**Ms LEE RHIANNON:** I appreciate that with a job like yours, but you just said it would be usual practice to take some notes. Therefore, you are saying it would be unusual for there to be no notes as a result of these meetings that were documented in the material that is included in these papers?

**Mr WILKINS:** There are a couple of things there. It depends what sorts of groups they are. If they are ongoing groups, meeting on a highly complex variety of tasks where they have to share work and come to some conclusion about how in common they will progress a certain issue, you would expect there to be some sort of agreement recorded at the end of the meeting. I have no idea how they work, what their modus operandi is. The second thing is, clearly they appear to be working towards some sort of Cabinet submission, so you may well find that the outcome of these committees is something that went to Cabinet, which is probably why you do not have it.

**Ms LEE RHIANNON:** The papers also include a letter inviting external consultants to produce a report on ports with an August deadline. Again, there is no paper trail for this. Was a consultant chosen?

**Dr GELLATLY:** I understand a consultant was chosen to do some work on it but it was not by the Premier's Department.

**Ms LEE RHIANNON:** Do you know who it was chosen by? What department does it come under?

**Dr GELLATLY:** No, I do not.

**Ms LEE RHIANNON:** Can you take the question on notice, please?

**Dr GELLATLY:** Yes.

**Ms LEE RHIANNON:** Do you know if the consultant provided a report?

**Dr GELLATLY:** No.

**Ms LEE RHIANNON:** Can you take that question on notice, please?

**Dr GELLATLY:** Yes.

**Ms LEE RHIANNON:** There is also reference to a financial analysis of ports by Booz Allen Hamilton. Is that analysis separate from the report I was just trying to find out about, or is Booz Allen Hamilton a different consultant from the consultant you said you understand was chosen?

**Dr GELLATLY:** I am sorry, I do not know. I would have to find out.

**Ms LEE RHIANNON:** If you could take that question on notice, please?

**Dr GELLATLY:** I will take that on notice.

**Ms LEE RHIANNON:** Could you also either inform the Committee or take on notice why the report was not released as part of the call for by the Legislative Council?

**Dr GELLATLY:** I think, as Mr Wilkins indicated, it could be part of Cabinet deliberations, which provides some privilege.

**Mr WILKINS:** The other thing is that when the Legislative Council calls for papers, a diligent search is done by the departments that are asked to produce the papers and an undertaking is given to the Legislative Council that we have been through due process to do that. Are you suggesting that somebody is holding something back improperly?

**Ms LEE RHIANNON:** I do not know, that is why I am asking the question.

**Dr GELLATLY:** I can give you an assurance that in the Premier's Department that has not been the case.

**Ms LEE RHIANNON:** Can you take it on notice the question about where the reports from the consultant and Booz Allen Hamilton—if Booz Allen Hamilton is not the consultant—can be obtained?

**Dr GELLATLY:** I will attempt to.

**Ms LEE RHIANNON:** So that question is on notice?

**Dr GELLATLY:** Yes.

**(Short adjournment)**

**Dr GELLATLY:** I was asked earlier about the official travel undertaken by the Premier in 2002-03 and I replied that he was invited to New Zealand. I was asked for the expenditure. I now have that information. The total expenditure on the visit was \$4,741.78. That was broken into \$122 for incidentals, such as taxis and so on; \$156.06 for accommodation; and \$4,463.72 for airfares for two people. As with any trip, Protocol facilitated the Premier's entrance and departure from Sydney, in terms of boarding the plane and so on, but as in all cases the Premier's private office was responsible for arranging the visit itinerary.

**CHAIR:** Did they meet all the costs? Were any costs shared with the university?

**Dr GELLATLY:** That was the Premier's expenditure.

**The Hon. CATHERINE CUSACK:** Returning to the issue of media monitoring and the Rehome contract, who signed that contract and who is responsible for it?

**Mr FITZMAURICE:** The State Contracts Control Board.

**The Hon. CATHERINE CUSACK:** Is that within the Premier's Department?

**Dr GELLATLY:** It is in the Department of Commerce because it was a sector-wide contract.

**The Hon. CATHERINE CUSACK:** So the department would administer it. Who would approve the terms of the contract?

**Mr FITZMAURICE:** I am not sure what you mean.

**The Hon. CATHERINE CUSACK:** I assume that the State Contracts Control Board would not come up with the idea and that it is being driven by a central agency.

**Mr FITZMAURICE:** Premier's Department.

**The Hon. CATHERINE CUSACK:** Who in the Premier's Department is responsible for it?

**Mr FITZMAURICE:** Ultimately the director-general.

**The Hon. CATHERINE CUSACK:** When was the contract put in place?

**Dr GELLATLY:** The Government commenced the contract on 1 July 2002. It was a sector-wide contract with Rehame Australia Monitoring Services for the provision of broadcast on radio and television monitoring services. As was just discussed, it was led by the State Contracts Control Board following an open tender process. The contract applies to any broadcast media monitoring services purchased from a commercial provider. There was a review at the end of the first year of the contract in June 2003 and the contract management board agreed to extend the contract until 30 June 2004.

**CHAIR:** How long have there been such contracts?

**Dr GELLATLY:** That was the first one in July 2002. Previously every agency or part of government had secured separate monitoring services. This contract was for radio and television. We thought it would be better and more efficient to have one overall contract because of the buying power. We could get better terms and save money across the sector.

**CHAIR:** Did the Premier's office have an individual contract prior to that?

**Dr GELLATLY:** It perhaps bought some services but there was no contract.

**CHAIR:** I understand that previous governments have been using the services for many years.

**Dr GELLATLY:** Yes.

**CHAIR:** They have been used as long as I have been here.

**Dr GELLATLY:** Yes, it is part of the infrastructure of the system.

**The Hon. CATHERINE CUSACK:** Does that contract apply simply to monitoring published information?

**Dr GELLATLY:** It relates to radio and television not the press.

**The Hon. CATHERINE CUSACK:** Would it involve attending a press conference, for example, and getting a direct transcript?

**Mr FITZMAURICE:** I would have to confirm the details but that is my understanding.

**The Hon. CATHERINE CUSACK:** So it could appear at a press conference and produce a transcript of that conference?

**Mr FITZMAURICE:** I would have to confirm that. I do not know the answer.

**The Hon. CATHERINE CUSACK:** Is there a similar contract for press clippings?

**Dr GELLATLY:** We are looking at that to see whether it would be worthwhile.

**CHAIR:** Is it possible for Reame to attend a press conference without being in the employ of the State Government?

**Dr GELLATLY:** Yes.

**The Hon. CATHERINE CUSACK:** It would be interesting to see what sort of demand there would be for those transcripts—apart from the State Government.

**CHAIR:** Reame takes a lot of initiative in news collecting.

**The Hon. CATHERINE CUSACK:** What is the current arrangement for media monitoring of press clippings?

**Dr GELLATLY:** For press monitoring services?

**The Hon. CATHERINE CUSACK:** Yes.

**Dr GELLATLY:** Ministers, offices, agencies and the Leader of the Opposition all engage commercial providers to provide press monitoring services. There is no sector-wide contract for clip services.

**The Hon. CATHERINE CUSACK:** All of the agencies we have asked about those arrangements have referred us back to the Premier's Department. Do you have the information?

**Dr GELLATLY:** Of press monitoring services paid out of the Premier's Department?

**The Hon. CATHERINE CUSACK:** Yes.

**Dr GELLATLY:** The Premier's Department is \$8,321. The Leader of the Opposition is \$64,953. The Premier's Office is \$23,269. Minister Tebbutt is \$17,000, Minister Hatzistergos \$2,298 and Minister Beamer \$6,127, a total of \$121,202.

**The Hon. JAN BURNSWOODS:** Could you repeat the figure for the Opposition Leader?

**Dr GELLATLY:** It is \$64,953.

**The Hon. JAN BURNSWOODS:** That is more than half the total.

**Dr GELLATLY:** That is Media Monitors, yes.

**The Hon. CATHERINE CUSACK:** Yes, that is the press clippings. Are the ministerial agencies that have referred us back to you actually reporting their expenditure on media clippings?

**Dr GELLATLY:** No.

**The Hon. CATHERINE CUSACK:** Do you have any suggestions as to why they have referred us back to you?

**Dr GELLATLY:** The Reame contract is a centralised one so they all have their own figures. But everyone takes their own individual actions in terms of press monitoring services.

**The Hon. CATHERINE CUSACK:** Are the agencies that you have nominated ones for which the media monitoring bill is being administratively paid out of the Premier's Department?

**Dr GELLATLY:** Yes, that is out of the Premier's Department.

**The Hon. CATHERINE CUSACK:** Like, for example, is the Minister for Community Services—?

**Dr GELLATLY:** Because we are the host agency for Minister Tebbutt.

**The Hon. CATHERINE CUSACK:** Does that mean that the other ministerial offices—

**Dr GELLATLY:** That are host agencies do not pay any money for those press monitoring services.

**The Hon. CATHERINE CUSACK:** How are they accessing the press clippings?

**Dr GELLATLY:** As you know, there is a Media Monitoring Unit in Premier's Department that provides reports to all Ministers' offices, and that includes monitoring of the press—daily newspapers.

**The Hon. CATHERINE CUSACK:** How would your Media Monitoring Unit access, say, local media clippings in Albury?

**Dr GELLATLY:** The Media Monitoring Unit does not cover regional newspapers.

**The Hon. CATHERINE CUSACK:** How many people are in the media monitoring unit?

**Dr GELLATLY:** Basically, the services include news alerts, news summaries, dubs, audio and video, archive services and a database. They do not provide any transcripts. The staff are experienced journalists and media monitors who have developed considerable expertise in government and current affairs affecting government policy. It is staffed between 4.30 a.m. and approximately 9.00 p.m. Monday to Friday, 5.00 a.m. to 1.00 p.m. Saturday and 5.00 a.m. to 9.00 p.m. Sundays. The average staffing for 2002-03 was 9½ equivalent full-time positions. It should be noted that staff are rostered on different shifts to meet the operational needs of the unit. The number of staff working in the unit at any one time varies from five monitors during the peak morning time to one monitor in the evening. The figures were given at the last consideration of the Premier's estimates. There is a total net cost of services of \$782,337. As the Chairman noted last time, it has been around for a long time. I think Premier Lewis actually initiated the establishment of the Media Monitoring Unit. It has been there for 25 years at least.

**The Hon. CATHERINE CUSACK:** I would assume that the other ministerial offices are probably relying on the departmental officers at the local level to fax them through a regional media release.

**Dr GELLATLY:** I do not know.

**The Hon. CATHERINE CUSACK:** What is the total cost of operating the ministerial car pool?

**Dr GELLATLY:** The net cost of services was \$515,000.

**The Hon. CATHERINE CUSACK:** Obviously, there is an element of cost recovery from other agencies. What is the net expenditure on the car pool?

**Dr GELLATLY:** May we take that on notice? We did not expect that sort of detail in questions.

**The Hon. CATHERINE CUSACK:** What is the revenue that Premier's Department obtains for the car pool?

**Dr GELLATLY:** I will get it on notice quickly—tomorrow.

**The Hon. CATHERINE CUSACK:** How many vehicles are there?

**Dr GELLATLY:** We have 51 VIP vehicles managed by the Premier's Department. Do you want me to go through the break-up of those?

**The Hon. CATHERINE CUSACK:** Yes.

**Dr GELLATLY:** The number of vehicles for the Premier and Ministers is 23. Coalition officers have five vehicles. The Presiding Officers have four vehicles. Former officeholders have three vehicles. The Governor has three vehicles. There are five vehicles for VIPs. The number can fluctuate at any time. There are eight spare VIP vehicles, obviously in case of breakdowns and also for visiting dignitaries. Often people come to town and we are required to provide them with services. They include the Crown Prince and Princess of Japan, the Crown Prince and Princess of Belgium, the Chairman of the National Peoples Congress of China, the Chief Secretary of Hong Kong, members of the United States Congressional Delegation and the Governor of Guangdong. There is a part provided as the protocol service of the State Government.

**The Hon. CATHERINE CUSACK:** What does \$515,000 represent?

**Dr GELLATLY:** That is the net cost of services to the Premier's Department, taking into account, as you have already identified, revenue received from ministerial offices.

**The Hon. CATHERINE CUSACK:** Is that a subsidy rather than an actual cost of something in particular?

**Dr GELLATLY:** As I explained, there are 51 vehicles. Minister's offices clearly only pay for the actual service that they provide. There are overheads in providing that service, and they include leases, fuel for the spare vehicles, meal allowances, and repairs and maintenance. So it is a complete package of services. Clearly there will be a net cost in terms of the overheads of providing such a service.

**CHAIR:** Five vehicles are allocated to the Opposition?

**Dr GELLATLY:** Yes.

**CHAIR:** No vehicles are allocated to the crossbench members in either the upper House or the lower House?

**Dr GELLATLY:** No.

**The Hon. CATHERINE CUSACK:** How many drivers, or staff, service the ministerial car pool?

**Dr GELLATLY:** Currently 36 drivers for 51 vehicles are employed by the Premier's Department, and that includes both permanent and temporary employees. As has been indicated in the questions, all drivers are employed by the Premier's Department, not by the individual offices, and then we charge them out to the ministerial offices.

**The Hon. GREG PEARCE:** Earlier you answered a question in relation to a ministerial handbook, a copy of which you thought was in the Library. I am told that the Library has the other booklet that was handed up by Mr Fitzmaurice. If that is correct, will you arrange for a copy of the ministerial handbook to be placed in the Library tomorrow?

**Mr WILKINS:** Yes, I do not think that is a problem.

**The Hon. GREG PEARCE:** Would you help me with the number of staff employed in the Cabinet Office?

**Mr WILKINS:** Are you looking for that in the budget papers?

**The Hon. GREG PEARCE:** Please answer by telling me the number of staff?

**Mr WILKINS:** I am advised that at June 2003 it is 146.

**The Hon. GREG PEARCE:** Page 2-33 of Budget Paper No. 3, volume 1, shows a budget for 2003-04 for employee-related expenses of \$13.126 million. What is the staff estimate for that?

**Mr WILKINS:** Are you talking about employee-related expenditure in 2002-03?

**The Hon. GREG PEARCE:** I think you said there were 146 staff for that year but what is the number calculated for the 2003-04 budget estimates?

**Mr WILKINS:** I am told if you turn to page 2-36 you will see that it is calculated on the basis of a staff of 150.

**The Hon. GREG PEARCE:** Are accommodation expenses for the Cabinet Office under "Other operating expenses" in the budget papers?

**Mr WILKINS:** Yes, I would say so.

**The Hon. GREG PEARCE:** What is the estimated figure for the 2003-04 budget?

**Mr WILKINS:** It is \$2,766,372.

**The Hon. GREG PEARCE:** Is that for 2002-03?

**Mr WILKINS:** That is for both years.

**The Hon. GREG PEARCE:** It has stayed the same?

**Mr WILKINS:** Yes.

**The Hon. GREG PEARCE:** The original budget figures for 2002-03 for employee-related expenses and for other operating expenses were almost double in the revised figures. Could you outline the basis for that increase?

**Mr WILKINS:** I can probably do that. It is primarily the result of an accounting change required by Treasury. As a result of the Treasurer's direction issued in June 2002, project expenditure related to the Biotechnology Strategy, the drugs policy, Families First, Better Futures and the Aboriginal Child Youth and Family Strategy has been reallocated from other expenses to employee-related expenses, other operating expenses and grants and subsidies. Consequently, the expenditure in these three lines has increased by the relevant amounts expended under the five project areas. This change accounts for an increase of \$3.15 million in employee-related expenses. In addition, in 2000-01 the Cabinet Office continued to draw down funds from cash reserves provided by the Department of Community Services to assist with the more rapid expansion of the Families First Program resulting in expenditure of \$600,000 above the initial budget for employee expenses. There was also a small over-run of \$300,000 in salaries costs. These costs were offset by underexpenditure of \$600,000 in the office's other operating expenses. I think that basically sums it up.

**CHAIR:** What is the method of selecting the 10 ministries hosted by the Premier's Department? Is a formula followed determining why those 10 are hosted?

**Dr GELLATLY:** It is more a function of history in that traditionally the bigger agencies, like Education and the Roads and Traffic Authority, have always had the capacity and have taken on the responsibility of the host agency. Over time the number that has been centralised in the Premier's Department has grown because there are some efficiencies and economies that go with having one agency hosting a number so everyone does not have to have the expertise. So it is more historical, but over time we have been moving towards centralisation. Before the election there was the Premier's office and three others, and then seven were added subsequently, after the election.

**CHAIR:** I have been told privately that one or more of the 150 officers in the Premier's office specifically monitor the policies and activities of various political parties.

**Dr GELLATLY:** Do you mean in the Cabinet Office?

**Mr WILKINS:** That is not correct. About 95 people form a microcosm of the public sector. They monitor the policies and issues developed within the rest of the public sector. For example, one or two people in the Cabinet Office would have responsibility for the Attorney General's portfolio—that is, the issues that come up in that portfolio area and relevant Cabinet proposals. That would be an interaction between the Attorney General's administration and the Premier's administration to coordinate what is happening. They do not monitor the policies of any political parties or anything like that. They monitor the administration and issues confronting the different portfolios in government.

**CHAIR:** It would overlap if those policies were being driven by a political party in a public way.

**Mr WILKINS:** If issues come up in the media, they are often highly political in that sense. These are professional public servants who give policy analyses to the Premier in the case of the Cabinet Office and to the Attorney General in the case of the Attorney General's Department.

**CHAIR:** If someone told me that he or she was employed in that office specifically to monitor me or my party, would that not be correct?

**Mr WILKINS:** That would be impossible; it is incorrect. No-one would be set up to monitor a political party.

**CHAIR:** Or parties?

**Mr WILKINS:** No. They are set up to look at issues. If you were to raise an issue that engaged the Attorney General's portfolio, they would be interested in the issue. They would not be interested in the political party as such.

**Ms LEE RHIANNON:** I refer to the Treasures of Palestine exhibition. Do you agree that the Powerhouse Museum director's comment that there was no need for community consultation on this issue?

**Mr WILKINS:** I would be interested to know what sort of community consultation was being discussed. We do not normally have a vote about what exhibitions are put on at the museum. What do you mean by "community consultation"?

**Ms LEE RHIANNON:** The use of the word "we" in your answer suggests that you are fairly hands on with these decisions.

**Mr WILKINS:** No, I was simply speaking in general terms. The Powerhouse Museum does not normally conduct a ballot on these things.

**Ms LEE RHIANNON:** When the Anne Frank exhibition was held, there was consultation with Jewish groups.

**Mr WILKINS:** A Palestinian organisation put this exhibition before the Premier and he invited representatives to talk to the Powerhouse Museum about it. The organisation was the proponent.

**Ms LEE RHIANNON:** I think you are referring to Ali Kazak from the General Palestinian Delegation. That position is more equivalent to the Ambassador for Israel, because he covers Vanuatu and other places in the Pacific. Mr Kazak is not a representative of the Arab community in Australia. Do you agree?

**Mr WILKINS:** I know nothing about his diplomatic status.

**Ms LEE RHIANNON:** He does have diplomatic status, but because he does not represent a State he is not an ambassador. He is not a representative nor does he portray himself as a



representative of the Arab community. That is why I asked about community consultation. Do you think community consultation about the exhibition was adequate?

**Mr WILKINS:** I am puzzled about the proposition being put forward.

**Ms LEE RHIANNON:** I am making a comparison with the Anne Frank exhibition. There was consultation about that exhibition and that stands in stark contrast with the Treasures of Palestine exhibition.

**Mr WILKINS:** I cannot comment on the contrast because I am not aware of the details they went through with the Anne Frank exhibition or the Treasures of Palestine exhibition.

**Ms LEE RHIANNON:** Are you aware that Powerhouse Museum staff were concerned that Mr Kazak was sidelined from the exhibition when it was censored?

**Mr WILKINS:** I am not aware that he was sidelined. I do not know what "sidelined" means.

**Ms LEE RHIANNON:** He was not consulted or involved in the exhibition of his own collection.

**Mr WILKINS:** I think that is not true.

**Ms LEE RHIANNON:** Are you saying that he was involved?

**Mr WILKINS:** I understand that he was involved, or that he was consulted. You might have an argument about the adequacy of the consultation, but my understanding from the museum trust is that he was consulted.

**Ms LEE RHIANNON:** What was your role with regard to the director's actions and the Treasures of Palestine exhibition? How involved were you with how it played out?

**Mr WILKINS:** I was not involved at all in terms of the way in which it was curated or the way in which it was exhibited. As I said at the outset, my only involvement was when the Premier suggested it would be a good idea to find premises to exhibit the collection and to have the Ministry for the Arts—not me personally—canvass a number of institutions to see whether space was available for such an exhibition.

**Ms LEE RHIANNON:** Are you aware that the censoring of the exhibition happened only at the Powerhouse Museum, and that in other places around Australia it was seen in full?

**Mr WILKINS:** I am not aware of that. You keep using the word "censorship". I am aware that there was no decision to excise part of it when it was exhibited in Canberra.

**Ms LEE RHIANNON:** Why are you not happy using the word "censored" in relation to the Powerhouse Museum and material being taken out?

**Mr WILKINS:** It is a highly pejorative term. It suggests that someone was trying to put a sock in someone else's mouth, which was not the rationale behind the position taken by the trust. The trustees were concerned not to politicise the Powerhouse Museum; that was their major concern.

**Ms LEE RHIANNON:** Would you agree that it was done for political reasons?

**Mr WILKINS:** No, I would not agree. On the contrary, I think it was done for non-political reasons to ensure that the museum was not turned into a politicised institution one way or the other.

**Ms LEE RHIANNON:** Do you therefore believe that the Canberra exhibition resulted in the politicisation of that venue?

**Mr WILKINS:** It is arguable. This is a judgment the trustees need to make. I think it is arguable that you could see it that way.

**The Hon. CATHERINE CUSACK:** It appears that the media monitoring unit has also developed into a clipping service by downloading media clippings from the Internet, presumably in a contemporary way at no charge. The Government is obtaining clippings through the media monitoring unit.

**Dr GELLATLY:** The email reports are summaries of what is in the newspapers and on radio. They are not articles; they are simply a description. There has been a mention of the Government's involvement in the Rugby World Cup.

**The Hon. CATHERINE CUSACK:** That would be electronic as well as print?

**Dr GELLATLY:** Yes.

**The Hon. CATHERINE CUSACK:** Is there someone who sits in the Premier's Department and cuts these articles out of newspapers so that they can be kept on file?

**Dr GELLATLY:** No.

**The Hon. CATHERINE CUSACK:** Where are those clippings coming from?

**Dr GELLATLY:** These days, if someone is working on a specific issue you can go on the Internet, get onto the Herald site, the Telegraph site or whatever. Anyone can do that. You can download the article directly from the Internet. There is no need to have a separate service like that. Every individual officer has access to that.

**The Hon. CATHERINE CUSACK:** Obviously the Leader of the Opposition does not have access to the service.

**Dr GELLATLY:** Through the media monitoring service of the Parliamentary Library. But the one I am talking about is individual. Obviously, anyone can get onto the net and access the website of the media organisations.

**CHAIR:** But the media monitoring material is available to all members of Parliament?

**Dr GELLATLY:** Through the Parliamentary Library, yes.

**The Hon. CATHERINE CUSACK:** Earlier I asked Mr Fitzmaurice about a statement by the Independent Commission Against Corruption [ICAC] that he had worked in Mr Carr's ministerial office for a period of five months in 1987 when Mr Carr was Minister for Heritage and Mr Cripps was his chief of staff. I would like to give you the opportunity to respond to that statement.

**CHAIR:** We need to know who said it. Was it a witness at the ICAC?

**The Hon. CATHERINE CUSACK:** It is the ICAC report on the Public Employment Office evaluation.

**CHAIR:** It is actually the report?

**The Hon. CATHERINE CUSACK:** Yes, it is the actual report.

**Mr FITZMAURICE:** I have never been employed on the personal staff of the Premier. I have been employed in the Ministry for Heritage and provided a similar role to Mr Carr and then to Minister Moore when he took over the portfolio responsibilities on the change of government. I would like to state clearly that I have never been employed as a member of any political staff.

**The Hon. CATHERINE CUSACK:** How could the ICAC make such a gigantic mistake?

**Mr FITZMAURICE:** That is a question that is best asked of them.

**The Hon. CATHERINE CUSACK:** Did you ever take steps to correct that with the ICAC?

**Mr FITZMAURICE:** No.

**CHAIR:** You were not aware of it until it was raised tonight?

**Mr FITZMAURICE:** No.

**The Hon. CATHERINE CUSACK:** I beg to differ. It was raised consistently throughout the inquiry. The report was published after the inquiry, and therefore you would be aware that the statement was made by other witness as well as in the report of the ICAC.

**Mr FITZMAURICE:** As I said, I have never been employed on any political staff.

**The Hon. CATHERINE CUSACK:** Do you have a background in trade and investment to which you can refer us?

**Mr FITZMAURICE:** In trade and investment?

**The Hon. CATHERINE CUSACK:** International trade and investment?

**Mr FITZMAURICE:** What do you mean background? Have I been employed in that role?

**The Hon. CATHERINE CUSACK:** Or have you any experience in that role?

**Mr FITZMAURICE:** I have quite extensive experience in terms of overseas issues in the Pacific through my work through AusAID and the Department of Foreign Affairs. Since 1996 I have been working with AusAID on a Fiji civil service report project. I was also Project Director of the Fiji Ministry of National Planning. Also, I have been the convener of the New South Wales Government's East Timor project.

**The Hon. CATHERINE CUSACK:** The head of the United Kingdom office for the New South Wales Government has been a controversial position. Following the election of the Carr Government, memorandum 96/31 was issued in relation to the United Kingdom and Tokyo office saying that with the reduction in staff numbers the role of the officers must now be focused completely on trade and investment. I understand that you are looking at a position that would involve heading up the United Kingdom office.

**Dr GELLATLY:** Could I comment?

**CHAIR:** Yes.

**Dr GELLATLY:** Obviously the New South Wales office in London has changed significantly over the years. At one stage years ago there used to be 140 staff, now there are three. At one stage every agency had a representative there and the person who was heading that was the Agent General in London, which at times had its own controversy. But in the past few years both the London and the Tokyo office have been reduced, as the memo said, to the facilitation of trade and investment, liaison, visitors and so on. Ideally it requires someone with experience in international activities.

**The Hon. CATHERINE CUSACK:** This does not mention liaison, visitors or organising ministerial visits. It says that it has to be focused quite completely on trade and investment.

**Dr GELLATLY:** Part of any office, regardless of where it is located, is working with the Federal authority when there is a Government representative to work with them and help facilitate. It is not organising the trip, but it revolves around meeting with companies and other government officials in the location.

**The Hon. CATHERINE CUSACK:** Is accommodation included in that position?

**Dr GELLATLY:** No, no accommodation is included specifically. The person is paid a remuneration plus an allowance for accommodation in London.

**The Hon. CATHERINE CUSACK:** Are you aware of the details of that?

**Dr GELLATLY:** No. I know that the allowance is set. I know that the current person over there had his own arrangements. At one stage the Agent General had his own residence, but no longer.

**The Hon. CATHERINE CUSACK:** It is no longer a plum job?

**Dr GELLATLY:** No, I do not think so. The offices are very small for the amount of work they have to cover—Europe, the United Kingdom and Ireland. It is a long way from the old days when there were a whole lot of cocktail circuits and that sort of thing. It is very focused, very intensive, and very demanding because it is such a small office. There is a lot of representation, trying to generate business opportunities.

**CHAIR:** The Agent General was almost like an ambassador?

**Dr GELLATLY:** Yes.

**The Hon. CATHERINE CUSACK:** I suppose it came about through your membership of the Maroubra Branch of the Labor Party, which is the Premier's branch. Is that how you came to be involved in a photograph during his election campaign?

**Mr FITZMAURICE:** I cannot remember the precise context as to how that came about. It was 1988. I cannot.

**The Hon. CATHERINE CUSACK:** I realise it was a long time ago, but it suggests a long-term political relationship.

**Mr FITZMAURICE:** I refer you to my previous answer. I have never worked for Mr Carr as a member of his private staff.

**The Hon. CATHERINE CUSACK:** But you have been a colleague of his in the Labor Party?

**Mr FITZMAURICE:** No, I do not think it is fair to say that I have been a colleague of Mr Carr's in the Labor Party. I am not an active member of the Labor Party.

**Ms LEE RHIANNON:** Are you still in the same branch?

**Mr FITZMAURICE:** Yes.

**Ms LEE RHIANNON:** How do you define active?

**Mr FITZMAURICE:** Someone who regularly attends meetings and gets involved in work for the party.

**CHAIR:** I do not think this line of questioning is relevant to our budget inquiry. People are not banned from being members of political parties.

**Dr GELLATLY:** As the Director General of the Premier's Department handles some responsibilities across the sector, employees, public servants, have the same rights as other members of the community in this area, I can say that as long as they are aware of any potential conflicts that may arise and they stop any political activity that comes in conflict with their duties as a public servant. But there is no way that anyone should be stopped from having their own affiliations outside the job and clearly the role of the public sector is to be—

**The Hon. PETER PRIMROSE:** Doc Evatt made sure that that was not a problem back in the 1950s.

**Dr GELLATLY:** Our job is to provide objective advice on the issues.

**The Hon. GREG PEARCE:** Just concluding that, Mr Fitzmaurice, are you an SES contracted employee?

**Mr FITZMAURICE:** Yes.

**The Hon. GREG PEARCE:** What grade?

**Mr FITZMAURICE:** Four.

**The Hon. GREG PEARCE:** And are your salary and conditions determined by Dr Gellatly?

**Dr GELLATLY:** There is a grade range determined by the Statutory and Other Offices Remuneration Tribunal for each level of the SES. It is my job as the employer to determine where within the range.

**The Hon. GREG PEARCE:** What is the range for grade four?

**Dr GELLATLY:** I have not got it with me.

**CHAIR:** You did give it earlier.

**Dr GELLATLY:** No, that was the ministerial officers. It is published. It is a determination. It is public. The total remuneration package: that means people pay the employee's contribution to superannuation, any lease costs for cars, et cetera, so it is a total remuneration package of a range of \$174,851 to \$190,550.

**The Hon. GREG PEARCE:** And you negotiate that with the employees?

**Dr GELLATLY:** With the employees.

**CHAIR:** If there are no more questions we will conclude the hearing. We thank you very much for your attendance and for the support staff who attended as well.

**The Committee proceeded to deliberate.**