

## GENERAL PURPOSE STANDING COMMITTEE No. 3

Monday 22 October 2007

Examination of proposed expenditure for the portfolio area

### POLICE, ILLAWARRA

The Committee met at 5.00 p.m.

#### MEMBERS

The Hon. A. R. Fazio (Chair)

The Hon. J. G. Ajaka  
The Hon. G. J. Donnelly  
The Hon. M. Gallacher  
Ms S. Hale

The Hon. T. Khan  
The Hon. G. Pearce  
The Hon. R. A. Smith  
The Hon. H. M. Westwood

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#### PRESENT

**The Hon. D. A. Campbell**, *Minister for Police, and Minister for the Illawarra*

**New South Wales Police Force**  
**Mr A. Scipione**, *Commissioner*  
**Ms F. McPherson**, *Executive Director*

**New South Wales Crime Commission**  
**Mr P. Bradley**, *Commissioner*

**Police Integrity Commission**  
**Mr J. Pritchard**, *Commissioner*

**Ministry for Police**  
**Mr L. Tree**, *Director General*

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CORRECTED

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

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

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

**CHAIR:** I declare this hearing open to the public. I welcome Minister Campbell and accompanying officials to this hearing. At this hearing the Committee will examine the proposed expenditure for the portfolios of Police and Illawarra. Before we commence I will make some comments about procedural matters. In accordance with the Legislative Council's guidelines for the broadcasting of proceedings, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In recording the proceedings of this Committee, members of the media must take responsibility for what they publish or what interpretation they place on anything that is said before the Committee. The guidelines for the broadcasting of proceedings are available on the table by the door.

Any messages from attendees in the public gallery should be delivered through the Chamber and support staff or the Committee clerks. Minister, you and the officers accompanying you are reminded that you are free to pass notes and refer directly to your advisers while at the table. The Committee has agreed to the following format for the hearing: the first hour is to be on the portfolio of Illawarra and the remaining three hours to be on the portfolio of Police. We will have five minute break at 7 o'clock. The Committee has resolved to request that answers to questions on notice be provided within 28 calendar days of the date on which they are sent to your office. Do you anticipate that this will pose any difficulties?

**Mr DAVID CAMPBELL:** I do not anticipate that there will be any difficulties, but if we take any questions on notice we will provide information as quickly and as efficiently as we can.

**CHAIR:** Will anyone else be giving evidence with you in the Illawarra portfolio?

**Mr DAVID CAMPBELL:** I am it.

**CHAIR:** We will now start questions.

**Mr DAVID CAMPBELL:** Just before you do that, I anticipate that you will not go through the same preamble when we are joined later by police. You indicated earlier that only Committee members and witnesses may be filmed or recorded and that people in the public gallery should not be the primary focus of any filming or photographs.

**CHAIR:** The Committee passed a motion relating to the Crime Commissioner and that resolution will be announced to the media when we get to the Police portfolio.

**Mr DAVID CAMPBELL:** Thank you.

**CHAIR:** I declare the proposed expenditure for the portfolios of Police and Illawarra open for examination. Minister, do you wish to make a brief opening statement?

**Mr DAVID CAMPBELL:** I am happy to take questions.

**CHAIR:** We will start with 20 minutes of Opposition questions.

**The Hon. GREG PEARCE:** Minister, how is it that the Illawarra has a youth unemployment rate nearing 40 per cent in the midst of the current prosperity in Australia? What initiatives have you taken to address the problems of youth unemployment in the Illawarra?

**Mr DAVID CAMPBELL:** Clearly, any questions relating to youth unemployment would have been better directed to the Prime Minister, Mr Costello, or Mr Hockey.

**The Hon. GREG PEARCE:** What initiatives have you taken as Minister for the Illawarra? I do not want to know about what the Prime Minister has done; I want to know what you have done.

**The Hon. HELEN WESTWOOD:** Point of order: Let the Minister answer the question.

**Mr DAVID CAMPBELL:** I am sure that the Hon. Greg Pearce does not want to know what the Prime Minister has done. He has done nothing whatsoever in the Illawarra, which is not good enough. I have said many times at public forums and in interviews that it is not good enough for the

Commonwealth Government to trumpet that it has the lowest unemployment rate nationwide in Australia's history when it ignore pockets of intransigence in places such as the Illawarra, other parts of New South Wales and, I am confident, in Australia. There are pockets where employment is difficult. At a Commonwealth level all the labour market programs have been abandoned.

What has the New South Wales Government done about employment opportunities in the Illawarra? The Government has facilitated \$140 million of investment in Port Kembla—some of it government, some of it by the Port Kembla Port Corporation, and much of it by the private sector. I note that as recently as the March 2007 election the Opposition opposed the expansion of the port and policy initiatives to generate investment and jobs in port-related industries. The Government has made a determined commitment to encourage that investment, and jobs are now starting to be generated as a result. On 5 October the first two car-carrying vessels docked at Port Kembla and unloaded cars and, as a consequence, Wallenius Willhelmsen established its vehicle preparation plant at Kemblawarra.

The Iemma Government's initiative to encourage jobs growth directly in the Illawarra has been embraced by the regional community but vehemently opposed by the New South Wales Opposition. Another initiative of the Iemma Government has been to support the expansion of the University of Wollongong, most particularly through investment in the innovation campus [IC], which is now unfolding. The first IC building has been constructed on land provided by the New South Wales Government, using funding from the New South Wales Government. The second building is a research building for the nanotechnology institute, led by Professor Gordon Wallace. Recently his work was supported with grant funds from the Iemma Labor Government. That will result in economic activity and young people will get some spin off through employment.

Another initiative of the Labor Government is to look after young people in the employment sector. Some work was done recently by the Office of Industrial Relations to get stuck into Chile, which was ripping off workers under the WorkChoices legislation. On another policy tack, this Government is working with young people to identify their rights. In a planning sense, after about 10 years the Iemma Government sorted out the local environmental plan and infrastructure plans for the Wollongong central business district, which will lead to greater commercial investment because there is now certainty about the local environmental plan. People in the private sector are talking about investment in buildings that will provide jobs in the Wollongong central business district.

The Iemma Government has strongly supported a number of small to medium size aeronautical companies to relocate and establish around the Illawarra regional airport and the Shellharbour local government area. I have visited those businesses, which are employing local young people in training positions. The Government's Illawarra Advantage Fund has supported 78 projects and created 2,200 full-time jobs, representing \$158 million in capital investments. Some of the businesses supported by that fund have hubs around the university. Accenture Australia Limited, an international business, is relocating there. Other businesses that have clustered around the Illawarra regional airport include Capital Aircraft Services Pty Limited, Aero V. Australia Pty Ltd, Total Aerospace Solutions Pty Limited, AAG Aviation Services and GoJet. They have all established hubs around the airport and they have created a significant number of jobs. The Government has also supported—

**The Hon. GREG PEARCE:** Just while you are on that, how many youth jobs were there in those jobs?

**Mr DAVID CAMPBELL:** I do not have a breakdown of every single job in the Illawarra. I think it is a silly question to ask. The Government has supported—

**The Hon. GREG PEARCE:** Do you recall attending the forum on youth unemployment organised by the Mayor of Wollongong—

**Mr DAVID CAMPBELL:** The Government has supported also, if I can go back. I was answering—

**The Hon. GREG PEARCE:** —having started on 23 April 2007.

**CHAIR:** Order!

**The Hon. GREG PEARCE:** I just wanted to—

**CHAIR:** Order!

**The Hon. GREG PEARCE:** I just wanted to—

**Mr DAVID CAMPBELL:** I was answering the recent question.

**CHAIR:** Order!

**Mr DAVID CAMPBELL:** The Government has supported also an initiative of the Illawarra Business Chamber supported by Jennie George. The Government has provided a number of pre-apprenticeship positions to work with the Illawarra apprenticeship initiative, a pilot project, indeed, a flagship project that could well be used elsewhere in Australia. What is particularly important about that project—

**The Hon. GREG PEARCE:** Just on that program—

**Mr DAVID CAMPBELL:** What is particularly important about that project is that it offers a case management approach where young people are case managed and matched with employers in an apprenticeship sense. It is that sort of case management that the Commonwealth Government should be looking at to support more strongly for young people in the region who are not likely to be apprentices, and who are not likely to go to university. They could well do with that sort of case management approach in a labour market sense that has been seen and used to effect in the past.

**The Hon. GREG PEARCE:** You mentioned the Wollongong's central business district. Are you aware of the problem with the Wollongong city centre plan?

**Mr DAVID CAMPBELL:** I know that there are many applications being lodged by people now that there is certainty in the local environmental plan and the central city plan. Any new planning instrument such as what we see there is one that needs to be finetuned. Certainly to my understanding there are some minor technical matters that need to be finetuned and I would be confident that the Department of Planning would be looking at those.

**The Hon. GREG PEARCE:** Some minor technical matters. You have not done anything about them yourself? You are relying on the Department of Planning to fix them?

**Mr DAVID CAMPBELL:** I have certainly spoken to the Department of Planning about them. I am not the planning Minister, nor am I an officer of the Department of Planning. I am an advocate for the region. What I can say to the Committee is that we see people lodging development applications for new commercial and new mixed-use businesses as a result of the local environmental plan that has been sorted out in a very strong way by this Government.

**The Hon. GREG PEARCE:** What did you say to the Department of Planning when you spoke to them about the problems?

**Mr DAVID CAMPBELL:** I told them to go and talk to some of the local building designers, architects and planners about the issues that are afoot.

**The Hon. GREG PEARCE:** Have they done that?

**Mr DAVID CAMPBELL:** I would be confident that they have.

**The Hon. GREG PEARCE:** You have not followed it up?

**Mr DAVID CAMPBELL:** I would be confident that they have and, yes, I followed it up. I am confident they have.

**The Hon. GREG PEARCE:** You have followed up?

**Mr DAVID CAMPBELL:** I said I am confident that they have spoken to them.

**The Hon. GREG PEARCE:** Well, have you followed up or have you not?

**Mr DAVID CAMPBELL:** The answer is yes.

**The Hon. GREG PEARCE:** When did you follow-up?

**Mr DAVID CAMPBELL:** Gee, I do not have my diary with me. I think it is getting a bit—

**The Hon. GREG PEARCE:** Would you like to take that on notice and have a look at your diary?

**Mr DAVID CAMPBELL:** Well, no.

**The Hon. GREG PEARCE:** Well, why not?

**Mr DAVID CAMPBELL:** Because it is—

**The Hon. GREG PEARCE:** Did you follow up or did you not follow up?

**CHAIR:** Order!

**Mr DAVID CAMPBELL:** The exact date that I actually did something is of no consequence.

**The Hon. GREG PEARCE:** Well, whether or not you did something is a consequence and you said explicitly on the record that you did follow up.

**Mr DAVID CAMPBELL:** Absolutely.

**The Hon. GREG PEARCE:** What I am asking you is when did you follow up?

**Mr DAVID CAMPBELL:** Some weeks after I first raised it and—

**The Hon. GREG PEARCE:** Some weeks after. When did you first raise it?

**Mr DAVID CAMPBELL:** Chair, this is going nowhere because I am not bringing my diary to this Committee.

**The Hon. GREG PEARCE:** Well, you are either telling the Committee the truth or—

**CHAIR:** Order!

**The Hon. GREG PEARCE:** —you are not, and I am trying to establish when you first raised the issue.

**Mr DAVID CAMPBELL:** I am telling you now that I am telling the Committee the truth that I have raised it with the Department of Planning, I followed up with the Department of Planning and that is the way that it is.

**The Hon. GREG PEARCE:** So when did you raise it initially?

**Mr DAVID CAMPBELL:** Some months ago and I followed it up on occasion since.

**The Hon. GREG PEARCE:** On occasions now? How many occasions?

**Mr DAVID CAMPBELL:** Well, Chair, it is unfortunate—

**The Hon. GREG PEARCE:** Well, you only followed it up once a moment ago—

**CHAIR:** Order!

**The Hon. GREG PEARCE:** —now you have done it on occasions.

**Mr DAVID CAMPBELL:** No, what I said—

**CHAIR:** Order! The Hon. Greg Pearce will be quiet while the Minister answers.

**Mr DAVID CAMPBELL:** What I said was I followed it up on occasion since.

**The Hon. GREG PEARCE:** On an occasion?

**Mr DAVID CAMPBELL:** On occasion since. You have to listen.

**The Hon. JOHN AJAKA:** Following on what the Hon. Greg Pearce was saying, I must say that I am a little confused. Why would you not take that on notice to give the dates of when you first spoke or when you followed it up?

**Mr DAVID CAMPBELL:** Because I do not think it is in any way shape or form of importance to this Committee's work. The facts are—

**The Hon. GREG PEARCE:** We will be the judge of that.

**Mr DAVID CAMPBELL:** Well, I will be the judge of whether or not I table my diary and I do not intend to.

**The Hon. JOHN AJAKA:** Minister, I am formally asking you to put it on notice to supply us with that information. Are you actually declining that request?

**Mr DAVID CAMPBELL:** I am saying I am not providing my diary to this Committee.

**The Hon. JOHN AJAKA:** I am not asking you to provide your diary. I am asking you on notice to simply give us the dates when you first spoke and when you followed it up. It is a simple question, Minister. Are you declining or refusing to accept that question on notice?

**Mr DAVID CAMPBELL:** Well, I will take the question on notice and I will reply.

**The Hon. JOHN AJAKA:** Thank you, Minister. If you could please advise what your position is in relation to the extension of the F6, which would, of course, be of great importance and great benefit to the people of the Illawarra?

**Mr DAVID CAMPBELL:** I am very much on the record of supporting the extension of the F6 as a route to relieve congestion in the Albion Park and Oak Flats area.

**The Hon. JOHN AJAKA:** What action are you taking in relation to transport to the South Coast past Wollongong, firstly, in relation to rail and, secondly, in relation to road, especially the Princes Highway?

**Mr DAVID CAMPBELL:** The Government is investing strongly in the Princes Highway and, indeed, some projects include the \$82 million project to construct the Northern Distributor extension, for example; the \$45 million project towards the Princes Highway Oak Flats to Dunmore project; \$2 million for the upgrade of the Princes Highway intersection with Lawrence Hargraves Drive; \$3.4 million towards the Princes Highway Gerringong to Bomaderry upgrade; \$14.3 million for the Princes Highway from South Nowra to Jervis Bay. Without any shadow of a doubt the Government is investing in improving infrastructure on the Princes Highway and, in total, that is in the order of a \$410 million commitment to the Princes Highway improvements.

**The Hon. GREG PEARCE:** What action have you taken in relation to the Wingecarribee shire to address unemployment in that shire?

**Mr DAVID CAMPBELL:** The Government has invested in the Wingecarribee with the Illawarra Advantage Fund, for example. The Wingecarribee Shire Council is doing some work to lever off the Government's efforts in regard to the port of Port Kembla and, again, I just note that that work was very much opposed by the New South Wales Opposition. The Government's investment in the regional apprenticeship project has benefits also in the southern highlands.

**The Hon. GREG PEARCE:** What is your view in relation to the proposed inland freight port at Moss Vale?

**Mr DAVID CAMPBELL:** I have encouraged the Wingecarribee Shire Council and its efforts to get the land zoned appropriately and get that project up and running.

**The Hon. GREG PEARCE:** Have you made any submissions to the planning Minister?

**Mr DAVID CAMPBELL:** I have not been asked by the council to do that.

**The Hon. GREG PEARCE:** You would only do it if you were asked?

**Mr DAVID CAMPBELL:** Well, I am not about directing Wingecarribee council how to go about its business.

**The Hon. GREG PEARCE:** But you are the Minister for the Illawarra?

**Mr DAVID CAMPBELL:** And I work in collaboration with people rather than telling them how to do it.

**The Hon. GREG PEARCE:** Are you aware of the Federal Government's assistance to the Illawarra in relation to disability services and, in particular, I am talking about the \$220,000 commitment to the fine foods flagstaff group to refurbish and purchase equipment to provide between 30000 and 35,000 meals each month to the community through Meals on Wheels?

**Mr DAVID CAMPBELL:** I am aware of the flagstaff group and its work and aware that it has recently received funding.

**The Hon. GREG PEARCE:** Are you aware it has received that funding?

**Mr DAVID CAMPBELL:** That is a question you would need to ask the disability services Minister. It is not something that has been facilitated through the Illawarra portfolio.

**The Hon. GREG PEARCE:** Are you aware of further assistance provided to the Illawarra by the Howard Government, including the \$160,000 from its AusLink's black spot program for a median strip to allow a right-hand turn into Kemblawarra Road off King Street at Warrawong?

**Mr DAVID CAMPBELL:** I am not aware of that specific local road project. From time to time there are individual road projects that get funded. I could ask if you are aware of the Federal Government's black spot program in Hillcrest Avenue at Woonona.

**The Hon. GREG PEARCE:** We are asking the questions.

**Mr DAVID CAMPBELL:** That is right.

**The Hon. GREG PEARCE:** Do you make submissions to the Minister the Roads in relation to small projects like that, as the Minister for the Illawarra?

**Mr DAVID CAMPBELL:** As the member for Keira, I do, but for rather minor suburban roads projects, it is not something that, as a general rule, as the Minister for the Illawarra I get involved with.



**The Hon. GREG PEARCE:** You do not?

**Mr DAVID CAMPBELL:** For my own electorate, I do, and my colleagues do. More significant and major projects I would take up as the Minister for the Illawarra but every little roundabout or pedestrian refuge or little piece of median strip is not something that I would get involved with. But if the Committee is of a mind to, I could walk through a number of projects in the Keira electorate that have received black spot funding.

**The Hon. GREG PEARCE:** Do you recall at the Youth Forum in April making a comment similar to something you said earlier in relation to the apprenticeship pilot program—that you thought there was a need for a program for unemployed youths who do not want to be apprentices, similar to that pilot program?

**Mr DAVID CAMPBELL:** I do recall saying that. I recall saying it several times since, and I recall saying it about 10 minutes ago.

**The Hon. GREG PEARCE:** Have you done anything to actually implement the proposal?

**Mr DAVID CAMPBELL:** I have certainly called on the Commonwealth Government to put in place a labour market program that would provide that sense of case management. Not surprisingly, I guess, the Commonwealth Government has refused to do that.

**The Hon. GREG PEARCE:** Has the State offered to provide matching funding or seed funding for a project like that?

**Mr DAVID CAMPBELL:** I have called on the Commonwealth Government to do it because the Commonwealth has responsibility for the labour market. The State Government has a planning responsibility and we have encouraged investment, but in terms of specific labour market programs as opposed to specific training projects, the Commonwealth has a responsibility. That is why I have made the call publicly. As you point out, at a forum hosted by the Lord Mayor of Wollongong in April and on many occasions since, and I have called and will continue to call on the Federal Government to put in place such a program.

**The Hon. GREG PEARCE:** But as the Minister for the Illawarra, notwithstanding the nearly 40 per cent unemployment among youth, you are not actually prepared to have your Government take any initiatives that will provide any funding towards such a pilot?

**Mr DAVID CAMPBELL:** What I have said is that the New South Wales Government is about getting the planning right, about getting the infrastructure right, about encouraging private sector investment, and about providing appropriate opportunities for training. The specific labour market programs that are called for are clearly and entirely the responsibility of the Commonwealth and I will continue to call on the Commonwealth to provide such a program for the Illawarra and, I assume, other parts of New South Wales and Australia.

**Ms SYLVIA HALE:** Minister, I think I have heard you just describe yourself as an advocate of the region. Are you aware of the upgraded Unanderra station, the \$1.3 million upgrading of the railway station?

**Mr DAVID CAMPBELL:** I am aware that there is to be some money spent at Unanderra. It is not in the Keira electorate.

**Ms SYLVIA HALE:** No, but it is in the Illawarra.

**Mr DAVID CAMPBELL:** It is in the region, yes.

**Ms SYLVIA HALE:** Are you aware that that upgrading makes no provision whatsoever for disability access?

**Mr DAVID CAMPBELL:** Let me shortcut this by saying I understand that there is a need to provide easy access at Unanderra railway station. It is not a project that I understand is funded for what is called easy access at this stage.

**Ms SYLVIA HALE:** As the Minister for the Illawarra and as an advocate for the region and presumably the people who live in the region or visit the region, will you be making representations to the Minister for Transport to have that disability access provided?

**Mr DAVID CAMPBELL:** I have done.

**Ms SYLVIA HALE:** Could you tell me when you did that?

**Mr DAVID CAMPBELL:** Again, I do not have that in front of me.

**Ms SYLVIA HALE:** Did you make a written request?

**Mr DAVID CAMPBELL:** I have talked to the Minister and said that I thought it was a project that was appropriately important.

**Ms SYLVIA HALE:** But you have never put anything in writing?

**Mr DAVID CAMPBELL:** Not to my recollection.

**Ms SYLVIA HALE:** Do you usually just rely upon casual conversations with Ministers as you encounter them, or do you make formal representations on behalf of the people of the Illawarra?

**Mr DAVID CAMPBELL:** There are different levels of representation, different ways of doing things, depending on the issue.

**Ms SYLVIA HALE:** You felt that it was not appropriate to put something in writing and, presumably, to inform the disability organisations in the area of your interest in the matter?

**Mr DAVID CAMPBELL:** I certainly thought it was important to talk to the Minister about, and I have done so.

**Ms SYLVIA HALE:** Minister, are you aware of the proposal for 52-year leases at the Killelea State Park?

**Mr DAVID CAMPBELL:** I am aware of it. So, yes, I am aware of it.

**Ms SYLVIA HALE:** Given that this Parliament has received something like 15,000 signatures on a petition protesting at the proposal by the Department of Lands to lease out sections of the park and given that the Labour Council is proposing to impose green bans on the area, what representations have you made to the Minister for Lands in relation to this project?

**Mr DAVID CAMPBELL:** Chair, can I say in relation to this project that Killelea State Park is the only New South Wales State park which has no gate fee or some form of accommodation provided within it. This park has defined a way to become self-sufficient. The initiative of the Killelea State Park Trust to create an ecotourism resort will create more jobs and tourist opportunities, I am told, without compromising the social, educational or environmental values of the park.

I understand that at this time no leases have been finalised or executed and there is absolutely no intention to sell any of Killelea State Park. However, I understand that the trust has been granted consent to enter into a development agreement with Killelea Coastal Investments to enable them to submit development applications for a proposed ecotourism resort facility within the park. I understand that the proposal will affect approximately 6 per cent of the park while the actual building envelopes will affect less than 1 per cent.

The advice I have is that the terms of the development agreement require Killelea Coastal Investments to firstly obtain development consent. Killelea State Park remains in public hands, open

for public use, without the financial burden falling New South Wales taxpayers and ratepayers. I think it is an important point to note that there is an agreement but no lease, and the proponent needs to obtain development consent first and foremost. To the best of my knowledge, no development application has been lodged with the Shellharbour or Kiama councils.

**Ms SYLVIA HALE:** Minister, are you aware that both Shellharbour and Kiama councils have indicated they have very serious reservations about the proposal?

**Mr DAVID CAMPBELL:** I have read the same newspaper reports that as you have about that, yes.

**Ms SYLVIA HALE:** What have you done, as an advocate for the region? Have you met with any of the proponents either for the lease or with those members of the community who are opposing the leasing out of portions of the park?

**Mr DAVID CAMPBELL:** I have not met with the proponents of the proposal and I have had discussions with the Mayor of Shellharbour and the Mayor of Kiama about their concerns.

**Ms SYLVIA HALE:** Have you raised those concerns with the Minister for Lands?

**Mr DAVID CAMPBELL:** I have conveyed those concerns to the Minister for Lands.

**Ms SYLVIA HALE:** Are you aware that Ms Jennie George has also written to the community group expressing her opposition to the proposed leasing?

**Mr DAVID CAMPBELL:** I am not aware of the correspondence that goes from the member for Throsby's office.

**Ms SYLVIA HALE:** Do you feel that, as the Minister for the Illawarra, you should be more proactive in representing the views of a large portion of the residents of the Illawarra in these matters?

**Mr DAVID CAMPBELL:** I am always moving through the Illawarra community at social, business and community functions and people talk to me and offer their points of view all the time. I actively listen and am always prepared to listen to people and have meetings with people who seek them. I have for a very long time a strong record of doing that, and I will continue to do so.

**Ms SYLVIA HALE:** Changing to another subject, you are presumably aware of the ongoing nature of the controversy surrounding the development at Sandon Point.

**Mr DAVID CAMPBELL:** Absolutely. I recall as a young alderman on Wollongong City Council in 1987 probably being one of the people who moved a motion to conduct a local environmental study to try to understand what was required of that former brick pit and railway line and how it might be best used for the community. I can also recall trying to identify how we could bring back into public ownership the privately owned land to the high watermark. I can recall probably chairing the council meeting in 1995 that unanimously resolved to rezone the land that would bring it back into public ownership and would free up the former brick pit for some housing. That unanimous resolution also proposed that we include a route that would provide a secondary link to Bulli and Thirroul, which is something that to this day the community continues to call for. Essentially in the 20 years to date that I have been in public office, either as a member of the council or as the local State member whose electorate contained the site until the recent redistribution, I have had a lot to do with planning for the Sandon Point site.

**Ms SYLVIA HALE:** You would be aware, therefore, that a number of residents have taken action in the Land and Environment Court, I think last September, on the grounds that the development approval that has been put in place by the Minister for Planning did not take cognisance of all proper information that should have been taken into consideration.

**Mr DAVID CAMPBELL:** Yes, I understand that there is action in the Land and Environment Court, and that action continues, to the best of my knowledge, as of today.

**Ms SYLVIA HALE:** Given that the Land and Environment Court has not reached a decision on that matter, do you think it is inappropriate that the Minister for Planning should have put on display plans to build 182 houses at Sandon Point and also the Anglican retirement village proposal?

**Mr DAVID CAMPBELL:** My understanding is that those exhibitions comply with the zoning that is in place for the site.

**Ms SYLVIA HALE:** But presumably it is quite possible that the Land and Environment Court will say that the Minister has not proceeded correctly and, should that be the case, that public exhibition would have to be withdrawn.

**Mr DAVID CAMPBELL:** I would not presume to forecast what decision the Land and Environment Court might make. I am not a member of the Land and Environment Court and I would not presume for a minute to make any forecasts as to what it might decide.

**Ms SYLVIA HALE:** Do you think, therefore, it is correct for the Minister for Planning to presume that he knows what the outcome will be and to act as though the court had decided in his favour?

**Mr DAVID CAMPBELL:** I think it is appropriate for the Minister for Planning to act within the legal planning instrument that applies to a particular parcel of land.

**Ms SYLVIA HALE:** You would be aware how controversial the whole Sandon Point development has been for more than 20 years. As an advocate for the region, you would also presumably be aware that there is a lot of community dissatisfaction and the actions of the Minister for Planning are not conducive to calming any of that community disquiet. Do you think it is appropriate for you to act and speak to the Minister and suggest that his behaviour has not been appropriate?

**Mr DAVID CAMPBELL:** I must advise the Committee that a very great number of people in the Illawarra community are delighted with the fact that the Anglicans want to invest in a retirement village in the northern suburbs of Wollongong that will see older people from that community able to stay in that community and that would see the generation of jobs in the aged care industry. Many of those jobs are semiskilled and I am certain that a number of them would be open to young people. So there are a lot of people in the Illawarra community who are very much excited about the fact that a noisy, dirty industrial site that makes refractories for the steel industry is to be converted from that use to use as a retirement village. There are many people who are quite excited about the investment and the lifestyle opportunities that will accrue to people who live there. There is the potential for nursing home bed licences and the funding that attracts to be brought into the northern suburbs together with the job opportunities that will accrue.

**CHAIR:** The Hon. Roy Smith, do you have any questions for the Minister?

**The Hon. ROY SMITH:** No, I do not.

**CHAIR:** Please continue, Ms Hale.

**Ms SYLVIA HALE:** Thank you. Minister, are aware that the area proposed for the retirement village is immediately adjacent to the railway line and is also flood prone?

**Mr DAVID CAMPBELL:** A great many homes in the Illawarra region are adjacent to the railway line.

**Ms SYLVIA HALE:** But is that an appropriate location for a nursing home or retirement village?

**Mr DAVID CAMPBELL:** There are other aged accommodation complexes located near railway lines in the Illawarra and in all sorts of other places. I have no doubt that that building can be designed in a way that will mitigate any noise that comes from the railway. I might point out that immediately adjacent to the railway under the present planning scheme is the new local road that

people have been talking about for 25 years that links Bulli to Thirroul. So there is a great deal of excitement about that. It will act as a buffer between the railway line and the aged accommodation, which I am sure will be designed in a way that will mitigate the noise.

**Ms SYLVIA HALE:** On a different topic, are you aware of proposals to upgrade the airport at Dapto?

**Mr DAVID CAMPBELL:** I assume that you are talking about the Illawarra Regional Airport at Albion Park.

**Ms SYLVIA HALE:** Yes, sorry.

**Mr DAVID CAMPBELL:** There has been an upgrade of the runway, which the New South Wales Government supported. That has led to QantasLink now making direct flights from the Illawarra to Melbourne. That initiative and business investment led to a great deal of excitement in the local community. The runway was upgraded to be able to take Dash-8 planes, which is what Qantas flies—I do not know what they weigh. So there has been an upgrade to the Albion Park airport, which is sometimes known as the Illawarra Regional Airport, by Shellharbour City Council, as the owner of the site, with financial support from heavy industry in the region and the New South Wales Government. That has caused a lot of excitement in the local community.

**Ms SYLVIA HALE:** It might have caused a lot of excitement but it has also led to a lot of concern about the noise that is generated for residents who live in the immediate vicinity of the airport. What measures are being taken to protect their amenity?

**Mr DAVID CAMPBELL:** I am confident that the upgrade was done in accordance with New South Wales planning legislation and I have to be confident that the airport operates in accordance with the Commonwealth Government's requirements regarding air safety and so on.

**Ms SYLVIA HALE:** Are you aware of any further proposals to expand the airport?

**Mr DAVID CAMPBELL:** I am not aware of any. I understand that there is a development proposal around for some land adjacent to the airport for some industrial uses. I think it is vacant land or a former dairy or chicken farm. I am aware that that proposal has been exhibited. But in terms of additional upgrades to the airport, that is not something I am aware of.

**Ms SYLVIA HALE:** You would be aware of the dredging that Shellharbour City Council is currently undertaking to permit the development of a marina at Shellharbour.

**Mr DAVID CAMPBELL:** I am aware that there is a proposal for a marina. If there is actual dredging physically and presently underway, I am not aware of that. I know that there is a proposal; whether it is actually dredging or some excavation I am uncertain.

**Ms SYLVIA HALE:** If residents were to approach you who had concerns about the dredging or the excavation that was taking place and the failure to do a proper analysis of what contaminants are being released as a result of that excavation, you would be prepared to pursue that with the relevant authorities?

**Mr DAVID CAMPBELL:** I think we have to point out that this is another project that has undergone extremely detailed planning in the region for a long period of time and if the work is being undertaken in accordance with the development consents that have been issued then I think that is entirely appropriate and I would certainly support that work. This is another piece of economic infrastructure, if I can use that term, that will be put in place for the Illawarra that will see a different type of employment opportunity opened up for the region. If the work is being done in accordance with the development consent and the conditions of that consent then I think that is entirely appropriate. If there are people who have a view that it is not being done in accordance with that consent, if they approach me I would make inquiries on their behalf.

**CHAIR:** We will now go to Government questions.

**The Hon. GREG DONNELLY:** In answer to a question earlier from the Opposition you explained that, as part of your responsibilities as Minister for the Illawarra, you move around extensively talking to business and community groups, people in the broader Illawarra community. Could you enlighten the Committee on the feedback that, through consultation and discussion, you have had from residents of the Illawarra about their concerns with respect to WorkChoices and how it is impacting on the community in the Illawarra?

**The Hon. JOHN AJAKA:** Point of order: How does WorkChoices come from the budget estimates of this Minister?

**CHAIR:** The Minister is the Minister for the Illawarra and, as you are probably aware, he is not directly responsible for the provision of any services in the Illawarra, but basically for the wellbeing of the Illawarra as a whole, which means that issues concerning industrial relations and workers in the Illawarra do fall within the general ambit of the ministry for the Illawarra.

**The Hon. JOHN AJAKA:** My point is how does it specifically relate to budget estimates?

**CHAIR:** If we took the line of questioning about what is specifically related to budget estimates, I would say we would all be at home now watching television. Basically anything in relation to Government has been allowed in as a budget estimates question in recent years.

**The Hon. GREG PEARCE:** To the point of order: Perhaps the Minister might like to comment on today's Australian Bureau of Statistics figures, which show Wollongong—

**CHAIR:** Order! The Hon. Greg Pearce will come to order and cease speaking.

**The Hon. GREG PEARCE:** There is 8.2 per cent unemployment in Wollongong.

**CHAIR:** Order! Do you want to be thrown out of the hearing? I know you usually like to play up to the media and there are no cameras here tonight, but really you can behave yourself.

**The Hon. GREG PEARCE:** Would you like to act as a chair?

**CHAIR:** Your point of order was not a point of order, it was merely a debating point. The question has been specifically targeted to the effect of some Federal Government legislation on workers in the Illawarra and therefore it is in order. Please proceed.

**Mr DAVID CAMPBELL:** Thank you. Some might question whether or not the earlier questions about unemployment were relevant to the portfolio, but, in answer to the Hon. Greg Donnelly's question, people are extremely anxious and concerned about WorkChoices. In an earlier answer, to which no point of order was taken, I made the point that people are celebrating the fact that the New South Wales Government has taken action against the Chili's chain, particularly the Chili's store at North Wollongong, which happens to be in the Keira electorate that I represent, on the way that young workers were ripped off there.

It is something that happens almost on a daily basis, when I am in the shopping centre with my wife, at an annual meeting for the local neighbourhood centre, and when I was recently at the annual general meeting for the youth housing group in the region—it is a daily subject of conversation. People have concerns about the impact on lifestyle, the impact on income, the impact on conditions of employment, the opportunity to get employment that has come from WorkChoices, and following on I think from a point I made in answer to one of Mr Pearce's earlier questions, it is absolutely incongruous that you would have the Prime Minister and the Treasurer of Australia arguing that WorkChoices has led to such a growth—in their terms—in employment for the country, yet we have an intransigent level of youth unemployment in the Illawarra. WorkChoices has not supported those young people in jobs and we know that the unemployment rate in the Illawarra is about double the State average in round terms, so again it is quite abundantly clear that WorkChoices has not done that.

I would have thought that they were the questions that the Hon. Greg Pearce would have been asking the Commonwealth if he was serious about wanting to encourage jobs growth in the

general economy and for young people in the Illawarra particularly. Why is it that the Prime Minister trumpets that WorkChoices has led to a huge growth in jobs, but those jobs have not been delivered on the ground in the Illawarra? That is a concern that people raise, as I say, on a daily basis, whether it is at half-time at the Wollongong Hawks match, as it was a couple of weeks ago, while chatting to some people, or just going about daily business at the supermarket. It is an issue of extreme concern in the Illawarra.

**The Hon. GREG DONNELLY:** Notwithstanding lack of support by the Commonwealth to the Illawarra region, do we have a situation that through State Government ongoing support we are finding ongoing diversification of the Illawarra economy? Once upon a time it was a steel economy, a steel city, but of course it has been progressing and evolving. Is it your assessment that evolution is continuing and that the diversity and richness of the Illawarra economy is continuing?

**Mr DAVID CAMPBELL:** That is certainly the case. The traditional industries of the Illawarra have been coal mining and export, steelmaking and heavy engineering. Steelmaking fortunately continues. Fortunately, coal mining continues, but both industries have seen reduced levels of employment. The innovation that has been in the heavy engineering sector in particular continues. Many small and medium enterprises in our region are changing the focus and using technology to improve their productivity and their opportunities for new markets, taking on board the engineering skills that they have learned.

The hospitality industry, as is the case in many places in New South Wales, continues to grow and expand in our region. I think a particular initiative of a Labor Government, albeit the Unsworth Government, was the establishment of the food school at the main technical and further education campus in Wollongong, which has led to jobs growth and training opportunities in that field, but I think without any shadow of a doubt the real driver of change in the region's economy is the University of Wollongong, which this Government proudly supports. As the Minister for the Illawarra, as an individual, as a former student who did not finish their degree at the University of Wollongong—a student a long time ago—I certainly see the value of the university. Its international students bring a strength to the region and a demand for other goods and services. About a third of the students at the University of Wollongong are international students; about a third are local students and about a third come from elsewhere in Australia, many of them from the southern suburbs of Sydney and from the Macarthur region.

The university's focus on research and development and its real drive for research in a range of fields—nanotechnology and alternative materials, as I mentioned, a great deal of work in a number of environmental areas and in information and communication technology [ICT] industries—has led to a great deal of jobs growth, not just in the university itself as it has expanded, but those jobs have been spun out into the local community: Hatch Engineering; Andrews Corporation, the telecommunications company from the United States; and the list goes on as to people who have invested because of the university. That has led to that sense of diversification of the economy, the job opportunities that come from that, and there will be more of that.

Last year the university was named British Commonwealth University of the Year. It has been named the Australian University of the Year twice in recent times. This year I think it is the regional university that has picked up the greatest amount of research funding from Commonwealth research programs, for example. Without doubt the university has contributed to the diversification of the region's economy. Its work on establishing the innovation campus on land provided by the New South Wales Government will continue to change the fundamental structure of the economy. We talked earlier about the local environment plan and development control plan for the Wollongong central business district. There needs to be some work done to attract investment there, but that will also change the shape and continue the drive to have a diverse economy. People in the region and the Government do not want to lose the sense of history and the contribution that heavy engineering can make.

That is one reason the Government has supported the next push into growth of trade through Port Kembla, bringing more ships to the port, more product across the berth, and as a consequence of that more jobs and a different type of job than we have seen in the past. For example, we now have young people working in detailing motor vehicles as a consequence of the Government's determination to continue that push to diversify the economy. That is the strong point that the Premier

made in his speech when he welcomed the first two Wallenius Wilhelmson vessels. When the Premier was in Wollongong on 5 October to welcome those two Wallenius Wilhelmson vessels he made the point that this is a whole new push for the regional economy. Another thing that has helped to diversify the region's economy is the Government's investment in the Wollongong Entertainment Centre, which now sees a number of international acts come and perform. They are often supported by local acts, so there is a sense of cultural development through the Government's expenditure in our region.

**The Hon. JOHN AJAKA:** Are you able—I am happy to take this on notice—to tell me the exact figure or close figure for youth unemployment in the Illawarra area as at today, compared to what it was 12 months ago?

**Mr DAVID CAMPBELL:** I will take that on notice, but as a percentage—

**The Hon. JOHN AJAKA:** Are you aware today?

**Mr DAVID CAMPBELL:** I will take it on notice, but as a percentage the figure that the Hon. Greg Pearce bandied about would have been the figure that was being bandied about a year ago.

**The Hon. JOHN AJAKA:** Has there been a change in the figures in the past 12 months as far as you are aware?

**Mr DAVID CAMPBELL:** The 40 per cent figure that the Hon. Greg Pearce bandied about earlier would be in the order of what was bandied about 12 months ago.

**The Hon. GREG PEARCE:** It was actually April, the time of the forum which you attended. What is your attitude to the Maldon-Dombarton rail proposal?

**Mr DAVID CAMPBELL:** I have worked with Government to ensure that the reservation for the Maldon-Dombarton rail line remains in local environment plans and the State planning system. So that is there. As an individual from the region, I would be delighted to see the Maldon-Dombarton rail line built because that would mean that there was some product to carry on it. As we sit here today I do not believe, on all the available information, that there is a business case that would require a government to invest in the construction of that rail line. I look forward to the day when there is a business case for that because it would mean many more ships coming through the port of Port Kembla and much more product coming over the berth.

In the meantime, until that day arrives, I will continue to go out and sell the region as a place where people should come and invest. That railway line, which was under construction 20 odd years ago, had contracts with the private sector; private building firms were building it. Then the Greiner Government cancelled the contracts and the work ceased. In the interim no-one has been able to demonstrate a need to build that particular stretch of rail line.

**The Hon. GREG PEARCE:** Would you support a private sector proposal if there was one to take it over and build it?

**Mr DAVID CAMPBELL:** If someone from the private sector were to come forward and put up a case that said, "We can build this because there is product to put on it", then the Government will take that decision. But going back to my earlier answer and repeating it, I would be delighted to see product that can be carried on that rail line coming through the port of Port Kembla; therefore, I would be delighted to see the rail line built. Whether it is by the private sector in a combination between the Government and the private sector or by the Government will be a factor of when it is required.

**The Hon. GREG PEARCE:** What about the private hospital being promoted for Albion Park? Do you have a view on that proposal?

**Mr DAVID CAMPBELL:** The site needs to be rezoned. I am aware that the owner of the site is preparing documentation, as I understand it, to lodge a rezoning proposal. I understand that no formal rezoning proposal has been lodged. Again, given that it is private sector investment, I look



forward to the private sector being able to demonstrate that it can make a go of such a proposal on that site.

**Ms SYLVIA HALE:** Returning briefly to the Maldon-Dombarton rail link, you would obviously be aware that the cars currently unloaded from containers at Glebe Island will be shipped to Port Kembla in the future. How will they make their way from Port Kembla to what is presumably the biggest area of demand for them, namely, the Sydney metropolitan region?

**Mr DAVID CAMPBELL:** To the best of my knowledge, cars are not imported in containers into Glebe Island. They come in roll-on, roll-off ships—

**Ms SYLVIA HALE:** Are they not a sort of containers ship? I thought they were. Excuse my ignorance.

**The Hon. GREG PEARCE:** They contain cars.

**Mr DAVID CAMPBELL:** Cars are not individually imported in containers, which is what I thought the question was. The cars that used to arrive at Glebe Island were loaded onto trucks, dragged through Glebe and suburbs all the way out to Minto. So all of those inner suburbs had big car-carrying trucks rumbling through them. As part of the Government's determination to move the car trade to Port Kembla, those trucks will no longer rumble through those residential streets of inner Sydney; they will go onto industrial roads that were built to carry great volumes of coal to be exported from Port Kembla. The coal trade through Port Kembla has reduced as the underground pits have been exhausted or have become too expensive to mine. The amount of coal that is being exported through Port Kembla has reduced.

All of the development applications, all of the planning proposals for the expansion of Port Kembla, the relocation of car trade from Glebe Island and those inner-city locations to Port Kembla have demonstrated that the existing road/rail networks in and out of Port Kembla can cope with that increased traffic. As I understand it, all traffic movements on the Mount Ousley Road, which is part of the F6 system, will increase by about 1 per cent increase and the design capacity can carry those vehicles. Instead of going through the back streets of Glebe and other inner-city suburbs, as soon as the trucks leave the Port Kembla inner harbour they will immediately go onto four-lane dual-carriageway roads and they will stay on those until they get to the top of the escarpment, then they will go along the Picton Road and then onto the Hume Highway, which is a four-lane dual-carriageway at Wilton, I think. The Hon. Helen Westwood will assist me there.

**The Hon. HELEN WESTWOOD:** Yes, it is.

**Mr DAVID CAMPBELL:** Then they will get off at Minto. Instead of going from north to south, through metropolitan and suburban Sydney, they will go from south to north on a main road-industrial road network that was built to carry heavy traffic.

**Ms SYLVIA HALE:** Minister, do you think it would be an appropriate use of the Maldon-Dumbarton line if the missing kilometre were to be completed to transport those cars on rail, thus free the Illawarra residents of the polluting effects of the car carriers?

**Mr DAVID CAMPBELL:** If you have it on the other end of the journey more is required, than the one kilometre you referred to—that is your figure. More than that is required to get those vehicles to their final destination at Minto.

**Ms SYLVIA HALE:** You would agree that it would be an improvement on travelling on roads?

**Mr DAVID CAMPBELL:** I have said many times in the media in Wollongong, many times to individual constituents, many times at meetings and indeed I have said it a couple of times here: I look forward to the day when there is sufficient product coming through Port Kembla that will lead to the justification on a business case for the construction and completion of the Maldon-Dumbarton rail line and what goes on the other end of it to make it a useful rail link.

**CHAIR:** That concludes the time allocated for the portfolio of the Illawarra. The Committee will now proceed to the Police portfolio. We will deal first with the Police Integrity Commission and the Crime Commission, then move on to general Police questions. For the benefit of the media, no photographs of the Crime Commissioner are to be taken.

**JOHN WILLIAM PRITCHARD**, Commissioner, Police Integrity Commission, and

**PHILLIP ALEXANDER BRADLEY**, Commissioner, New South Wales Crime Commission, affirmed and examined:

**CHAIR:** Minister, do you wish to make an opening statement?

**Mr DAVID CAMPBELL:** No, I am happy to take questions.

**CHAIR:** When the Committee has exhausted this area of questions Mr Pritchard and Mr Bradley will be excused.

**The Hon. MICHAEL GALLACHER:** I start with questions to the Crime Commissioner, Mr Bradley. What impact will the in excess of 70 per cent drop in your capital works or capital expenditure budget have on your operations, according to the line item in the budget papers, "Capital expenditure"? I am sorry, the nearly 40 per cent, it is 39 per cent where you are.

**Mr BRADLEY:** As you would be aware, for a number of years there has been an element of our capital expenditure to take account of some technological changes in the electronic surveillance environment. Treasury has put aside \$1 million for that purpose and we do not have a solution, we did not spend the money, and that was true for two successive budgets. The position Treasury has taken is to not include that in our budget but to address in when we have a solution and the solutions are such that it could be a lot less than that, because of the ways we plan to progress it.

**The Hon. MICHAEL GALLACHER:** Therefore, is it a guarantee that if you want all of that money returned you will have it returned?

**Mr BRADLEY:** Yes, that is my understanding.

**The Hon. MICHAEL GALLACHER:** What impact has the drop in the confiscation of proceeds had, which as you know, has been quite significant and quite steady in the last couple of year? In 2002-03 you were just short of \$17 million, which was obtained or acquired by your agency as a result of the confiscation of proceeds. Last year it was down to just over \$13 million. Has that had an impact as well?

**Mr BRADLEY:** The funds confiscated are not returned to the Crime Commission, nor spent by the Crime Commission. They are paid into what is called the Confiscated Proceeds Account, under the Act. They are then applied by Treasury in consultation with the police Minister to a number of specifically nominated purposes such as drug rehabilitation and other things including law enforcement purposes. The amount confiscated fluctuates but overall the trend line is upwards and to the right. This year, for example, we took \$21 million and projected a figure of about that in the current year.

**The Hon. MICHAEL GALLACHER:** That is \$21 million?

**Mr BRADLEY:** Yes.

**The Hon. MICHAEL GALLACHER:** And that is given back to you by the Government, is it?

**Mr BRADLEY:** No, that is the amount we take from the criminals, so to speak, and that includes the cost that we recover for the conduct of the litigation, which is in the order of about \$3 million. You will see that in the accounts as the biggest revenue item. The balance of the \$21 million goes into the Confiscated Proceeds Account.

**The Hon. MICHAEL GALLACHER:** The balance is \$13 million, and that is shown?

**Mr BRADLEY:** This year it will be more like \$18 million. The point I was trying to make is that it does fluctuate a bit and if you add this year's numbers you will see that the line is still heading north.

**The Hon. MICHAEL GALLACHER:** Hopefully.

**Mr BRADLEY:** Definitely this year.

**The Hon. MICHAEL GALLACHER:** I notice you have had a blow out in relation to two information technology projects, one is the electronic surveillance project, which commenced in 2003, and the other is the information technology infrastructure project, which commenced in 2003. They have now been pushed back till 2011. What is the reason behind the push back on those two projects?

**Mr BRADLEY:** Those are the matters I was referring to earlier. Basically, there are some complicated challenges to electronic surveillance, which we are addressing in a couple of possible ways.

**The Hon. MICHAEL GALLACHER:** You said that the money had been taken off you, yet the costs of both matters have blown out quite substantially. Although they have blown out in their costs it appears that, coincidentally, they have been delayed 12 months and you have had a reduction in your budget.

**Mr BRADLEY:** It really is a deferral, essentially, until we find a solution.

**The Hon. MICHAEL GALLACHER:** How can there be a blow out in costs if you do not have an answer?

**Mr BRADLEY:** Which line item are you referring to?

**The Hon. MICHAEL GALLACHER:** Information technology delays, which are shown in the budget papers in your capital program.

**Mr BRADLEY:** Is there a specific page or paragraph?

**The Hon. MICHAEL GALLACHER:** I do not have it before me, no.

**Mr BRADLEY:** I will take that question on notice because I am not sure about the appropriate response to the assertion that there is a blow out.

**The Hon. MICHAEL GALLACHER:** In 2006-07 the estimated cost for the electronic surveillance project was \$1.85 million, and the estimated cost in current dollars has now gone up to \$2.1 million.

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

**The Hon. MICHAEL GALLACHER:** I move on to the Police Integrity Commission. I hope you are not subject to the same difficulties as the Crime Commission in that you have had a reduction in your capital expenditure budget in excess of 70 per cent. Could you indicate to the Committee what sort of impact that has had on your operations?

**Mr PRITCHARD:** From the time that I have been there I have found that capital expenditure for the commission has been more than sufficient for it to discharge its obligations in that respect. I am not sure what the figure was for 2005-06, but for 2006-07 and this year the capital has been more than enough for us to spend in such a way to achieve what we have to achieve. I have not noticed any impact on that. If I am correct, I think there are a couple of one-off items for a new telecommunications interception system for the 2005-06 year, for example. That may account for the extra funding, which would not be carried over to later years.

**The Hon. MICHAEL GALLACHER:** You have had a 3.4 per cent overall cut to your budget. Surely that has had an impact on your operations?

**Mr PRITCHARD:** No. For the year that I have now been at the commission I could not say that anything has come along that has suggested that cuts like those have forced us not to do something that we would otherwise have done.

**The Hon. MICHAEL GALLACHER:** I have no further questions for Mr Bradley. I was just interested to see his response, as I was with the Police Integrity Commission, to apparent reductions in his budget. I believe that the Commissioner of the Police Integrity Commission currently has an operation—I assume it is publicly known—looking at police officers in New South Wales and statutory declarations. Has that been given an operational name?

**Mr BRADLEY:** It has—Operation Horseshoe.

**The Hon. MICHAEL GALLACHER:** How long is this investigation anticipated to continue?

**Mr PRITCHARD:** I do not think it will continue for much longer. It is well advanced. It is a bit difficult to say what sort of path it might take in the near future, but it is well advanced.

**The Hon. MICHAEL GALLACHER:** How many officers, current and former, are subject to an investigation in relation to this matter? Are we talking about a small investigation or quite a large-scale one?

**Mr PRITCHARD:** It is not a small number in relation to the number of people who fall into that class of two categories that you referred to. It is a small number relative to that; it is not a very big number.

**The Hon. MICHAEL GALLACHER:** Are we talking about in excess of a dozen officers?

**Mr PRITCHARD:** It is an ongoing operation. Forgive me if I fall back on saying that at this stage I do not want to go into too much detail.

**CHAIR:** Thank you for your attendance tonight.

**(The witnesses withdrew)**

**LES TREE**, Director General, Ministry for Police,

**ANDREW PHILLIP SCIPIONE**, Commissioner of Police, and

**FRANCIS MARY McPHERSON**, Executive Director, New South Wales Police Force, sworn and examined:

**CHAIR:** Minister, did you have an opening statement?

**Mr DAVID CAMPBELL:** No, Chair, I am happy to take questions from the Committee.

**CHAIR:** We will start with 20 minutes of Opposition questions.

**The Hon. TREVOR KHAN:** Commissioner, I direct my question to you. My understanding is that a protocol is in place that deals with the provision of confidential information relating to investigations, security risks and counterterrorism arrangements to the Government. Is that the case?

**Mr SCIPIONE:** Yes, there is.

**The Hon. TREVOR KHAN:** Is that protocol a written document?

**Mr SCIPIONE:** No, I do not think there is a written document per se. I think it is a protocol that has developed, certainly in relation to briefings. If we were to move into the legislation that is in place with regard to the use of police terrorism powers, there is a written process. That is certainly something we would rely on and that is well captured. But in general day-to-day briefings the protocol would be something that was based more on the historic nature of simply providing briefings as and when they were required. There is no written format.

**The Hon. TREVOR KHAN:** Commissioner you have partly answered my next question by what you have already said. Do I take it that briefings with regard to what could be called serious investigations are done on a daily or a weekly basis?

**Mr SCIPIONE:** This is in relation to counterterrorism briefings?

**The Hon. TREVOR KHAN:** No, we will leave counterterrorism as a special little group all on its own; we are talking about other investigations.

**Mr SCIPIONE:** Criminal investigations?

**The Hon. TREVOR KHAN:** That would be fair.

**Mr SCIPIONE:** There is no written instruction with regard to when briefings are provided. They are provided at a time when the force determines that government needs to be advised. That is more linked to the important nature of the investigation. We do not go prematurely and we certainly ensure that those briefings are provided at just the right time. There is no document that I am prepared to say I have seen that governs the release of that information.

**The Hon. TREVOR KHAN:** Commissioner, let us work on the basis that we have now had two answers to the effect that there are no documents.

**Mr SCIPIONE:** Yes.

**The Hon. TREVOR KHAN:** We will accept that. Let us also work on the basis that, from what you have said, this practice has grown up over a period. Is that right?

**Mr SCIPIONE:** That would be right, yes.

**The Hon. TREVOR KHAN:** We will move past that. How regularly do you give briefings to the Government with regard to serious criminal investigations?

**Mr SCIPIONE:** As and when they are required. There is no set formula.

**The Hon. TREVOR KHAN:** I am asking you—

**Mr SCIPIONE:** How often would it be?

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

**Mr SCIPIONE:** It may well be a briefing a day. There are other times when you might go a week and there would be no discussion about operational matters. There is no set formula. I cannot think back to a particular time. If you were to say, "How many in that period", I would have to go back and manually calculate them in my mind. We could go a week without talking about an operational matter. It may well be that we talk about two in a day.

**The Hon. TREVOR KHAN:** Do I take it from what you have said about operational matters, which I take it is your term for matters involving criminal investigations, that they could be as regularly as once or twice a day, or once a week?

**Mr SCIPIONE:** That is the case but, of course, it depends on the nature and type of investigation. It may well be that there are some investigations that we just simply do not talk to government about.

**The Hon. TREVOR KHAN:** I understand that. There would be thousands going on at any one stage?

**Mr SCIPIONE:** Correct.

**The Hon. TREVOR KHAN:** So that you and others have to make a decision, I take it, as to the importance or sensitivity of the investigation in deciding whether you pass on that information to the Government, is that right?

**Mr SCIPIONE:** Importance and sensitivity, yes.

**The Hon. TREVOR KHAN:** The more important it is, the more likely it is that you will notify or advise the Government, would that be right?

**Mr SCIPIONE:** In part. It could also be that the more sensitive it is the less likely we are to brief anyone.

**The Hon. TREVOR KHAN:** Well, Commissioner, you are getting ahead of my questions. I was asking about importance.

**Mr SCIPIONE:** You just mentioned importance and sensitivity.

**The Hon. TREVOR KHAN:** You understand that I am breaking it down into its constituent parts?

**Mr SCIPIONE:** I understand.

**The Hon. TREVOR KHAN:** The more important it is the more likely it is that you will notify?

**Mr SCIPIONE:** Yes, that would generally be the case.

**The Hon. TREVOR KHAN:** Depending on where an investigation is up to, self-evidently, you may decide or not decide to notify the Government at a particular time?

**Mr SCIPIONE:** Yes.

**The Hon. TREVOR KHAN:** Let me just move a bit sideways from that and we will come back to that line in due course. Do I take it that when you advise the Government, you do that not by way of a broadcast over 2GB but, rather, by way of a meeting, would that be right?

**Mr SCIPIONE:** It could be. Could be a phone call, it could be a meeting. More likely a phone call, depending again on the nature and sensitivity of the investigation we are reporting on.

**The Hon. TREVOR KHAN:** Sure. Well, if it is a phone call, who is the phone call to?

**Mr SCIPIONE:** Well, it depends on the type of matter that you are talking about. If you were to talk about a counterterrorist matter, then it may well be that it could be direct to the Minister. It may well be that there would be discussion between the department and the director general of the ministry. It really does depend. I probably need a bit more information with regard to the nature and type of inquiry that you are talking about.

**The Hon. TREVOR KHAN:** Commissioner, you will remember that what we had done is moved counterterrorism issues over into a little box on the side. So, we are talking about criminal investigations.

**Mr SCIPIONE:** Well, again, there are more categories. It could be a professional standards matter involving police officers. Well, we would brief the Government at a different time than if it was a matter that related to general crime in the community. So, again it is not that cut and dried where you could simply say all investigations fall into this particular category and therefore this is the time frame and this is the way we do it.

**The Hon. TREVOR KHAN:** But certainly Mr Tree would be a person who would often be advised, I take it, of important investigations that are being undertaken?

**Mr SCIPIONE:** I would not say often, no.

**The Hon. TREVOR KHAN:** Would you say it would be more likely that you would deal directly with the Minister?

**Mr SCIPIONE:** It could well be the Minister's office. It may well be that during the course of a meeting where I would be talking through issues that potentially needed to be brought to the attention of government. One might do that through a normal meeting with the Minister and at that stage the director general and the Minister would be present together with a range of staff.

**The Hon. TREVOR KHAN:** All right, we will deal with that. We have moved off the phone. We have come to a meeting. I think you have answered that question in part. If the meeting is one that is held in the Minister's office, you are in attendance, Mr Tree is in attendance, the Minister is in attendance. Who else would be in attendance at those meetings?

**Mr SCIPIONE:** I might take my staff officer with me. I could well have my executive officer. It just again depends on the particular meeting and what it is that we are talking about.

**The Hon. TREVOR KHAN:** Do you receive or are you aware of times where inquiries have been made from the Minister or from the Minister's office with regards to inquiries or investigations that are being undertaken by the police?

**Mr SCIPIONE:** Sorry, can you just repeat that once more. I just want to get the words right for you.

**The Hon. TREVOR KHAN:** What I am asking you essentially is this. What we have talked about is circumstances where you have initiated the communication of information, is that right? Up until this point?

**Mr SCIPIONE:** Yes.

**The Hon. TREVOR KHAN:** What I am now asking you is, are there times where instead of you volunteering information, essentially the question with respect to an investigation comes down from the Minister or the Minister's office to you, the former commissioner or someone else in the senior hierarchy of the police?

**Mr SCIPIONE:** I think probably a start that reality is we would get very few of those types of inquiries. When we do, they would come down. Generally I ask for them in written format and that would be through the director general's office and again that is standard practice and that is the way we have done that for as many years as I can remember.

**The Hon. TREVOR KHAN:** All right, well we will just move on to another matter. Do I take it that you were aware that an inquiry was being undertaken something in the order of 12 plus months ago in regards to Milton Orkopoulos?

**Mr SCIPIONE:** Was I aware of that?

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

**Mr SCIPIONE:** Yes.

**The Hon. TREVOR KHAN:** Do I take it that in terms of the senior officers who were aware that the investigation was being undertaken included, and I cannot remember his title now, Peter Parsons?

**Mr SCIPIONE:** Region Commander North Region.

**The Hon. TREVOR KHAN:** Peter, yourself and the then commissioner?

**Mr SCIPIONE:** Amongst a number of others, yes.

**The Hon. TREVOR KHAN:** Were you aware that approximately a month prior to Mr Orkopoulos being charged, his lawyer rang up and spoke to officers inquiring as to the progress of the investigation that was being undertaken in regards to Mr Orkopoulos?

**Mr SCIPIONE:** No, I was not aware.

**The Hon. TREVOR KHAN:** Are you sure about that?

**Mr SCIPIONE:** Sure.

**The Hon. TREVOR KHAN:** If it were the case that a lawyer had made inquiry into the progress of the investigation the police were undertaking into Mr Orkopoulos, it would indicate that there was either a leak from the New South Wales Police Force or from somewhere else in the system, would that be right?

**Mr SCIPIONE:** Well, if that sort of information was made available to somebody else, it could have been someone from within the New South Wales Police Force, but there are many other areas that that type of information can come from, you know, including witnesses that are involved. It could include those that are part of the investigation. But I certainly have no knowledge of any inquiry by any lawyer certainly in my office, and I was never inquired of, nor do I have any knowledge of the former commissioner. If there was an inquiry, if that information was provided, it could come from many different areas.

**The Hon. TREVOR KHAN:** Would you be able to go back and make inquiries particularly of senior police and the detectives who were involved in the case and get back to us to advise whether what I say is correct?

**Mr SCIPIONE:** Certainly. Yes, we can do that.



**The Hon. TREVOR KHAN:** And would you be able to indicate when precisely that inquiry was made by that lawyer?

**Mr SCIPIONE:** I can certainly make the inquiry. I do not know if I can because I do not know if it happened. If you can give me some advice in terms of when it may have happened, that would certainly be useful.

**The Hon. TREVOR KHAN:** I would like to suggest a time frame from, say, mid-September through to mid-October. You will be alive to the fact, will you not, that Mr Orkopoulos was charged I think on or about 6 November. So, we are talking about something in the order of a month or thereabouts prior to him being charged that he was making those inquiries?

**Mr SCIPIONE:** Thank you. I will take that.

**The Hon. TREVOR KHAN:** You were involved in the decision-making process as to when the Government was to be advised of the charging of Mr Orkopoulos, is that the case?

**Mr SCIPIONE:** No, that is not the case.

**The Hon. TREVOR KHAN:** Who was?

**Mr SCIPIONE:** I briefed the then commissioner. Commissioner Moroney was the one who interfaced with the Government on this particular matter.

**The Hon. TREVOR KHAN:** I accept that he is the one that interfaced. I am asking whether you were involved in the decision-making process as to when the Government would be told?

**Mr SCIPIONE:** No.

**The Hon. TREVOR KHAN:** You were not?

**Mr SCIPIONE:** No.

**The Hon. TREVOR KHAN:** You had no discussions with the commissioner on that subject at all?

**Mr SCIPIONE:** No. I mean, in fact the commissioner advised me that he had, I think, had a discussion with the director general of the ministry, after the event. I briefed the commissioner. I think it was shortly thereafter he had some discussion with me—a matter of days. But I was the Deputy Commissioner Field Operations responsible for managing the operation through the region commander and from my perspective I certainly had no role to play in terms of determining when and how government were to be advised.

**The Hon. TREVOR KHAN:** If I could ask some questions of Mr Tree at this stage. Mr Tree, when was it that you were first advised by anyone of the issue of possible charges being laid against Mr Orkopoulos?

**Mr TREE:** Commissioner Moroney informed me on Monday 6 November 2006.

**The Hon. TREVOR KHAN:** I am not seeking to be obtuse and I am sure you are not either, Were you advised by anyone else prior to that time of the possible laying of charges against Mr Orkopoulos?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Indeed did you have discussions with anyone about the possibility of Mr Orkopoulos being charged?

**Mr TREE:** Do you mean prior to 6 November?

**The Hon. TREVOR KHAN:** Absolutely.

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Were you aware of any investigation of any sort—and I make it quite plain, not necessarily criminal—into activities being undertaken, or allegedly being undertaken, by Mr Orkopoulos?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Do I take it that it was, to use the vernacular, a bolt from the blue that you received a telephone call from the commissioner on 6 November? I am sorry, I think it might have been 5 November.

**Mr TREE:** It was actually 6 November, I think, but I had no prior knowledge, as I have just said.

**The Hon. TREVOR KHAN:** I will ask you again. Did it come, to use the vernacular, like a bolt from the blue that one of the Ministers was to be charged with a range of serious sexual offences?

**Mr TREE:** Well, I was surprised, but I will stand by my previous answer. I had no prior knowledge of it.

**The Hon. TREVOR KHAN:** I am not wishing to be offensive, Mr Tree, but it is not something that one would expect to hear on the phone each day. Is the maximum you can raise your emotional level to on this subject "surprised"?

**Mr TREE:** You choose to use "a bolt from the blue". That is your language. It is not language I use. I said I was surprised.

**The Hon. TREVOR KHAN:** And that is it?

**Mr TREE:** Well, what more do you want me to say? Do you want me to say "a bolt from the blue"?

**The Hon. TREVOR KHAN:** No. What I am inviting is some indication, if it was entirely fresh information.

**Mr TREE:** It was entirely fresh information. I have just said I had no prior knowledge about it.

**The Hon. TREVOR KHAN:** What did you do when you received this telephone call, Mr Tree?

**Mr TREE:** In fact I did not receive a telephone call. Commissioner Moroney told me in person. So I do not know who told you it was a telephone call, but it is not correct.

**The Hon. TREVOR KHAN:** Was it by way of a regular appointment, or did he just pop into your office?

**Mr TREE:** I had a weekly meeting with the commissioner. It was during the course of that meeting on a Monday morning.

**The Hon. TREVOR KHAN:** Was it a part of the agenda?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Was it at the start of the meeting or the end of the meeting over coffee? How did it come up?

**Mr TREE:** It was at the end of the meeting.

**The Hon. TREVOR KHAN:** Were you alone at that stage, or were there other persons present?

**Mr TREE:** I was alone with the commissioner.

**The Hon. TREVOR KHAN:** Prior to being alone, who else had been at this regular Monday meeting?

**Mr TREE:** From recollection, the commissioner's then chief of staff, which is normal practice.

**The Hon. TREVOR KHAN:** Who was that?

**Mr TREE:** Superintendent Mark Hutchings, I think. Yes.

**The Hon. TREVOR KHAN:** Anyone else?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** No-one else?

**Mr TREE:** Maybe the commissioner's executive officers, but they were there to discuss routine business.

**The Hon. TREVOR KHAN:** So it was not a special meeting, and I am not—

**Mr TREE:** I have just said that I had a weekly meeting with the commissioner.

**The Hon. TREVOR KHAN:** Sure. Mr Tree, do I take it that what happened is that, toward the end of the meeting, you were taken aside and told that Mr Orkopoulos is to be charged. Is that right?

**Mr TREE:** Something to that effect, yes.

**The Hon. TREVOR KHAN:** I do not want to be rude: what was it that you were told?

**Mr TREE:** I have just said before—I thought your question was about was I taken aside. I cannot remember the exact sequence of events but—

**The Hon. TREVOR KHAN:** Do your best.

**CHAIR:** Do not be patronising to the witnesses.

**Mr TREE:** The commissioner informed me that there was an investigation into serious matters involving Mr Orkopoulos and that the investigation may result in Mr Orkopoulos being arrested and charged, and that was the extent.

**The Hon. TREVOR KHAN:** What time did the meeting commence?

**Mr TREE:** I cannot recall at this stage. It was in the morning.

**The Hon. TREVOR KHAN:** As Mr Gallacher rightly points out, it was a regular meeting.

**Mr TREE:** Yes.

**The Hon. TREVOR KHAN:** It being a regular meeting, a regular Monday morning meeting—

**Mr TREE:** No, I did not say that. I said I had a meeting each week. It was sometimes on different days.

**The Hon. TREVOR KHAN:** Are you able, if you cannot remember now, to get back to us and tell us what time the meeting started and what time the meeting finished?

**Mr TREE:** I could do that.

**The Hon. TREVOR KHAN:** Are you able also, in the light of that, if you cannot remember now, to indicate by reference to your diaries and the like at what time, as best you can do, you were actually told?

**Mr TREE:** Okay. I will check my records.

**The Hon. TREVOR KHAN:** That is a yes?

**Mr TREE:** Yes.

**The Hon. TREVOR KHAN:** Having gone through all that, are you able to indicate, having been told, who you then told the news to?

**Mr TREE:** Well, in accordance with the normal procedures for dealing with these sorts of matters, I brought the matter to the attention of the then Minister's chief of staff.

**The Hon. TREVOR KHAN:** And who was that?

**Mr TREE:** Ms Emma Murphy.

**The Hon. TREVOR KHAN:** How did you bring it to the attention of that person?

**Mr TREE:** By telephone.

**The Hon. TREVOR KHAN:** Did you do anything in writing?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Did you make a note?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Are you sure about that?

**Mr TREE:** Yes.

**The Hon. TREVOR KHAN:** You would not have thought that this was—and I am not trying to be trite.

**Mr DAVID CAMPBELL:** "But I will be".

**The Hon. TREVOR KHAN:** Sorry?

**Mr DAVID CAMPBELL:** You are not trying to be trite, but you will be.

**The Hon. TREVOR KHAN:** It is not "tripe"; it is "trite".

**Mr DAVID CAMPBELL:** That is what I said. That is what you said, and that is what I said.

**The Hon. TREVOR KHAN:** This being an earth-shattering matter I would suggest, you did not make a note?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** You did not send an email?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Nothing like that?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** You just made a phone call.

**Mr TREE:** Yes.

**The Hon. TREVOR KHAN:** Would you be able, with the assistance of any documents that you have, to in due course be able to advise us as to when the telephone call was made?

**Mr TREE:** Yes.

**The Hon. TREVOR KHAN:** Did you contact anyone else, apart from the Minister's office?

**Mr TREE:** No.

**The Hon. TREVOR KHAN:** Do I take it therefore that, on that day, you say you did nothing more in regard to this matter?

**Mr TREE:** That is correct.

**CHAIR:** The time for Opposition questioning has expired. We will now go to questions from Ms Hale.

**Ms SYLVIA HALE:** Commissioner, how do you pronounce your name?

**Mr SCIPIONE:** Well, it is—

**Ms SYLVIA HALE:** I heard the Premier was—

**Mr SCIPIONE:** I pronounce it S-C-I-P-I, O, N-E on the basis that that is the way it has been pronounced by my parents for many years.

**Ms SYLVIA HALE:** That is good enough for me.

**Mr SCIPIONE:** Thank you.

**Ms SYLVIA HALE:** Commissioner, how many Glock pistols have been lost in the last financial year?

**Mr SCIPIONE:** Not having access to those documents with me, can I take that on notice?

**Ms SYLVIA HALE:** Yes. Would you also take on notice the number of capsicum sprays that have been lost or stolen in the last financial year, and the numbers of sets of handcuffs that were lost or stolen?

**Mr SCIPIONE:** So it was OC and handcuffs, was it?

**Ms SYLVIA HALE:** It was Glock pistols, capsicum sprays and handcuffs.

**Mr SCIPIONE:** Actually, I have got some details that may be of some assistance to you, if I can. I understand that during the financial year 2006-07 not one Glock handgun was lost or stolen.

**Ms SYLVIA HALE:** Did you say "not one"?

**Mr SCIPIONE:** Not one, yes. I can indicate though from a reading of this that there have been over that same period six sets of handcuffs lost and two stolen. I think your other related to cans of OC spray?

**Ms SYLVIA HALE:** Yes.

**Mr SCIPIONE:** I do not seem to have that figure here.

**Ms SYLVIA HALE:** Can I now take you to a number of questions regarding APEC?

**Mr SCIPIONE:** Certainly.

**Ms SYLVIA HALE:** Can you tell me why the 5.5 kilometre fence was erected?

**Mr SCIPIONE:** Yes. Certainly as part of the planning that was put into place for APEC, there was a decision made, based on the advice from those responsible for planning the New South Wales Police response to APEC, that there needed to be some physical barrier put into place to manage not only crowds, potentially, but safe movement of motorcades throughout the city, bearing in mind that with so many delegates and so many motorcade movements required, there was not only the issue of safety to the delegates but also the public that had to operate still within those city environments. So for a whole host of reasons, including security, traffic—to ensure that we had good transport corridors and good green light corridors for dignitaries and those who were part of the APEC event themselves—a decision was made that we would fence a relatively small part of this city in order to ensure that this event went as smoothly as we could make it go.

**Ms SYLVIA HALE:** I notice that the first consideration you listed was security. Would you regard the fence as an item of security equipment?

**Mr SCIPIONE:** It was securing a city but, as I also said in the very same sentence, it was as much about ensuring the safety of those who were in and around those areas and the safety of those who were travelling on those streets.

**Ms SYLVIA HALE:** As an item of security equipment it is presumably covered by the Security Industry Act 1997. In that case, could you please provide the name of the engineering firm that provided advice on the design and construction of the fence, as would be required in accordance with section 4 (1) (d) of the Security Industry Act?

**Mr SCIPIONE:** I do not know if it was any more than a fence like I would put around my house.

**Ms SYLVIA HALE:** You have said that it was essential to security—it was a key component of security—ensuring the protection of the participants as well as the public. Can you take these questions on notice? Can you provide the police master security industry licence number of the firm that designed and advised on the design and construction of the fence? Can you name each individual in the firm who worked on that device and their respective individual police security industry licence numbers, as required under the legislation?

**Mr SCIPIONE:** I do not think it is covered by the legislation. I stand to be corrected, but I do not think it falls within the definition of security equipment that you are using.

**Ms SYLVIA HALE:** What do you define as security equipment? Is it equipment that is supposed to keep people secure?

**Mr SCIPIONE:** I am advised for a start that the New South Wales Police Force is not covered by the security Act. But, just as importantly, to secure that particular event we had pedestrian crossings in operation to ensure that people could cross roads safely. We had traffic lights. They were as important a part of the security envelope as was the fence to ensure that cars did not travel when they were not meant to. It is not suggested that they were part of the security package.

**Ms SYLVIA HALE:** Traffic lights and pedestrian crossings were there as a matter of course; you did not install any specially. But the fence was installed very particularly as a piece of security equipment.

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** I have a number of other questions about the fence. Namely, could you provide the name of the firm that installed the security fence in accordance with section 4 (1) (c) of the Act, the police master security industry licence number of that firm and the name of each individual who worked on the installation and their respective individual police security industry licence numbers, as required under the legislation?

**Mr SCIPIONE:** I am not sure that in fact it is covered by the security Act. I will take the question on notice and have a look at it.

**Ms SYLVIA HALE:** Thank you. Could you also take on notice the following question: If the work was done without the necessary police security industry licences what steps will be taken to recover all moneys paid to those firms offering advice in respect of the fence and installing the fence in accordance with section 41 of the Security Industry Act? Section 41, "Payment of fees charged by unlicensed persons", states in subsection (1) that an unlicensed person is not entitled to charge any fee and in subsection (2) that if the fee has been paid it cannot be retained by that unlicensed person.

**Mr SCIPIONE:** I am not sure that I understand the question.

**Ms SYLVIA HALE:** The question is: If the work was done without the necessary authority and the necessary licences I am bringing to your attention the fact that the Act requires that any fees that have been paid will have to be refunded. In respect of those contracts to offer advice on and install the APEC security fence—again, assuming that the work was done without the necessary licences—will the police security industry unit be taking any action under section 7 of the Security Industry Act to prosecute those firms and their employees who provided advice on the design and actually worked on the construction of the fence?

**Mr SCIPIONE:** Our authority is in the Police Act not the security Act.

**Ms SYLVIA HALE:** But presumably the security Act would be applied to items of security equipment, and the police would be as cognisant of that Act as they are of any other Act that is in force in the State.

**Mr SCIPIONE:** Not that I am aware of. I could be corrected, and I will take those earlier questions on notice. But, having said that, the New South Wales Police Force is covered by the New South Wales Police Act, not the security Act. Therefore, I do not think we are bound by the same provisions. But again, as I indicated, I will take what I can on notice and we will come back to you.

**Ms SYLVIA HALE:** Thank you. Can you tell the Committee how many members of the New South Wales Police Force were deployed on Saturday 8 September?

**Mr SCIPIONE:** I can take that question on notice. I know that over the entire event some 3,400 officers were involved in APEC. That is everything from providing security through to the planning and preparation, which was ongoing for two years prior to the event.

**Ms SYLVIA HALE:** Focusing on Saturday 8 September, can you indicate how many of those police officers were paid overtime and what was the total overtime component of the total wages bill?

**Mr SCIPIONE:** Not being able to tell you how many officers, I cannot tell you what the totals are. I will take the question on notice.

**Ms SYLVIA HALE:** Could you also take on notice how many members of the riot squad were present on 8 September?

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

**Ms SYLVIA HALE:** What items were riot squad officers equipped with?

**Mr SCIPIONE:** I can certainly take that question on notice as well.

**Ms SYLVIA HALE:** Could you also take on notice the average cost of the equipment for each riot squad officer?

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** Could you take this question on notice and provide the cost of each of the new capsicum spray backpacks? I want to know how many were used.

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** How many police who were present on 8 September were members of the special operations squad?

**Mr SCIPIONE:** We do not have a special operations squad.

**Ms SYLVIA HALE:** What about the Federal Police?

**Mr SCIPIONE:** You should probably ask that question of Commissioner Keelty.

**CHAIR:** We will now go to the Hon. Roy Smith for 10 minutes of questioning.

**The Hon. ROY SMITH:** Minister, the Federal Government has commissioned the development of a business case for the establishment of a national firearms management system. Can you tell me whether the New South Wales Government has received a report on the proposal and whether it supports the proposal?

**Mr DAVID CAMPBELL:** I have not personally seen a report on the proposal. Having said that, I must say that the purpose of a national firearms management system is to increase efficiencies for firearms management and improved communication between firearms registries throughout Australia. The national firearms management system project is co-sponsored by the Commonwealth Government and Victoria Police. The project engaged an independent consultancy firm to develop the business case. It is understood that to the Ministerial Council for Police and Emergency Management will shortly be considering the business case that examines the feasibility of a national firearms management system. I am advised that the Police portfolio is critically examining the business case in order to determine whether the benefits of the project outweigh its costs. The business case is being prepared and people within the portfolio are looking at it. But, as I said earlier, I have not personally seen it or been briefed on it.

**The Hon. ROY SMITH:** If that is the case obviously the Government cannot have a position on the proposal at the moment. Can you please take that question on notice and follow it through for me? Can you confirm whether the ministry has received a report on the proposal as yet? Could you give me the ministry's attitude, or your attitude, to it when you come to a conclusion? Moving to the situation with antique pistols, I wrote to you on 28 August pointing out problems that a number of collectors have with the current legislation that requires the registration of antique pistols, that a number of States across Australia do not require the registration of antique pistols, and that Australia is the only jurisdiction in the world that requires the registration of antique pistols. I asked you at that time whether you would be good enough to take the matter back to the Ministerial Council for Police and Emergency Management—the ministerial council—so that it might review its previous decision to require the registration of antique pistols. Is that matter listed on the agenda for the next meeting?

**Mr DAVID CAMPBELL:** This is an important issue. The registration of pre-1900 black powder muzzle-loading, percussion lock pistols is a requirement of the Council of Australian Governments [COAG] on handguns. There is currently an amnesty in place for owners of such items



and that amnesty is scheduled to conclude on 31 December 2007. At the end of the amnesty period all owners will be required to register those firearms. I understand that the ministry for police has consulted with a number of people affected by these changes.

I very much recognise the value of these firearms in the sense of their age, their curiosity value, their historical value and their financial value, and I want to make it clear that I cannot see where I would have any intention of requiring that a permanent mark be placed on them. I understand that some people have suggested that they be marked in some way. I would not see that as a sensible way of preserving these items of history. I also want to make it clear that we will work to assist owners as much as possible so that the regulatory requirements, while adhering to legislative and other requirements, are not overly cumbersome. I am not aware at this stage that this is an item for the agenda of the next ministerial council meeting.

**The Hon. ROY SMITH:** Can I take it then that the New South Wales Government is not prepared to request that it be placed on the agenda for that meeting?

**Mr DAVID CAMPBELL:** Not proposing to place it on the agenda for that meeting. I might say I understand that the agenda is closed, to the best of my knowledge.

**The Hon. ROY SMITH:** In that case, would you be prepared to put it on the agenda for the subsequent meeting?

**Mr DAVID CAMPBELL:** It is a matter that continues to be under consideration and I continue to listen to you, but I have not agreed with you at this point.

**The Hon. ROY SMITH:** I will write to you again.

**Mr DAVID CAMPBELL:** I am sure we will talk about this many times.

**The Hon. ROY SMITH:** There is a number of anomalies within the New South Wales legislation and many of them stem from the interpretation of the agreements of the Council of Australian Governments and previous Australasian Police Ministers Council [APMC] meetings. One of those anomalies includes the issue of a 28-day cooling off period in the case of people seeking to register or obtain firearms. In the case of an initial purchase or initial application, people can understand that there is a 28-day cooling off period, but once a person has already acquired one or a number of firearms and is a licensed holder there does not seem to be much sense in having a 28-day cooling off period for each subsequent firearm purchase, and in fact a number of Australian jurisdictions have either introduced legislation or administrative procedures so that people who already own firearms do not have to wait 28 days for each subsequent application. Can you tell me if the New South Wales Government is prepared to amend the legislation in New South Wales to recognise those facts?

**Mr DAVID CAMPBELL:** New South Wales has been perhaps the most consistent jurisdiction, having signed up in 1996 to a national process sponsored by the Prime Minister John Howard. New South Wales has probably been the most consistent jurisdiction in maintaining the integrity of that commitment that was put in place and I think that has been well recognised. We will, though, and do continue to consider proposals put forward to try to get the balance right between what one very real section of the community requires, those being people who own firearms for legitimate purposes, and what another very vocal section of the community wants, and that is harsher enforcement and harsher regulation. As I sit here tonight, there is not a proposal to amend that 28-day period, but it is something that we continue to consider and debate with people in the firearm debate, those who, as I say, represent legitimate firearms owners and those who have an alternative view.

**The Hon. ROY SMITH:** Thank you for your candid responses. I have a number of other questions, but I think it would be best—they require some statistical data—if I place those on notice.

**Mr DAVID CAMPBELL:** With regard to permits, for the period 1 January 2007 to 29 September 2007, 29,598 permits to acquire were processed by the firearms registry, so that is an interesting statistic of which I can advise the Committee.

[Short adjournment]

**The Hon. GREG DONNELLY:** How is the Government cutting red tape by streamlining the management of police complaints?

**Mr DAVID CAMPBELL:** I can advise the Committee that the New South Wales police complaints streamlining project is well underway. This project resulted from a major review of the New South Wales police complaints management system announced by the Premier in May last year. The review considered whether the current complaints handling process was too bureaucratic and cumbersome when dealing with minor complaints. Currently, all complaints are treated in the same way, irrespective of their severity. Almost all complaints are oversighted by complaints management teams, which apply a rigorous investigative process. Clearly, this bureaucratic process should not be required when dealing with minor complaints.

The streamline complaints handling project commenced on 1 August this year. This new streamline process is expected to significantly reduce the administrative burden on the New South Wales Police Force. The project is currently underway in 12 commands, both front line and specialist commands, and the initial feedback is extremely positive. The streamline complaints handling project allows minor complaints relating to customer service or procedural issues to be dealt with more quickly. Under the project, commanders and managers are able to conduct an initial assessment on receipt of a complaint to determine its severity. Less serious matters are treated as local management issues and allocated to a senior police officer to resolve.

Serious matters will continue to be managed via the current complaints management team process. These are sensible changes which not only free up police time but also take away some of the stresses placed on our hardworking police by these minor complaints. I am pleased to say that in less than three months the streamline complaints handling system has already demonstrated remarkable improvements. A massive 73 per cent of all complaints received have gone through the streamline process. The New South Wales Police Force has reduced the corporate standard for finalising these minor complaint matters from 90 days to just 35 days. An impressive 67 per cent of all complaints subject to the streamline process have met this 35-day target. The overwhelming majority of police officers subject to such complaints—that is, 93 per cent—have indicated that they are satisfied with the new streamline complaints handling process.

Most significantly, 100 per cent of commanders using the new system have confirmed that there are greater efficiencies across the entire streamline process, including investigations, decision making and management action. Police estimate that tens of thousands of hours of police time could be freed up under this new system. I am advised that more than 100,000 pages of paper could be saved per year. Faster resolution of these complaints is a grade A outcome both for members of the public making a complaint and the police who are the subject of complaints. This new system will deliver less paperwork, which will free up resources and assist police in focusing on the core business of front-line policing.

I stress that complaints of corruption, assault, or criminal or other serious misconduct by police will continue to be thoroughly investigated and severe sanctions will apply where such a complaint is proven. There are also no changes to the independent police oversight system. This Government supports the continued role of the Ombudsman and the Police Integrity Commission to oversee police conduct. I am pleased to note that Tanya Gadiel, MP, has agreed to chair the complaints advisory group that monitors the complaints streamlining project. As part of this role Ms Gadiel will be visiting the project sites and conducting interviews with key staff in these areas. Ms Gadiel will be able to provide valuable on-the-ground information and feedback from officers involved in the project.

I can assure the Committee that the Government is committed to ongoing review and reform to reduce red tape in the Police Force wherever possible. Streamlining complaints management for the New South Wales Police Force is an example of this commitment, and of the sense of continuous improvement which will be an approach that the Police portfolio takes going forward.

**The Hon. HELEN WESTWOOD:** Can you advise the Committee of the major features of the New South Wales Police Force budget for 2007-08?

**Mr DAVID CAMPBELL:** Certainly. It is a record budget and the Iemma Government is well proud that it has delivered a record almost \$2.3 billion for front-line police to drive down crime across New South Wales. This represents a 4.2 per cent increase over the 2006-07 Police budget, or an increase of \$90 million. The budget provides for a number of new and continuing initiatives including the allocation of \$75 million for the ongoing training and deployment of the recent permanent increase of 750 officers, including 100 additional Highway Patrol officers. That is the first component of an additional \$102.6 million over the next four years to increase the Police Force's average authorised strength by a further 750 by the beginning of 2012.

The budget provides an extra \$4.3 million to pay for additional forensic DNA testing. The Iemma Government continues to ensure that police officers are able to work in clean, modern and safe police stations and have access to state-of-the art technology. The 2007-08 capital works program provides for the commencement of major new works at an estimated cost of \$53 million. Work will commence on the planning for replacement of three police stations located at Bowral, Camden and Leichhardt. A further \$6.7 million has been allocated to enhance the forensic capabilities of the New South Wales Police Force, including an extra \$4.3 million to pay for additional DNA testing.

The budget provides also for the acquisition of an additional spheron imaging system and a robotic DNA analysis platform to automate DNA processes and speed up testing. Spheron imaging takes a 3D image of a crime scene and is quite a spectacular leap forward in the use of technology by the Police Force. Those funds are in addition to the Police Force's capital allocation. Also there are ongoing projects that have received funding in the 2007-08 budget. Some projects include funding for the new Burwood police station; the allocation of \$1.3 million for the upgrade of the Corrimal police station; \$12.1 million for the new Dubbo police station, which is under construction; and \$5.9 million for the new Fairfield police station, which I visited a week or so ago and is well under construction.

Further, \$4.9 million has been allocated for the new Lismore police station, into which police moved last Thursday I understand. They were quite excited at the prospect when I visited there about 10 days ago. An amount of \$7.8 million has been allocated for the new police station at Orange. When Cabinet met in Orange it gave me joy to go the site with a sledgehammer and begin demolition of the old buildings, it was of considerable interest to me. For the new police station at Wagga Wagga \$6.6 million has been allocated. Work will continue on a number of other police stations, including Campsie, Granville, Kempsey, Lake Illawarra, Port Stephens, St Marys, The Rocks, Windsor, Wyong and Yamba. The budget includes another \$6.1 million for the ongoing marine fleet replacement program.

The budget provides also money for technology to help police in the field with additional funding of \$2.8 million for the purchase of portable electronic fingerprint devices and another \$1.2 million for motor vehicle fleet enhancement. In that regard, recently the Premier and I were with officers of the police traffic command at Smithfield, where police took delivery of new acquisitions for the fleet of the Highway Patrol officers. The Government is equipping the New South Wales Police Force with powers and resources to drive down crime across the State; and this record budget demonstrates that.

**The Hon. GREG DONNELLY:** What is the Iemma Government doing to help the New South Wales Police Force protect residents from terrorist activity?

**Mr DAVID CAMPBELL:** Again, we are working very hard, through the establishment, a couple of years ago, of a dedicated squad. Protecting the New South Wales public from the threat of terrorism is a top priority of the New South Wales Police Force, supported by the Iemma Government, with significant investment in counter-terrorism resources. The force is continuing to build its tactical capacity, testing its command systems in realistic exercises. The Government is examining our legal system to ensure that police have the necessary powers to do their job.

The New South Wales Police Force Counter-terrorism Command is a highly specialised and well-equipped command with a staff of over 600. That includes an additional 110 positions, fulfilling an election commitment. As part of this expansion the command is setting up business and community contact units. The units will have the important roles of improving two-way communication with

police, and especially allowing information and warnings about possible terrorist activity to be disseminated quickly.

Other police units supply special support to the counter-terrorism command such as the Public Order and Riot Squad, which has 100 officers; and the Regional State Protection Support Unit, which have over 200 officers. The Iemma Government has delivered on its commitment in regard to counter-terrorism ensuring that the Police Force has the necessary resources. The Government has spent more than \$14 million on new equipment, including PolAir 5, a fast-response helicopter, at a cost of \$4.4 million. The helicopter is capable of carrying 10 people at speeds of up to 250 kilometres an hour with a range of 1,000 kilometres. I add that it is a shared resource between the New South Wales Police Force and the New South Wales Fire Brigades.

We have invested also in two bomb disposal robots, at a cost of \$300,000 each, which are capable of climbing stairs and moving down aircraft or train aisles; a large bomb disposal robot at a cost of \$600,000 which can drag a car or a small truck; a bomb containment vessel, which is an extremely strong container into which a bomb can be placed to allow it to be moved safely to a remote location where it can be defused or blown up; blast cars for bombs or chemical biological weapons; a BearCat armoured rescue vehicle which allows tactical operations police to move openly to a terrorist site, even if terrorists are firing on the vehicle.

In addition, we have invested in personal equipment for tactical operations police, for example protective suits and respirators, which allow police to deploy the areas that may be contaminated by gas or other toxic substances, and scientific equipment for detecting and assessing chemical or biological weapons. The New South Wales Government has also provided additional funding for the forward-looking infrared system, known as FLIR, incorporating sensors and cameras. It is typically mounted on an aircraft and enables the scanning of an area by day or night to detect suspects and reconnoitre target locations. Mounting it in an aircraft means that scanning can occur over a very long range, so that suspects are not aware that surveillance is occurring. It means also that targets at sea can be observed.

Also there has been the replacement of the tactical operations equipment truck. That unit has increased amounts of equipment requiring a larger vehicle to transport it to an incident. We have also replaced bomb disposal truck bodies, larger trucks required to transport equipment loads for the Bomb Squad. We have replaced the chemical-biological radiation suits. Those protective suits have a limited life and must be regularly replaced. Aircraft maintenance and fuel for counter-terrorism operations have been provided. Those aircraft have been used in training exercises as well as in operations.

The New South Wales Police Force participates, along with other State and Federal agencies, in an ongoing counter-terrorism exercise program under the auspices of the National Counter-Terrorism Committee. In 2007 those exercises focused on preparation for the September APEC summit. The success of the APEC policing operation provides no better example of the outstanding way the force's counter-terrorism skills and equipment are trained and deployed. Officers provided close protection for very important persons [VIPs], sniper support, explosives, detection dogs, and stood ready for hostage rescue tasks.

In one sense the job of being prepared to deal with terrorism will never be complete. The nature of terrorism changes rapidly and that is why we must remain ever vigilant against that threat. The Iemma Government is committed to maintaining counter-terrorism as one of its highest priorities and the community can be sure that it will continue to deliver on those commitments.

**The Hon. HELEN WESTWOOD:** Can the Minister update the Committee on recent crime trends in New South Wales?

**Mr DAVID CAMPBELL:** I can. Essentially, these crime trends, which are measured by the New South Wales Bureau of Crime Statistics and Research [BOCSAR], provide independent reporting on crime data. With the support of the Iemma Government, the New South Wales Police Force has been working hard to protect families and drive down crime across New South Wales. The most recent quarterly report released by BOCSAR in August shows that police are having success on a number of fronts in reducing crime in our community. The report found a statewide decrease of 6.6 per cent in break and enter from non-dwelling cases, and a decrease of 8.7 per cent in fraud cases.

The report also noted significant increases in arrests for the possession of drugs. This reflects the police force's commitment to target all levels of illicit drug dealing in New South Wales, including drug users. For example, in early 2007 Operation Shoal smashed a multimillion-dollar cocaine syndicate, seizing \$18 million in cash and \$3.5 million in assets, and 10 alleged offenders were arrested. It is sometimes stated that stable or declining crime trends have nothing to do with good policing and merely reflect external factors such as heroin droughts. While these factors obviously have an impact on crime trends, it would be unfair and misleading to dismiss the effectiveness of strong and effective policing. Armed robbery, for example, is an area in which police have been particularly proactive.

To say that the stable trends of this offence type are merely circumstantial or due to external factors is to undermine the hard work of our police officers. In addition to the work done by local area commands, the New South Wales Police Force has two dedicated squads that investigate robberies—the Robbery and Serious Crime Squad and the Metropolitan Robbery Unit. In the six months to May this year more than 500 people were arrested for armed robbery throughout metropolitan Sydney, and most involving multiple charges. These efforts are on top of a number of highly effective strike forces that have been established to undermine and interrupt armed robbery enterprises. For example, in July this year Strike Force Icely 4 charged a 17-year-old with 13 offences in relation to 27 armed hold-ups across Sydney between January 2005 and November 2006. This shows the impact of getting just one armed robber off the streets.

In another situation, three people arrested for two armed robberies were also charged with carjacking offences related to a separate incident. In another case Strike Force Icely 4 arrested and charged a man for 13 armed robberies. These results reflect the impact of good, effective policing, which is supported wholeheartedly by the Government. The New South Wales Police Force remains committed to cracking down on all criminal activity in New South Wales. In supporting our hard-working and highly skilled officers the community can be assured that the Iemma Government will meet its commitments in providing resources to make New South Wales a safer place in which to live.

**The Hon. GREG DONNELLY:** Minister, what is the Government doing to assist police in utilising the latest DNA and forensic technology?

**Mr DAVID CAMPBELL:** I made the comment about investment in this area when I referred earlier to the budget. Technology in forensics and DNA is an important policing tool. That is why the Government recently committed \$25.7 million over four years to assist police with more DNA tests, speed up testing and purchase new testing equipment. This represents an unprecedented level of funding for the advancement of DNA and forensic analysis and testing in New South Wales. In an increasingly high-tech world the Iemma Government is taking steps to ensure that the New South Wales Police Force stays one step ahead of the methods used by criminals to escape detection. The Iemma Government is committed to continuing this successful DNA outsourcing trial at a cost of \$16 million. This will assist in further reducing the testing backlog.

In 2006, over 1,397 high-volume crime samples were outsourced for analysis by an external company, which after review was found to have provided a fast, high-quality service. The Government will be spending \$836,000 on the purchase of capital equipment to support the continuation of the scheme. In addition, approximately \$15 million will be spent over four years on staffing maintenance and fee-for-service costs. The New South Wales Police Force is particularly aware of the need to investigate cold-case murders. The Government has earmarked just under \$1.5 million for cold-case funding, which will assist police in the reinvestigation of old murders and other serious offences in light of new DNA technology.

The New South Wales Police Force now relies on scientific technology to a significant degree. This involves state-of-the-art, modern technology which often comes at a cost, but the Iemma Government believes that the results are worth the commitment. That is why it is spending just under \$2.3 million on introducing a mobile forensic laboratory to provide on-the-spot analysis of DNA samples, assisting police to quickly identify suspects. The Government will also be investing over \$4 million in robotic technology to automate the DNA analysis process and speed up testing. It is clear from all these things that the Government is committed to ensuring that New South Wales has the

necessary equipment to fight crime in the twenty-first century. Fighting crime means being on top of scientific analysis and testing.

The \$25.7 million that the Iemma Government is investing in DNA and other forensic processes in New South Wales over the next four years will mean that more criminals will be identified, they will be identified faster, and they are more likely to be convicted. The Iemma Government will continue to provide the necessary resources to enable police to drive down crime across New South Wales. Having said all that, I do not think anyone should be under illusion that police wander around with a blue pen-like torch such as those that we see on television and that it all happens within the space of a 48-minute television program. It is much more complicated than that. Technology is becoming available, the Government is investing in it, and police are embracing it and using it. I am confident, and I am sure that our community is confident, that the investment and effort are there.

**The Hon. MICHAEL GALLACHER:** Commissioner, can you indicate to the Committee what is the current authorised strength of the New South Wales highway patrol?

**Mr SCIPIONE:** I am trying to get that figure for you. As I do not seem to have that figure, I will take on notice your question concerning the current authorised strength of highway patrol officers in this State.

**The Hon. MICHAEL GALLACHER:** You might recall—and correct me if I am wrong—that prior to the election the role of your Deputy Commissioner involved some sort of examination of the Government's charter of budget honesty. I came up with a figure of an additional 100 patrol officers. Could you indicate to the Committee how that figure was reached as being the required number for the highway patrol?

**Mr SCIPIONE:** I can advise that an additional 100 officers were allocated to the highway patrol during the course of last year. In fact, they have started to take those positions, and we have been allocating them from January this year. Currently those 100 officers are in the throes of being recruited, and a further 50 are to be allocated. That figure of 150 was a government initiative—an announcement by the Government during the course of its current term. At this stage I cannot provide you with advice about how it was determined.

**The Hon. MICHAEL GALLACHER:** Of the 100 that are being recruited, how many have currently been recruited?

**Mr SCIPIONE:** I think it is 100. We have allocated those 100 positions across the State so, from my perspective, they have been allocated. Referring to backfilling positions against which we hold these extra 100 officers, they came out of the class in January 2007.

**The Hon. MICHAEL GALLACHER:** Could you indicate to the Committee what is happening with the road toll at this stage?

**Mr SCIPIONE:** The current road toll is sitting at about 50 fewer at this time this year as opposed to this time last year. Last year in New South Wales was a record low year—in the vicinity of about 500 motor vehicle fatalities. In regard to total numbers, that has come down from the all-time peak of 1978 when there were 1,384 deaths. This year we are on track to come in not just below last year's figures but significantly below—at the moment to the tune of about 53 fewer deaths.

**The Hon. MICHAEL GALLACHER:** What do you put that reduction down to? What strategy?

**Mr SCIPIONE:** I like to think I could put it down to police activities. There are many around, as the Minister already indicated, that would suggest it could be; for a whole host of reasons. It could be that there has been an increase in the price of fuel over that year and fewer kilometres driven. There could be a whole range of suggestions. I would suggest it is not only as a result of things like fewer kilometres being driven by the public but also the fact that we are now actually doing a very good job when it comes to targeting hot spots ensuring that we are on the roads and we are taking people that need to be taken off the road out of play.

**The Hon. MICHAEL GALLACHER:** What impact has the agreement between the New South Wales police and the Roads and Traffic Authority, which was signed by both Chief Superintendent John Hartley on 28 November and Dr Soames Job also on 28 in November, which appears to be an agreement that basically redetermines what constitutes a death on our roads in New South Wales. Are you familiar with this document?

**Mr SCIPIONE:** Not with that document, no. I am not sure what the document is.

**The Hon. MICHAEL GALLACHER:** It is called the "NSW Police & Roads and Traffic Authority Procedures for Determining Exclusions from the NSW State Road Death Toll". It is quite interesting reading.

**Mr DAVID CAMPBELL:** I wonder if the Leader of the Opposition might table the document.

**The Hon. MICHAEL GALLACHER:** Yes. I am more than happy to do so. I prepared a copy for the commissioner's information. Commissioner, in the notes it actually indicates that if in the opinion of a police officer and or a witness that a person committed suicide, they are taken out of the road toll figures. The tests, according to this agreement, appear to be very thin. I am just interested to see whether this has been brought to your attention in your former role, which would have been under your watch as the Deputy Commissioner Operations. It is a bit like, if you like, a re-determination of on-time running for trains; we now have the redefinition of what constitutes a death on our roads.

**Mr SCIPIONE:** I would be pleased if I could see the document. I am not quite sure what it is I am replying or responding to.

#### **Document tabled.**

**The Hon. MICHAEL GALLACHER:** You might note commissioner that on page 5 it has a rather substantial list of what documents can be produced that can actually have a death excluded from the road toll figures. These include things such as murder, deliberate acts, but they also include suicide and it puts in there an investigator's opinion, a cop's narrative. You and I know that a cop's narrative is simply an entry into a police computer that is the officer's opinion at the time and this does not go under the subject of any investigation by the Coroner. Are you aware of that? The matter is not automatically referred to the Coroner as a result of this?

**Mr SCIPIONE:** Any death on the roads is a matter the Coroner is interested in, as you are aware. What I am not sure, are you suggesting that there has been a change in the policy or are you suggesting the policy has always been this way?

**The Hon. MICHAEL GALLACHER:** No. My understanding is that there has been a change in the policy. I am interested to find out as a result of this policy in New South Wales what impact, if any, it has had on the road toll, which has dropped by 50? I am not in any way suggesting that the police have not done an excellent job, but I am interested to find out how many deaths on our roads have fallen under this piece of legislation since its adoption on 28 November 2006?

**Mr SCIPIONE:** Can I intervene? I am not sure that it is legislation.

**CHAIR:** No, it is not legislation.

**Mr DAVID CAMPBELL:** Well, the Hon. Michael Gallacher just said it was legislation.

**The Hon. MICHAEL GALLACHER:** It is not? I apologise.

**Mr DAVID CAMPBELL:** And that might go to how accurate are the questions. That is what worries me.

**The Hon. MICHAEL GALLACHER:** Madam Chair—

**Mr DAVID CAMPBELL:** It was just alleged that this is legislation.

**The Hon. MICHAEL GALLACHER:** Point of order.

**Mr DAVID CAMPBELL:** It is not legislation. That is what worries me as to the accuracy of the questions.

**CHAIR:** Order! I need silence to entertain the point of order from the Hon. Michael Gallacher.

**The Hon. MICHAEL GALLACHER:** Witnesses cannot debate questions. The question was not directed to the Minister. The commissioner has a document in front of him, which is a signed a document, an agreement by the Commander of Traffic Services—

**Mr DAVID CAMPBELL:** The copy I am looking at is not signed.

**The Hon. MICHAEL GALLACHER:** —and the Roads and Traffic Authority. I am very interested to hear the commissioner's view in relation to this.

**CHAIR:** In ruling on the point of order, it is standard practice that Ministers may answer questions whether they are directed to them or to other witnesses who are sworn in. In that case, it is pertinent for the Minister to comment. However, it is not appropriate for witnesses to debate the questions before the Committee. I think the issue was that the Minister for Police is saying that a copy of the document the commissioner has is not signed by anyone. If that is so, that is a legitimate concern to raise.

**Mr DAVID CAMPBELL:** I have two issues. One is that this is not legislation, which was alleged. The other is that it has been alleged that this is a signed document. The copy of the document the commissioner is looking at, which I am looking at over his shoulder, is an unsigned document. So, you have to wonder as to the accuracy of the questions and the veracity of the document when we have two very fundamental errors in the questions, and that concerns me.

**The Hon. MICHAEL GALLACHER:** Madam Chair—

**CHAIR:** The Hon. Michael Gallacher has withdrawn his comment that it was legislation, but that leaves the other issue of whether it is a sign document.

**The Hon. MICHAEL GALLACHER:** Madam Chair, this might be easily answered. Commissioner, do you know in fact if this procedure has been adopted and is now in place in New South Wales? Yes or no?

**Mr SCIPIONE:** You mean this document?

**The Hon. MICHAEL GALLACHER:** Yes?

**Mr SCIPIONE:** As I said, I have not seen the document.

**The Hon. MICHAEL GALLACHER:** Would you take that on notice and then report back to the Committee?

**Mr SCIPIONE:** I can. Can I go back and confirm the numbers of the highway patrol. We currently have 1,088 authorised positions for the New South Wales highway patrol.

**The Hon. MICHAEL GALLACHER:** And how many of them are actual?

**Mr SCIPIONE:** I would have to get you that information.

**The Hon. JOHN AJAKA:** Commissioner, you aware of a report that I understand the Minister had mentioned in relation to the Middle Eastern Organised Crime Squad? Part of the report indicates that 396 arrests were made in 10 months.



**Mr SCIPIONE:** Am I aware of the report that was alluded to?

**The Hon. JOHN AJAKA:** Yes?

**Mr SCIPIONE:** I would need to take some advice in terms of the report. I have seen a number of reports, but I am not sure of which one you are talking.

**The Hon. JOHN AJAKA:** Are you aware of a report that mentions 396 arrests in 10 months by the Middle Eastern Organised Crime Squad?

**Mr SCIPIONE:** I would have to clarify those numbers, but certainly I am aware that they have done a lot of work and they have had significant arrests.

**The Hon. JOHN AJAKA:** Whilst one of your staff members might be looking for that number, assuming that it is 396 as the report says, would you be able to tell many how many of those 396 are actually of middle-eastern background?

**Mr SCIPIONE:** I would have to take that on notice.

**The Hon. JOHN AJAKA:** Would you also take on notice how many, of course, are not of middle-eastern background? Could you also take on notice, or answer it now, how you or whoever is responsible determines that someone is of middle-eastern background? By that, I mean, if I can assist, are we talking of someone who has just arrived from the Middle East, born in the Middle East, someone such as myself whose parents came from the Middle East and is born here, someone such as my children who, of course, are second and third generation? If that could be taken on notice, I would be interested?

**Mr SCIPIONE:** Certainly.

**The Hon. JOHN AJAKA:** Also, what would occur if one of the parents was from the Middle East and the other one is not? Are they deemed to be of middle-eastern background by the crime squad? Also, you may need to take this on notice, if you can provide a detailed breakdown of the actual charges each of the 396 faced or some did not face any charges; just break it down to those who were charged and those who were not. Also, if you could table a copy of the report to the Committee, if the report is located, I would be grateful.

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

**The Hon. JOHN AJAKA:** Finally, just for myself, we do not actually have a Greek organised crime squad, do we?

**Mr SCIPIONE:** Not specifically a Greek organised crime squad, no.

**The Hon. JOHN AJAKA:** We do not have an Italian organised crime squad?

**Mr SCIPIONE:** No. We have a South East Asian Organised Crime Squad.

**Mr DAVID CAMPBELL:** You would have to—

**The Hon. JOHN AJAKA:** I am not meaning anything. I am just asking a very simple question.

**Mr DAVID CAMPBELL:** From these questions one would have to consider that the Opposition does not support the establishment and operation of the Middle Eastern Organised Crime Squad.

**The Hon. JOHN AJAKA:** I am just asking a question.

**Mr DAVID CAMPBELL:** That would be the interpretation from the questions that are being asked.

**The Hon. JOHN AJAKA:** I am asking simple questions. There could have been one, and I am trying to find out.

**Mr DAVID CAMPBELL:** And I am making an observation. It is pretty clear from these questions that the Opposition does not support it.

**The Hon. JOHN AJAKA:** Commissioner, there is no Anglo-Celtic organised crime squad, as such, named in that capacity?

**Mr SCIPIONE:** No.

**The Hon. JOHN AJAKA:** There is no Australian organised crime squad?

**Mr SCIPIONE:** There is an organised crime squad.

**The Hon. JOHN AJAKA:** But no title, "Australian Organised Crime Squad"?

**Mr SCIPIONE:** No.

**The Hon. JOHN AJAKA:** We do not have an indigenous-Australian organised crime squad?

**Mr SCIPIONE:** No.

**The Hon. JOHN AJAKA:** If you could take those on notice, commissioner, I would be most grateful.

**Mr DAVID CAMPBELL:** Chair, there is no need to take them on notice. I can tell you now.

**The Hon. JOHN AJAKA:** No, the previous questions that you said you would take on notice.

**Mr SCIPIONE:** Certainly.

**The Hon. MICHAEL GALLACHER:** Commissioner, in your current role, and also in your previous role because it is so close in terms of crossover.

**Mr SCIPIONE:** Sure.

**The Hon. MICHAEL GALLACHER:** Were you asked for your opinion or, should I say, have you participated in the determination of where new police stations will go and the allocation of resources for those police stations?

**Mr SCIPIONE:** In terms of my current role?

**The Hon. MICHAEL GALLACHER:** In your previous role of Operations. It would probably be best in your previous role because it does follow on to now.

**Mr SCIPIONE:** Certainly we have been involved in preparing documents internally, but at this stage, certainly in this current role, I have not been engaged in determining where new police stations will go. That is certainly something that I have not done.

**The Hon. MICHAEL GALLACHER:** But in that role, it would be fair to say that the Government would consult with you before they put their hand up in relation to what needs to be allocated to an area, based on your expertise?

**Mr SCIPIONE:** Of course, yes.

**The Hon. MICHAEL GALLACHER:** Can you indicate to the Committee exactly what discussions you had, or should I say were you briefed prior to March of this year when the former Minister for Police announced that there was going to be a local area command in Port Stephens?

**Mr SCIPIO:** In terms of the local area command in Port Stephens, I cannot recall that that was actually the statement that was made. Certainly the commissioner of the day, Commissioner Moroney, may have been subject to some of those discussions, but in my role as the deputy commissioner, it is certainly not something that I can recall.

**The Hon. MICHAEL GALLACHER:** I thought that you—

**Mr DAVID CAMPBELL:** Chair, just on that point if I can provide some information for the Committee?

**CHAIR:** Order! The Minister has started answering.

**The Hon. Michael Gallacher:** Point of order: I do not think it is appropriate for this Minister to speak on this issue, Madam Chair, given that he has said publicly that he has no knowledge of this matter. I think it is more appropriate—

**CHAIR:** That is not a point of order. That is a debating matter. The Minister is entitled.

**The Hon. Michael Gallacher:** He is about to mislead the House.

**CHAIR:** We are not in the House, actually.

**The Hon. Michael Gallacher:** Are these committees not answerable to the House?

**CHAIR:** The Minister is entitled to elaborate on answers given by other witnesses in his portfolio area.

**The Hon. Michael Gallacher:** Well, he does not know. He has said that publicly.

**CHAIR:** Quite frankly, if the Minister wants to add some comments to the answer, he is entitled to do so.

**Mr DAVID CAMPBELL:** What I was going to add is that the Government, prior to the election, released a document—detailed costings of its election commitments. It did that under the Charter of Budget Honesty which was legislation debated by both Houses of the New South Wales Parliament and agreed to late last year, somewhat based on a model put up by the Howard Government. In those published election commitments, there is no commitment to the establishment of an eighty-first local area command in the Port Stephens area.

**The Hon. Michael Gallacher:** Point of order: You should assist the Minister by at least informing him that by making a statement, he is about to mislead the Committee when there is clear evidence available that the Government did make that commitment.

**CHAIR:** That is not a point of order. It is a debating point.

**The Hon. Michael Gallacher:** No, it is not.

**CHAIR:** That is not a point of order. There is no point of order. That is a debating point. It is not up to the Leader of the Opposition to assist the Minister or any other witness with their answers.

**The Hon. Michael Gallacher:** He is about to mislead the Committee.

**CHAIR:** The Minister is responsible for the answers that he gives and information that he gives to this Committee, and he does not need to be given advice by Committee members. The Minister will please proceed.

**The Hon. Michael Gallacher:** Proceed to mislead!

**Mr DAVID CAMPBELL:** All of the advice that I have on published documents of the Government's election commitments that I have seen did not commit the Government, as part of an election commitment, to an eight-first local area command at Port Stephens. I think it is important to point out to the Committee that the Government made all of its election commitments available to be costed under the provisions of the Charter of Budget Honesty. To the best of my recollection, the New South Wales Opposition, having supported that legislation in the Parliament, refused to submit its election commitments for costing by the process. I thought that was important information to provide to the Committee on this particular issue.

**The Hon. MICHAEL GALLACHER:** Minister, you are therefore saying that police representatives, Police Association representatives from Raymond Terrace, are misleading the public in stating that your Government gave them a commitment to a local area command? John Watkins gave them that commitment in March of this year. Are you saying that the Police Association is misleading the community?

**Mr DAVID CAMPBELL:** Madam Chair, I do not believe that I said that in any way, shape or form in the comments that I just made.

**The Hon. MICHAEL GALLACHER:** I did, but I didn't?

**CHAIR:** Order!

**Mr DAVID CAMPBELL:** I repeat that the documents submitted by the Government for consideration under the Charter of Budget Honesty did not include any election commitment, and they are the election commitments that I believe the Government needs to deliver on and, as the Minister for Police, that I will be working to deliver on.

**The Hon. MICHAEL GALLACHER:** I believe that you have met with the local representatives of the Police Association in that area in recent months and they have put this to you. Are you continuing to say that they are misleading the public in their recollection of a conversation they had with the former Minister for Police, John Watkins?

**Mr DAVID CAMPBELL:** Chair, I will say again that I have never said that. I have not said it here this evening. It is the Hon. Michael Gallacher who is saying that. Those words have not passed my lips and will not pass my lips.

**The Hon. MICHAEL GALLACHER:** Have you at any stage, Minister, asked John Watkins whether he gave them that commitment? If he did so, are you now in a position to indicate to the Committee? Have you asked him that question?

**Mr DAVID CAMPBELL:** Chair, I will be working to implement the Government's election policy, and the election policy is the one that was published, that was costed, under the Charter of Budget Honesty, and that is what I will work to implement.

**The Hon. MICHAEL GALLACHER:** Verbal promises are worth nothing. Is that what you are saying?

**CHAIR:** Order! The Opposition's time has expired.

**Ms SYLVIA HALE:** Commissioner, returning to APEC, can you tell the Committee how many dogs were deployed at the APEC rally?

**Mr SCIPIONE:** At the rally on the Saturday?

**Ms SYLVIA HALE:** Yes, the rally on the Saturday.

**Mr SCIPIONE:** Let me take it on notice.

**Ms SYLVIA HALE:** Fine. Under what statute did police seize items from participants of the rally even though they were not inside a declared or restricted area?

**Mr SCIPIONE:** Again—

**Ms SYLVIA HALE:** I am thinking of poles, for example, that were holding up banners.

**Mr SCIPIONE:** How many, or under what statute?

**Ms SYLVIA HALE:** Yes, under what statute?

**Mr SCIPIONE:** Again, not being in the possession of that information, I will take that on notice. But certainly the statute that they did not use was the APEC legislation because, as you say, we were outside the footprint.

**Ms SYLVIA HALE:** Fine. Commissioner, given that the police and the Stop the War Coalition had agreed on the route of the rally march and that that was to culminate in Hyde Park, why did the police blocked ingress to the park, forcing many elderly people, rather than using steps, to climb over a sandstone wall?

**Mr SCIPIONE:** Again, I am not sure that that was the case. In fact, what I do know is that police facilitated the entry into that park—I watched it. What I also know is that many people were not in a position to get out perhaps as quickly as they may have liked simply because we had to be sure that there was an orderly release of people from an area where there were large numbers.

**Ms SYLVIA HALE:** Commissioner, have you received emails from people who participated in the march indicating the obstruction they encountered from the police?

**Mr SCIPIONE:** When wanting to move?

**Ms SYLVIA HALE:** In both entering Hyde Park and subsequently being detained in Hyde Park for up to one or two hours.

**Mr SCIPIONE:** I am aware that we have received complaints that necessarily relate to the leaving of the park and the being held within that area. But, again, that was for safety to ensure that we did not have large numbers of people going out over the road at a time when we were still trying to run the city as well as safely get people away from that particular part to ensure that no-one was injured.

**Ms SYLVIA HALE:** Commissioner, have you responded to those complaints?

**Mr SCIPIONE:** Each and every one of those matters is currently the subject of certainly some attention from our Professional Standards Command. You can be assured that written complaints are responded to.

**Ms SYLVIA HALE:** Are you aware that one person, an Emma Torzillo, was arrested when she was concerned that police were harming a Mr Paddy Gibson and that she was arrested and then subsequently detained at the police station? Are you aware, and can you confirm, that there were four pictures on the wall of the police station, all featuring images of police attacking protesters? Are you aware that one of the slogans on these picture read, "When you absolutely, positively need to smash some scum"? Do you consider that citizens of New South Wales who wish to express an opinion about the war in Iraq and about matters such as global warming are "scum"? Have you investigated why these pictures were there and have you done anything as a result of that investigation?

**Mr SCIPIONE:** There are about four questions there. I will answer the first one simply by saying that I am not aware of any person being arrested. Secondly, I would not in my wildest nightmares suggest that there would even be a picture half as bad as you have described. This is all hearsay. I have no information in this regard and until I get something that allows me to actually

inquire into this matter I am not in a position to take it any further. If there were any such allegations to be made I would gladly take them and the matters would be fully and thoroughly investigated.

**Ms SYLVIA HALE:** Fine. I referred earlier to the detaining of a Mr Paddy Gibson. Can you explain to the Committee why he was detained?

**Mr SCIPIONE:** No, I will need to take that question on notice. I am not sure whether it is the same Mr Gibson I have some information on. I will take the question on notice.

**Ms SYLVIA HALE:** I believe this Mr Gibson is one of the gentlemen who was named on the excluded persons list. When he was in Hyde Park—there is a video footage of this I understand—he was arrested and detained for sometime by the police. Can you explain why that happened?

**Mr SCIPIONE:** On the 8<sup>th</sup> September 2007, Police Operations Centre (POC) records indicate Mr Paddy Gibson was detained by police. He was an excluded person. He was subsequently released. He was not issued with a Court Attendance Notice and no further action is being taken against him in relation to the detention on that date.

**Ms SYLVIA HALE:** Are you saying that he was in a declared area?

**Mr SCIPIONE:** The advice I have got is that he was detained and released after being removed from a declared area.

**Ms SYLVIA HALE:** Can you tell the Committee where that declared area was?

**Mr SCIPIONE:** I do not know which declared area he was in. I can tell you based on the advice that he was in a declared area within the APEC footprint.

**Ms SYLVIA HALE:** You say that court proceedings are pending against him.

**Mr SCIPIONE:** He was issued with a field court attendance notice, which means that he is now going to be subject in consideration, particularly in terms of his entry into that particular declared area.

**Ms SYLVIA HALE:** Okay. On 10 September the *Sydney Morning Herald* quoted you as saying that in the past protesters had used police badges as a weapon against police. Would you please provide the Committee with details of when badges have been used in that manner, the injuries that were sustained and any further details?

**Mr SCIPIONE:** Certainly we know that pin-backed identifications have been used in the past.

**Ms SYLVIA HALE:** Can you give examples of that—time, place and the damage caused?

**Mr SCIPIONE:** I will need to take the question on notice in terms of where and when. But certainly I have spoken to an officer who was the subject of such an incident so I am sure in my mind that that has happened. On this occasion it was determined that it would be more appropriate that police did not expose themselves to that type of risk. Certainly there was no general direction given. If the suggestion was that there was a police policy that identification badges were removed during APEC, or in fact that they were ordered to be removed by senior officers, that is entirely wrong.

**Ms SYLVIA HALE:** Can you explain why there are photographs of more than 200 police officers whose badges have been removed?

**Mr SCIPIONE:** As I have said, this particular matter was brought to my attention during the course of APEC. In fact, I asked Assistant Commissioner Catherine Burn, the Commander of the Professional Standards Command, to examine the circumstances surrounding allegations that there were a number of police deployed who were not wearing their identification plates.

**Ms SYLVIA HALE:** If police officers remove their identification badges and then those police officers act in an untoward or illegal manner how are members of the public then expected to be able to identify just who those police officers are?

**Mr SCIPIONE:** This matter was raised during APEC and my response has not changed. I do not believe police officers removed their badges in order to prevent somebody from identifying them.

**Ms SYLVIA HALE:** But if that is the effect of their removal how is that to be countered?

**Mr SCIPIONE:** The fact that there are 200 photographs of these people in existence would suggest to me at least that they were not trying to hide themselves. They did not have their faces covered. They are well identified. In fact, you said that there are 200 identified.

**Ms SYLVIA HALE:** No, there are 200 photographs but when it comes to identifying those individuals it is a totally different matter for anyone who does not have the resources of the New South Wales Police Force.

**Mr SCIPIONE:** I suggest that the Ombudsman and the Police Integrity Commission have the resources to do it, and that is not the New South Wales Police Force.

**Ms SYLVIA HALE:** If you thought that members of the police force were likely to be injured by protesters seizing their badges and therefore the badges had to be removed why were orders not issued to police officers to remove their batons and guns because, equally, they could have been seized by protesters and used against the police?

**Mr SCIPIONE:** We do not have any recorded incidents where batons and guns had been removed and used against police during the course of these public order events; we have with pin-backed identifications. That has been resolved. I have had this matter looked at and the advice I have got back is that we need to rethink this. That has happened and we will not see a repeat of that. We have moved to a velcro-based badge, which will be attached to Proban overalls.

**Ms SYLVIA HALE:** Why are the badges not to be sewn on rather than attached by velcro so that they can be easily removed?

**Mr SCIPIONE:** The immediate response that I put around this particular event was that, in light of upcoming public order matters, we would move to a velcro solution. That has happened. Consequently, from there we will be looking at having names actually sewn into overalls consistent with what we have within our tactical operations unit at the State Protection Group.

**Ms SYLVIA HALE:** Rather than effecting an arrest in a fairly orderly manner, why did I think every arrest that was effected require the intervention of a minimum of three, possibly four, police officers, with the person arrested being forced to the ground and their arms pulled up behind their backs? Why was that degree of force necessary?

**Mr SCIPIONE:** If you are suggesting that all of those people arrested during the course of the APEC event were forced to the ground, with three officers putting their arms up their back, I would suggest that that is not in fact the case. In fact, I know it is not the case.

**Ms SYLVIA HALE:** Okay. Why was the photographer Paula Bronstein pushed to the ground?

**Mr SCIPIONE:** Currently those matters are the subject of an investigation. I am waiting for the circumstances to be finalised and that advice to be provided to me.

**Ms SYLVIA HALE:** Do you know whether she posed any physical threat to the police?

**Mr SCIPIONE:** I am waiting for advice on that.

**Ms SYLVIA HALE:** What she given any verbal warning?

**The Hon. GREG DONNELLY:** Point of order: The Commissioner has explained that this matter is currently subject to investigation. That is his way of telling Ms Sylvia Hale that the line of questioning is as far as he can take it at the moment.

**Ms SYLVIA HALE:** To the point of order: It is not up to another member of the Committee to debate the questions that I choose to ask.

**CHAIR:** No, but it is open to any member of the Committee to take a point of order at any stage if they believe the guidelines for budget estimates are not being adhered to. However, if Ms Sylvia Hale is seeking for the Commissioner to take on notice additional queries that she has in relation to this matter, that is in order.

**Ms SYLVIA HALE:** Commissioner, can I now draw your attention to a very small rally that was held in Martin Place on the following Saturday, 15 September? This was a rally to mark the issuing of the Petraeus report in the United States into the success or otherwise of American activities in Iraq. In attendance at that rally was a maximum of 30 people. Can you tell me why it was considered necessary to have 19 general duties police officers, 3 police cars and 2 vehicles with personnel from the public order and riot squad present at that rally?

**Mr SCIPIONE:** I have not got those details and therefore I do not even know if those numbers are accurate. I can take the question on notice.

**Ms SYLVIA HALE:** Please do, but if those numbers are accurate would you regard that as a somewhat overreaction to a threat posed by 30 people?

**Mr SCIPIONE:** I am not proposing to speculate on those types of numbers simply on the basis that I need to get the information.

**Ms SYLVIA HALE:** Is the estimate of \$90 per officer for three hours including back-up, administrative costs and supplies factored in, as well as vacation and sick leave, return travel and swap time to other duties—what would be the cost of the police presence at that very small rally? Could you provide an estimate at some stage?

**Mr SCIPIONE:** If you are asking me to estimate what the cost of the police at that rally would be, I cannot even tell you how many police were there. I do not know what ranks, I do not know where they came from, were they specialists, and again it would be wrong of me to speculate. I would not want to mislead you potentially.

**Ms SYLVIA HALE:** Why was the riot vehicle deployed at the rally? Could you take that on notice and respond?

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** Returning to the Asia Pacific Economic Co-operation [APEC] fence, what was the cost of the fence?

**Mr SCIPIONE:** I have those figures. In fact it was not a purchase, we did not buy a fence, we hired a fence. The initial cost for that hire was some \$1.5 million. There were some extra costs associated with some extra gates that were placed along the 5.8 kilometres. They cost an extra \$98,000. As I said, this was a fence that we in fact leased and it was leased on the basis of return to the owners, being Coates Hire.

**Ms SYLVIA HALE:** Is it true that the fence has been leased for three years or how long has the fence been leased for?

**Mr SCIPIONE:** New South Wales police can have access to the fence for a period of three years, but Coates can sublease the fence for other purposes in the meantime.

**Ms SYLVIA HALE:** What is the cost of the police having access to the fence over the next three years?



**Mr SCIPIONE:** It depends how often you might need to use it. It is capable of being subleased. With New South Wales police permission it can be leased out to other potential users.

**Ms SYLVIA HALE:** Would you please supply the Committee with the cost of calling on Coates to provide the fence again?

**Mr SCIPIONE:** You mean the rental rate should we need to use it again?

**Ms SYLVIA HALE:** Yes, thank you. Would you please supply the Committee with the total cost of the Asia Pacific Economic Co-operation operation over the entire Asia Pacific Economic Co-operation period?

**Mr SCIPIONE:** I can indicate that the total New South Wales Police Force budget for the entire Asia Pacific Economic Co-operation event including the preparation for the last two years through to the delivery of Operation Contego was, as provided by the Commonwealth Government, some \$77.8 million. That is the total amount that was spent and it incorporates budgets for a range of different commands: maritime, rescue, tactical operations and so on; it covers officer secondments from local area commands, our security command preparation team, the APEC Police Security (APS) command, and so that is all up \$77.8 million.

**Ms SYLVIA HALE:** Would you provide the Committee with the total cost of providing police services at Bega for the visit of the Prime Minister on 4 July 2007?

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

**Ms SYLVIA HALE:** Would you also take on notice and answer the question: What was the total cost of providing police services during the logging of the Bodalla State Forest compartment 3046 from May to September 2007?

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

**Ms SYLVIA HALE:** Minister, what action has been taken by your department and what specific budgetary expenditure has been allocated for the recommendations in the New South Wales interagency plan to tackle child sexual assault in Aboriginal communities, which are identified as being within the scope of the police portfolio?

**Mr DAVID CAMPBELL:** Can I give you this information: Tackling Aboriginal disadvantage and child sexual assault requires a holistic and coordinated response from Government. That is why the Iemma Government developed the New South Wales interagency plan to tackle child sexual assault in Aboriginal communities 2006-2011. It is also why the New South Wales Government was the first to support the proposal to second police officers to the Northern Territory. On 6 October 2007 11 New South Wales police officers were deployed to the Territory to support Aboriginal communities and protect children.

We will not play politics with such an important issue as child sexual assault. All tiers of government must acknowledge past failures in addressing this issue in Aboriginal communities and we now need to work together to ensure the best outcomes for indigenous communities. I have personally asked that the senior police officer leading the implementation of the New South Wales interagency plan report regularly to me on progress. I will receive regular updates on activity on the ground to ensure the strong actions in our strategy are being put in place.

Actions already implemented by police include the secondment of two New South Wales Police Force officers to the Australian Crime Commission's National Indigenous Violence and Child Abuse Intelligence Task Force. This task force aims to obtain evidence and develop information-sharing capacity to better inform police operations and investigations into paedophiles. The New South Wales Police Force is also putting in place along with the Department of Community Services and New South Wales Health recommendations from the review of the joint investigation response teams completed in late 2006. These teams comprise specially trained child protection officers from the New South Wales Police Force and staff from the Department of Community Services and New

South Wales Health working together to investigate child abuse. Our plan strikes a balance between strong law enforcement action needed to crack down on criminal activity and the importance of early intervention and prevention services to help families at risk. The New South Wales Government will continue to work in close partnership with Aboriginal communities.

The Iemma Government is committed to giving New South Wales police the resources they need to crack down on crime, including in those areas of the State with significant Aboriginal populations. I am advised that at March 2007 the western and southern regions were above authorised strength, including Lachlan local area command, which includes Forbes, which had an actual strength of 89 officers, 11 above authorised strength; Canobolas local area command, which includes Orange, which had an actual strength of 107 police officers, 5 above authorised strength; Darling River local area command, which includes Bourke and Brewarrina, which had an actual strength of 87 officers, 2 above authorised strength.

Aboriginal community liaison officers [ACLO] are in place in over 50 communities across New South Wales including Bourke, Brewarrina, Broken Hill, Dubbo, Moree, Mount Druitt, Orange, Redfern, Taree and Walgett. Local police are working with these Aboriginal community liaison officers to identify problems in their communities and to take action. Aboriginal community liaison officers provide a key liaison point between the Aboriginal community and local police. Aboriginal community liaison officers aim to foster mutual understanding between the Aboriginal community and New South Wales police; develop local solutions for local problems; maintain strong links with the Aboriginal community and provide support and advice to New South Wales police.

Can I say also that improving accommodation is critical in order to best support the services provided by police. I am advised, for example, that the cells at Broken Hill police station were upgraded in 2005 and the cells at Wilcannia police station were upgraded in 2007. The works at Orange police station, which I referred to a little earlier, are due for completion in 2009 and the works at Dubbo police station are due to be completed in 2008. The Government has published that report and is working across government and across agencies to implement its recommendations. The New South Wales Police Force is doing that within its record budget.

I seek the Committee's indulgence to give some additional information in relation to a previous question.

**CHAIR:** A supplementary answer is fine.

**Mr DAVID CAMPBELL:** I have been given information that some staff have contacted some police officers, and I need to advise the Committee that suicides have never been taken into account as part of the road toll. The change that was referred to in a document earlier does not impact on final numbers regarding the road toll. It merely allows the suicides to be determined earlier when there is evidence, for example an autopsy, rather than wait for the Coroner's written notification. It is important to note that this makes no difference to the final number of the road toll; it merely allows police to track numbers more accurately during the year. This can also include those who had a medical condition, for example a heart attack, that resulted in a car crash and death. I was advised of this information by the commander of traffic services.

**The Hon. HELEN WESTWOOD:** What is the New South Wales Government doing to help police reduce domestic and family violence across New South Wales?

**Mr DAVID CAMPBELL:** The Government is doing a great deal in attacking this shameful crime that erodes the safety, security and happiness of too many families in New South Wales. The Iemma Government is tackling domestic violence with a comprehensive package of reforms to target perpetrators and to support victims. That is why last November the Premier announced \$28 million over four years to make women and children safer in their homes through new legislation, more staff, better services, and greater resources. Police are often the first point of call for victims of domestic violence. They are called out by victims, by concerned neighbours, and when they are called to a violent or abusive situation they need resources and the training to respond appropriately and effectively.

That is why the New South Wales Police Force has developed a comprehensive strategy to improve the police response in cases of domestic violence. One of our election commitments was to increase training for police officers in dealing with the very specific and often very challenging circumstances of domestic violence. New South Wales police have developed an intensive program of specialist training for all front-line general duties officers over a two-year period, and we will be rolling that out early next year, to better equip police officers with the skills and specialist understanding they need to support victims and investigate cases.

Over two days, the new program will provide comprehensive training for police in victim care, investigation techniques, arrest and charge, and improving prosecution outcomes. This training will equip all general duties officers with the necessary knowledge and tools to respond effectively to domestic violence incidents and to provide appropriate support to victims. There will also be a new specialist training program for domestic violence liaison officers, based on the revised standing operating procedures, and there will be additional domestic and family violence training for supervisors, focusing on improving supervisors' understanding of domestic and family violence, and best practice management.

To support this new training, the New South Wales Police Force is undertaking an extensive review of its domestic and family violence standard operating procedures. The revised standard operating procedures will be an important resource for officers investigating domestic and family violence incidents and supporting victims. The standard operating procedures are based on the principles of pro arrest and pro prosecution, and include an emphasis on victim support and integrated coordinator responses by services. The new standard operating procedures are going through extensive consultation with officers in the field and other Government departments, as well as with external service providers—the people on the front line of fighting domestic violence.

These are just some examples of the important work the New South Wales Police Force is doing to make women and children safer in their homes. Last November the Premier announced a whole-of-government plan to tackle domestic violence. As part of this plan, the Government will give police new powers, including search for and seize potential offensive weapons from domestic violence situations, such as baseball bats or knives. We will commit more police officers to fight domestic violence, with 40 new officers dedicated to working on domestic violence. We are equipping all front-line police cars and stations with special evidence kits for domestic violence incidents to minimise trauma for victims, reduce delays and increase prosecutions.

Because we know that domestic violent situations are often extremely difficult for victims to leave, it is crucial that we provide the right support to those seeking to leave violent relationships. The Government is supporting domestic violence victims by expanding the women's Domestic Violence Court Assistance scheme, the Staying Home Leaving Violence Program and the domestic violence court intervention model. These schemes offer extra legal and other support services, ensure victims can remain safely in the family home, forcing the offender to leave, and improve management of criminal domestic violence cases through the courts.

To further support victims, we are also rolling out remote witness facilities in New South Wales courts to allow victims to give evidence while protected by a screen or via video link, reducing trauma and stress. The Government is working with the police, the community and the support services to help fight domestic violence throughout New South Wales. Only a few weeks ago at my request New South Wales police hosted a forum where a number of domestic violence organisations and women's groups came together to give police some feedback and information about the progress on some of these policies. It was heartening to hear comment from some of the groups and police officers that they thought the initiative was sensible and useful, and both police and representatives of women's groups and domestic violence groups took something away from the half-day session. I thought that was an interesting initiative. It was certainly helpful, and will build on and help underpin the sorts of initiatives that I talked about earlier in my response to this question.

**The Hon. GREG DONNELLY:** How is the New South Wales Police Force improving its response to the mentally ill in our community?

**Mr DAVID CAMPBELL:** This is another area of importance to our society and to the Government. The New South Wales Police Force, by virtue of being an agency working around the

clock, is often the first point of contact, as well as that of last resort, when it comes to dealing with all manner of social, health and welfare issues. When responding to incidents involving the mentally ill, the primary role of police is to ensure public safety and prevent or respond to criminal activity. In certain circumstances police have statutory obligations to either transport or assist in transporting persons to health care facilities for a mental health assessment. Beyond their core responsibilities as law enforcement officers, police are routinely expected to recognise and meet the needs of the mentally and behaviourally disordered people who come to their attention.

To ensure police meet these needs in the most effective, safe and appropriate manner, in July this year I announced a new mental health intervention team to be implemented for a two-year trial period until mid-2009. I did that in company with the then Deputy Commissioner, now Commissioner of Police, and other officers. The objectives of the mental health intervention team are to reduce the risk of injury to police and to mentally ill or mentally disordered persons during mental health crisis events; improve the awareness of front-line police in relation to dealing with the mentally ill; improve collaboration with other government and non-government organisations when responding to and managing mental health crisis events; and reduce the time taken by police in the hand over of mentally ill or mentally disordered persons into the health care system.

A centralised unit is currently being established within the New South Wales Police Force, which will have expertise in mental health. This unit headed by a commander, and once fully staffed will include a police educational officer, a police intelligence analyst, a mental health professional, and a health analyst. The mental health professional will assist police with admissions of persons to hospital under the Mental Health Act 2007, as well as assisting with the education and training of police officers. The specialist training program on mental health is being developed for and will be delivered to front-line police and recruits. This will be in addition to the current mandatory training all recruits at Goulburn Police College receive about how to deal with mental health issues as part of their basic training before they become probationary police officers. When combined with appropriate backup from other government agencies that specialist training will further enable police in performing their difficult duties. A university will be selected to independently review and evaluate the interventional team pilot.

I refer now to what is termed the "Memphis model"; the intervention team model that was selected following examination of international practice and an interagency study to the United States by representatives of the New South Wales Police Force and the Department of Health in 2006. The model is based upon the Memphis crisis intervention team, which was developed in the 1980s after a fatal police shooting. A central part of the model is a 40-hour specialist training program for front-line police dealing with the mentally ill. The Memphis model is used throughout the United States in more than 200 law enforcement agencies as well as being established in Canada.

The mental health intervention team is an example of intra-agency cooperation in action with officers of the New South Wales Police Force and the Department of Health working closely together to produce better results for mentally ill persons in New South Wales as well as for their own workforces. These initiatives are aimed also at ensuring that police are working where they are most needed, out on the front line, driving down crime across New South Wales.

**The Hon. HELEN WESTWOOD:** I wish to follow up on a question asked by the Opposition. Minister, can you update the Committee on the value of the Middle Eastern Organised Crime Squad?

**Mr DAVID CAMPBELL:** Certainly. The Middle Eastern Organised Crime Squad [MEOCS] has enjoyed spectacular results since it was established by the Iemma Government in May 2006 to investigate and combat organised criminal activities by and on persons of Middle Eastern background. It is a permanent squad set up to continue the excellent achievements of Taskforce Gain, which was established in 2003. I am told that extremely positive feedback continues to come from local area commands and other areas of the New South Wales Police Force, such as the Gangs Squad, relating to the work being done by the Middle Eastern Organised Crime Squad. In the nine months to 30 September 2007, the squad has arrested 396 people and laid 1,069 charges. Those charges include 42 violence-related charges, 58 firearms-related charges, 495 traffic-related charges, 113 fraud or theft-related charges and 223 drug-related charges.

The squad has taken illegal drugs off the streets of Sydney with an estimated street value of almost \$2 million, including 578.8 grams of amphetamines, 95 vials of steroids, 99.3 grams of heroin, nearly seven kilograms of cannabis, 15 grams of ice, 1.7 kilograms of ecstasy and 4.9 kilograms of cocaine. In addition, more than \$122,000 worth of prohibited drugs were taken off the streets during controlled operations this year. These included 46.5 grams of amphetamines, 1.5 grams of heroin, 383.7 grams of ecstasy and 1.5 grams of cocaine. Also in the nine months to September 2007, the squad has seized 29 weapons, including handguns, long arms, knives and explosives as well as 563 rounds of ammunition.

Finally, the squad has seized more than \$1.6 million in cash. The squad has also been able to use the Iemma Government's new anti-gang offensive, which provide another means of targeting organised crime groups. In the 12 months since the new laws were assented to by Parliament in September 2006, nearly certainly charges have been laid by police including charges by the Middle Eastern Organised Crime Squad. Those excellent results are more than just numbers on a monthly report. They represent a real and tangible improvement to the daily lives of people in south-western Sydney. Each weapon seized makes our streets safer; each arrest or charge contributes to building a case against an individual or a criminal group; every drug seized helps reduce the danger to our community of illicit drugs as well as helping us to crack down on those who traffic in or manufacture drugs.

The New South Wales Police Force remains committed to cracking down on all criminal activity in New South Wales and the Iemma Government is supporting our Police Force in this task by committing, as I said earlier, record funding and additional police officers to enable them to do their work and to make New South Wales a safer place in which to live. To repeat my earlier observation, from those earlier questions referred to by the Hon. Helen Westwood one would think that the New South Wales Opposition was very much opposed to the activity of the Middle Eastern Organised Crime Squad.

**The Hon. GREG DONNELLY:** Minister, what is the New South Was Police Force doing to help address stress and depression within the force?

**Mr DAVID CAMPBELL:** Stress, depression and suicide are community issues that affect the whole of Australia. Australia has one of the highest rates of suicide in the Western world. Due to the extraordinary incidents that many police officers face, the New South Wales Police Force is aware that its employees may be more susceptible to work-related stress. That is why the New South Wales Police Force takes a proactive approach to addressing this problem. The police force recognises that police at the senior level must be equipped with the knowledge and expertise to deal with mental health issues.

To that end, on 9 March 2007 the former commissioner announced that he intended to implement a training package for senior police to recognise and manage symptoms of workplace stress and depression. I am pleased to advise that the New South Wales Police Force engaged the well-respected Black Dog Institute to design and deliver a comprehensive training program. The program is designed to equip officers with the knowledge and expertise to understand the signs and symptoms of depression, anxiety and trauma reactions, to develop skills in early detection of mental health problems and to implement strategies for dealing with mental health problems.

The commissioner, deputy commissioners and several assistant commissioners and superintendents will have completed the training program by 31 October 2007. One final session is to be held this year, after which it is anticipated that all senior commanders down to the rank of superintendent or equivalent will have completed the training program. The program will be a regular part of the superintendent development program, which will be delivered to all newly appointed superintendents. The implementation of the Australian program supplements a range of important initiatives that were already in place to protect the mental health of our police.

The employee assistance program was available to employees of the New South Wales Police Force and their families to help them overcome depression, stress, anxiety and drug and alcohol problems. It provides free counselling and support at any time on matters like family and relationship issues, grief and bereavement, and workplace conflict. Also there will be individual debriefing sessions and post-incident follow-up when all staff are involved in a critical incident. This assists

offices to normalise their reactions to an incident and to speed up the time needed to settle those reactions.

Ongoing individual sessions or the provision of injury management services are also available if required by any officer. For police in units identified as being at risk of repeat exposure to traumatic events, the New South Wales Police Force provides regular proactive sessions with an experienced psychologist to support those offices in identifying any issues at an early stage. In addition, police officers continue to have access to the skills and experience of the support offices and police chaplains. Peer support officers are trained to recognise various symptoms and problems and to assist their fellow officers through listening, understanding and providing appropriate referrals where needed.

Police chaplains provide counselling on personal and moral issues and undertake hospital and house visits in case of illness. The Police Force is committed to ensuring that all its staff are able to recognise the signs and symptoms of stress and depression and that they know where to get help in those circumstances. I take this opportunity to congratulate the New South Was Police Force on taking proactive action in addressing this important issue.

**The Hon. HELEN WESTWOOD:** Minister, please update the Committee on the results of random roadside drug testing?

**Mr DAVID CAMPBELL:** This new initiative of the Iemma Government is part of a commitment to ensure that motorists are safe on our roads. The Government has given police the power to stop motorists and subject them to roadside saliva tests for the presence of amphetamines, which includes ice and speed, methylenedioxymethamphetamine [MDMA], often known as ecstasy, and cannabis. Police have been conducting roadside drug tests since January this year. They want to say that driving whilst under the influence of illicit drugs is totally unacceptable and motorists should be aware that if they do so it is only a matter of time before they are caught. I am advised that since January police have tested almost 4,000 motorists. About one in 43 of those drivers tested positive to drugs at the roadside.

The evidence has clearly shown that drivers with drugs in their systems are much more likely to be involved in fatal and non-fatal motor vehicle accidents and the victims can often be other innocent motorists, not just the drivers themselves. I am further advised that 34 drivers have now been convicted at court of the new offence of driving with the presence of illicit drugs. Importantly, this new resource is not just deployed randomly but as a result of police intelligence, which means that it is used in targeted operations. For example, metropolitan locations in areas around the vicinity of entertainment precincts and known rave parties are targeted for drug testing. Police are also particularly focused on reducing the incidence of drug taking amongst drivers within the heavy vehicle industry. The Iemma Government is well aware of the pressures placed on long distance truck drivers by suppliers and customers to meet unrealistic and, therefore, unsafe deadlines. However, commercial pressures do not excuse taking illegal drugs.

The new legislation also provides for the compulsory testing for drugs and alcohol in the blood of all motorists who are involved in fatal crashes, including those who are uninjured. The Iemma Government hopes that these new drug-driving initiatives will raise awareness of the dangers of drug driving and foster changes in attitudes in the same way that random breath testing has seen a complete shift in community attitudes to drinking and driving. The Government will be working to increase the capacity of police in being able to test more drivers so that the message of deterrence becomes even stronger. These initiatives work in tandem with other road safety initiatives introduced by the Iemma Government. While we cannot rest on these results, it is pleasing to see that they are having a positive impact on the numbers of those killed and injured on our streets. The community can be assured that the Government will continue to provide police with the resources and powers they need to keep dangerous and irresponsible motorists off the road. New legislation is in place and new equipment has been purchased to enable police to take out those random roadside drug testing tasks and operations, which is a demonstration of the Government's commitment in that regard.

**CHAIR:** We will divide the remaining half an hour into three 10-minutes slots, starting with the Opposition.

**The Hon. JOHN AJAKA:** Commissioner, noting the limited time, in addition to the other questions that you have taken on notice would you take on notice the following three questions. Would you advise the Committee of the number of persons in total who have been arrested in New South Wales over the last 12 months, the number of persons who have been charged in the last 12 months, and the total number of charges for the last 12 months?

**Mr DAVID CAMPBELL:** In order to ensure that we obtain accurate information, could I clarify which 12 months we are talking about—October to October, the financial year, or the calendar year?

**The Hon. JOHN AJAKA:** The last 12 months from today. Commissioner, as I understand it the Marine Area Command, the water police, are located at Balmain, Broken Bay, Newcastle, Port Stephens, Coffs Harbour, Botany Bay, Port Kembla and, most recently, Eden, with some remote country waterways serviced. From 15 to 20 July 2008 we will be hosting World Youth Day events. I understand that the commander was recently transferred from the Marine Area Command. Did the commander of the Marine Area Command request a transfer to another command?

**Mr SCIPIONE:** I am not aware of that. I can take that question on notice. However, I can tell you that within the force we have a superintendent's rotation policy. That transfer took place at the time of that other rotation arrangement. I can take that question on notice.

**The Hon. JOHN AJAKA:** If he has not been transferred or he has not requested a transfer, would you consider keeping him on until the end of the World Youth Day events, having regard to the success of the Marine Area Command in protecting all foreign leaders, including the United States President, while on and around the water during the Asia Pacific Economic Co-operation conference?

**Mr SCIPIONE:** As I indicated, I do not know the status of the commander's transfer. I would need to check to determine whether he sought a transfer.

**The Hon. JOHN AJAKA:** Would you agree with me that it would be prudent to keep the same commander?

**Mr SCIPIONE:** No. The fact that he has been on rotation would tell me that it has been deemed, operationally, not a risk and at this stage that transfer would stand.

**The Hon. MICHAEL GALLACHER:** Ms McPherson, earlier you spoke about the global savings strategy—the \$62 million savings from the police budget for 2007-08. Where are we up to with the 427 corporate service positions that are to be culled?

**Ms McPHERSON:** Those 427 positions are not over a 12-month period. Those savings have been accumulating since 2005-06. I can report to you that we are on target and the positions we are targeting in this 12-month period are, in the main, vacant positions, particularly in the local area commands.

**The Hon. MICHAEL GALLACHER:** How much of those specific savings are for the 2007-08 budget? I understand that this year the budget savings are in the vicinity of \$62 million. In the two previous years there have been savings of \$15 million each year. Is that correct?

**Ms McPHERSON:** It is not \$62 million; I think it is approximately \$32 million. There is \$6 million from the recurrent information technology budget, which is as a consequence of whole-of-government telecommunications savings. There was \$18 million with an additional \$8 million. I think it is round about that figure, but I could come back to you and confirm that.

**The Hon. MICHAEL GALLACHER:** In total, how many full-time equivalent positions will be culled?

**Ms McPHERSON:** This year, 248 positions.

**The Hon. MICHAEL GALLACHER:** How many for last year?

**Ms McPHERSON:** I will have to come back to you on the actual number. I can come back to you on what we did. The positions are non-individuals. We are working very hard with local area commanders to identify jobs that are vacant, that have nobody in them, that are funded, and that they are willing to put forward as part of the Government's global savings strategy.

**Mr DAVID CAMPBELL:** Just for clarification, so that no-one around the table misinterprets the position, Ms McPherson is not talking about sworn, uniformed police officer positions.

**The Hon. MICHAEL GALLACHER:** The point is that when they go somebody must do that work. I would be interested to hear who will fulfil those roles once those positions are culled from local area commands.

**Ms McPHERSON:** Sure. This is not just a matter of an identification of positions by themselves. A strategy has been in place for some time, that is, the multi-skilling of staff in areas where processing and support are given to front-line police. That work is ongoing. We are working very closely with commanders, with the Police Association and with the Public Service Association to deliver without interfering with front-line police. One of other things that we are doing is investing in technology that allows a much more efficient operation.

**The Hon. MICHAEL GALLACHER:** I have a copy of a document entitled "New South Wales Police Force Global Strategy 2005 to 2008" which has total numbers as 321 general support officers. Is that correct?

**Ms McPHERSON:** I cannot comment on that, as I do not have that number. Could I have a look at the document you have?

**The Hon. MICHAEL GALLACHER:** You will have to take that question on notice. It is, in fact, your document. I have also been told that 64 court process officers will be culled. These are important positions.

**Mr DAVID CAMPBELL:** I think again we should get the document tabled so that we are confident that it is a Police Force document and not something that someone has made up.

**The Hon. MICHAEL GALLACHER:** You will just have to trust me. Therefore, I take it you are not in a position to answer of those jobs that are going, you do not have a break-up of them?

**Mr DAVID CAMPBELL:** Madam Chair, could I ask again if we are able to get the document tabled?

**The Hon. MICHAEL GALLACHER:** I am asking it as a question.

**CHAIR:** The member has indicated he does not want to table the document.

**The Hon. MICHAEL GALLACHER:** No.

**Mr DAVID CAMPBELL:** So he has refused to table the document?

**CHAIR:** The question can be taken on notice if you are not in a position to answer.

**Ms McPHERSON:** I will take it on notice, but I would like to add through the Chair that whilst jobs maybe identified in a document, and I cannot comment on the document, I do stand by what I said, that it is a matter of multiskilling. So, whilst those positions may well be put in the basket of up for multiskilling, it does not mean those positions will be cut. It is about having a much more even and better skilled support staff out there to help and assist local area commands. Can I just add also that the majority of staff savings in this financial year will be coming from the central processing corporate services areas at Parramatta.

**The Hon. MICHAEL GALLACHER:** Is it correct, therefore, that each local area command will be losing one clerical officer grade 1 and 2?



**Ms McPHERSON:** No.

**The Hon. MICHAEL GALLACHER:** They are not?

**Ms McPHERSON:** No. I am sorry, there are approximately, and I am just talking approximately, from the local area commanders, 60 positions, given that there are 80 local area commands. That is not correct.

**The Hon. MICHAEL GALLACHER:** Do you know if any court process officers positions will be going?

**Ms McPHERSON:** No, I do not. I cannot comment on that. What I can comment on is that we would be multiskilling court processing officers with other positions within the local area command.

**The Hon. MICHAEL GALLACHER:** If I might turn very briefly now to the World Youth Day. Commissioner, can you indicate to the Committee how many police officers will be required to provide security during the week of World Youth Day?

**Mr SCIPIONE:** It is too early to State. We are in the process now of finalising all of those operational contingency plans that will determine the numbers required. We are moving towards the finalisation of the planning teams. Bearing in mind that we have a lot of information that must come through as a result of the Asia Pacific Economic Co-operation [APEC] preparation, a lot of that knowledge will flow through. But we are at this stage still finalising our roles and responsibilities. We are still in consultation with the Catholic church and the World Youth Day Coordination Authority, which has responsibility for engaging all of the affected stakeholders to determine just what our needs are.

**The Hon. MICHAEL GALLACHER:** Can you give us an indication of when you expect to have that finalised, given the time frame that is left?

**Mr SCIPIONE:** We are looking to populate the planning teams in November and we would expect that it would be soon thereafter. As I said, there is a lot of knowledge that will flow through from the Asia Pacific Economic Co-operation. We look forward to ensuring that we can capture that before we make any final decision.

**Ms SYLVIA HALE:** Can you tell me if the descriptor "middle-eastern appearance" is still used by the police, for example, if they are seeking someone of middle-eastern appearance?

**Mr SCIPIONE:** I believe it is still currently in use. It is a descriptor we have used for many years now.

**Ms SYLVIA HALE:** Do you know of any other State that uses that descriptor?

**Mr SCIPIONE:** I believe that no other State uses that particular descriptor.

**Ms SYLVIA HALE:** For the benefit of the Committee can you tell me what the police mean when they want someone of middle-eastern appearance?

**Mr SCIPIONE:** I will take that on notice. There is a published interpretation of middle-eastern description and I can provide that to the Committee.

**Ms SYLVIA HALE:** So, does it go to height, weight, colouring, do you know?

**Mr SCIPIONE:** It certainly does not go to height, weight, colour of hair, colour of eyes. That is certainly not the situation. We have classic descriptors and they are used across all law enforcement agencies. The reason we use middle-eastern description is that it is in order to ensure that we do not necessarily capture a lot of people by descriptions. It is about giving police the operational

advantage of knowing to some extent the person they are looking for. But I can provide you with all of that information. There is a very detailed breakdown of what is included.

**Ms SYLVIA HALE:** But given that it has been in force for many years, can you give me some indication now of the content of the descriptor?

**Mr SCIPIONE:** Well, I think it would be best, in order to ensure that we get this right—I would not want to mislead the Committee, nor yourself—so I want to make sure that that is right. Like many of the other questions, I would prefer to take that on notice.

**Ms SYLVIA HALE:** So, do you have descriptors of other ethnic, cultural or racial groups?

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** Well, there is Caucasian appearance. There is South East Asian appearance. There is a range of different descriptors. So, again, that would be captured in the document I can provide you.

**Ms SYLVIA HALE:** Can you tell me why, if no other State believes that using such a descriptor is useful, of what particular benefit New South Wales sees deriving from it?

**Mr SCIPIONE:** No. In fact, every State uses descriptors of people that are of interest. Certainly every other State has descriptors that would identify originality of race. I am just saying that middle eastern is not a term used in other States.

**Ms SYLVIA HALE:** Therefore, if you are saying that other States have such descriptions of people's origins, do you know why they have not used that category of middle-eastern appearance?

**Mr SCIPIONE:** The decision by New South Wales to use that particular descriptor was one based on need as perceived by the police force of that particular time. Again, it is something that I support. It is a very useful descriptor. It is one that is used responsibly and, clearly, we have defined descriptors that are used simply to allow us to identify those that might be offenders in crimes.

**Ms SYLVIA HALE:** Do you envisage using the Asia Pacific Economic Co-operation fence in connection with World Youth Day?

**Mr SCIPIONE:** It is certainly not proposed at this stage, but as indicated earlier, the concept of operation is yet to be finalised. But it is certainly not something that I would be considering at this stage.

**Ms SYLVIA HALE:** In relation to the Asia Pacific Economic Co-operation you compiled a list of excluded persons. What has happened to the people who are on that list? Do you still retain their names or photographs for future reference?

**Mr SCIPIONE:** The excluded list was something that was used and available to us during the life of that particular piece of legislation. With the expiration of that particular piece of legislation there is no longer in New South Wales an excluded persons list.

**Ms SYLVIA HALE:** Have you destroyed the information about the people who were on that list?

**Mr SCIPIONE:** Well, the information necessarily was not created as a result of them being placed on the excluded persons list. That had to exist before we put them there.

**Ms SYLVIA HALE:** But if people were on the list, you presumably had photographs of them so that you could identify them, and you must have had details as to their names, where they lived, their physical descriptors.

**Mr DAVID CAMPBELL:** Perhaps their previous offences.

**Ms SYLVIA HALE:** Okay. Do you still have that information?

**Mr SCIPIONE:** Yes.

**Ms SYLVIA HALE:** On what basis?

**Mr SCIPIONE:** Not on the basis that we have retained the information that was placed on the excluded persons list. That information was in existence prior to any list being put together, prior to the Asia Pacific Economic Co-operation event or the legislation being enacted. It is available to us and has come about as a result of traditional law enforcement intelligence gathering techniques right through to and including records of criminal histories when people have been involved in these types of incidents in the past where they have been dealt with according to law.

**Ms SYLVIA HALE:** But if some of those people on that list did not have criminal records or criminal convictions or if there were cases pending against them and those cases have been either dismissed or dropped, will you remove that information about those persons or would you continue to hold it?

**Mr SCIPIONE:** I think what you are suggesting is that if there is no conviction, we are relying on intelligence. That intelligence is maintained within the New South Wales Police Force. We maintain it in compliance with the relevant Privacy Act. So if the question is, are we going to destroy that intelligence? My answer is no.

**Ms SYLVIA HALE:** Can you tell me how the police operations in this regard differ from activities of a special branch, which came in for particular criticism by the Woodward royal commission 15 to 20 years ago?

**Mr SCIPIONE:** For a start, we actually recorded those names and advised everyone who was on that list that they were on the list. If what you are suggesting is that there were some secretive Special Branch arrangements, that is not the case. Every one that was placed on that list was notified. They were told why they were on the list. In fact there was no suggestion of trying to keep it quiet or to prevent anyone knowing.

**Ms SYLVIA HALE:** But you are suggesting that the police department is going to retain the intelligence. Presumably that was what the Special Branch was doing 20 years ago. It was also gathering and retaining evidence and people had no right to check whether it was accurate or otherwise.

**Mr SCIPIONE:** We certainly hold large amounts of criminal intelligence and it would be appropriate for me to indicate to you that I have no intention of having that destroyed. It is vital to us when it comes to ensuring the safety of the State of New South Wales.

**Ms SYLVIA HALE:** But you talk about criminal intelligence. I am talking about people who may have no criminal record whatsoever.

**Mr SCIPIONE:** Yes, but again, if there was no criminal intelligence, there was no criminal history or past that would suggest that somebody should be considered for inclusion on an excluded persons list, they simply would not have been there. We did not just go and pick names out of the phone book.

**Ms SYLVIA HALE:** Are the persons on this excluded persons listed the only ones about whom you have collected information in regard to their political activities?

**Mr SCIPIONE:** We have not collected information regarding anyone's political activity. We have gathered information with regard to issues such as their predisposition towards violence when they are in public order settings. It is criminal activity where, in the past, they have been convicted.

**Ms SYLVIA HALE:** But for anyone who has not been convicted, and I am talking about people who have no conviction and who did participate in events such as the APEC rally whose whole

purpose is to express some form of political dissent, what information do you collect about those people? Where is it retained?

**Mr SCIPIONE:** I made it very clear in all of my involvement in the lead-up to and during APEC that people have a lawful right to protest. My only requirement was that they did that in a peaceful, non-violent fashion. The advice provided was that those on the excluded persons list should be excluded because they intended to intervene in some way and potentially they would have been acting in a way that was unacceptable, violent and criminal.

Can I just indicate though in relation to the point you make in terms of the management of this information that Special Branch and the APEC security task force arrangements that we have had in place during the course of APEC are totally different. Back in Special Branch days, we had no Police Integrity Commission. We had no means by which anyone was held necessarily accountable like they are today within the New South Wales. There is certainly opportunity for anyone who feels that they have been the subject of some wrongdoing or corrupt activity to complain. There are many places they can go to, not least of all being the Police Integrity Commission, but there is the Ombudsman and a range of other areas.

**Ms SYLVIA HALE:** Commissioner, you recognise that the APEC legislation prevented any recourse to appeal against the individual's inclusion on that list and gave you the discretion as to whether the names on that list were to be made public or not. Tell me how it differs from the Special Branch days.

**Mr SCIPIONE:** Very different. Can I tell you that those who were on the list and were advised that they were on the list in fact made representations to the deputy commissioner of the day. He personally reviewed each and every one of them to determine for his own benefit that they were fit and proper to be on that list. That was conducted. He advised me that he subsequently agreed with the inclusions. That is certainly not Special Branch as you are suggesting from many decades ago.

**Ms SYLVIA HALE:** But it is part of the process.

**The Hon. GREG DONNELLY:** I direct my question to the Minister. Can you update the Committee on the progress of police efforts to crack down on outdoor motorcycle gangs?

**Mr DAVID CAMPBELL:** A very topical question, Chair. Outdoor motorcycle gangs are serious organised crime enterprises responsible for drug manufacturing and trafficking, money laundering, violent assaults, murders, standover tactics and protection rackets in New South Wales. It has been one year since the Iemma Government's tough anti-gang laws were passed by the Parliament. The anti-gang laws gave police unprecedented powers to tackle these sophisticated crime networks, allowing police to smash down four or five clubhouses and prosecute people who may not be members of a bikie gang, but are still associated with criminal gangs.

The Iemma Government's gangs package introduced Australia's most far-reaching anti-gang laws. They created a number of new offences including participating in a criminal group and intending by that action to participate in any criminal activity of a criminal group, assaulting a person intending by that action to participate in any criminal activity of a criminal group, recruiting a person or child to commit a criminal act, destroying or damaging property intending by that action to participate in any criminal activity of a criminal group, and assaulting a law enforcement officer intending by that action to participate in any criminal activity of a criminal group. The legislation also created new police powers relating to situations of public disorder and gave police officers and their families new protection from assault, intimidation and other harassment.

The Iemma Government's anti-gang laws are more than just words on paper. Our police have been using their new powers to bring these violent criminals to justice. Only one year on and police have charged nearly 70 people using the new powers we have given them. Charges for the new offences include: 48 charged with participating in a criminal group, 11 charged for recruiting a child to carry out or assist in a criminal activity, 4 charged with recruiting a person to carry out or assist a criminal activity, 6 charged while participating in a criminal activity of a gang, and 1 charged for destroying or damaging property while participating in a criminal activity of a gang.

In May this year I announced a targeted crackdown on outdoor motorcycle gangs called Operation Ranmore. In just four months Ranmore has resulted in 192 arrests with 580 charges being laid. These include 152 drug charges, 102 for assault, 47 firearms charges, 24 for fraud and 2 sexual assault offences. Police have been targeting individuals and clubhouses as well as licensed premises which are known haunts for these criminal gangs. Forty-one bikies have been arrested on outstanding warrants and breaches of bail. Not only are we disrupting their operations, but police are collecting valuable intelligence and profiles on new members and associates. We are sending a message which is loud and clear: Criminal gangs are not above the law, and we will not tolerate criminal behaviour on our streets.

We are also working with other States on a national approach to outlaw motorcycle gangs, but in the meantime we are pushing on with our commitment to meet our State Plan target to reduce violent crime. One year on from Parliament passing the Iemma Government's anti-gangs legislation, we are beginning to see results.

**The Hon. HELEN WESTWOOD:** What reforms has the Government undertaken in the security industry?

**Mr DAVID CAMPBELL:** The Iemma Government has ensured that New South Wales continues to be at the forefront of security industry reform in Australia. New South Wales now has the toughest licensing scheme in the country. The Government continues to work toward improving the professionalism and standards of industry employees through more targeted training and on-the-job supervision. The Security Industry Amendment Act 2005 and the Security Industry Regulation 2007, which introduced many of these reforms, commenced on 1 September 2007.

The new legislation builds on previous reforms to the security industry and introduces new requirements which will further strengthen provisions relating to the suitability and proficiency of those working in and seeking to join the private security industry. The new requirements in the Act include new licensing categories within the existing licence classes to ensure that guards performing specialist services have the appropriate training and qualifications, a provisional licensing system to ensure that all new entrants to the industry are of good character and receive adequate supervision, banning security licence holders who are able to hold and store firearms from storing those firearms in a place of residence of a person who has been convicted of certain offences, formal legislative recognition of the Security Industry Council as a ministerial advisory body, and increased penalties for breaches of the Act and regulation.

The Security Industry Regulation introduces additional disqualifying offences that prevent a person from obtaining a licence—for example, an offence relating to restricted substances prescribed under the Poisons and Therapeutic Goods Regulation 2002, riot and affray, stalking and intimidation, offences relating to reckless conduct causing death in the workplace, and terrorism. In other words, if someone has a criminal background to do with antisocial behaviour, violence or drugs they will not be eligible for a licence. There are now more mandatory and discretionary grounds for refusal of licences to prevent unsuitable persons from obtaining a master licence, such as bankruptcy, liquidation or administration, or engaging in misleading, deceptive or unconscionable business conduct, and committing multiple offences under the Act.

Direct supervision requirements have also been introduced that will ensure that new entrants to the industry are appropriately supervised and receive comprehensive on-the-job training. Licences will need to be clearly displayed. Improvements to the incident register have been made to ensure that if an incident occurs it is recorded properly. There are also more stringent requirements for cash-in-transit vehicles designed to reduce the risk and incidence of robbery of armoured vehicles and enhance the safety of security guards. There is no doubt that the new regulatory regime requires more from industry but, as men in the security industry have told me, they want a more professional industry. We have also listened to the concerns of the community about raising the standards of the profession, and that is what this package is about.

**CHAIR:** Thank you, Minister. That concludes the public hearing. I thank the Minister, Mr Tree, Commissioner Scipione and Ms Fran McPherson and the advisors and staff who were in attendance. We have agreed that answers to questions on notice are to be provided within 28 days. The 28 days start when the secretariat gets the questions to you.

**Mr DAVID CAMPBELL:** We will do our best to comply with that 28-day time frame. But I note that a number of the questions will require a great many resources. Some of them will probably be police officer resources, which means that they will not be chasing crooks while providing that information. We will do our best to get the answers to you as quickly as we possibly can.

**(The witnesses withdrew)**

**The Committee proceeded to deliberate.**

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