

GENERAL PURPOSE STANDING COMMITTEE No. 3

Thursday 20 June 2002

Examination of proposed expenditure for the portfolio area

POLICE

The Committee met at 5.30 p.m.

MEMBERS

The Hon. Helen Sham-Ho (Chair)

The Hon. John Hatzistergos
The Hon. Peter Primrose
The Hon. Greg Pearce

Ms Lee Rhiannon
The Hon. James Samios
The Hon. Ian West

PRESENT

The Hon. M. Costa, *Minister for Police*

Ministry for Police

Mr Les Tree, *Director General of the Police Ministry*

NSW Police

Mr K. Moroney, *Commissioner of Police*

Mr D. Madden, *Deputy Commissioner of Police*

Mr C. Ploughman, *Director of Management Services*

Mr P. Bhatt, *Director of Finance*

Crime Commission

Mr P. Bradley, *NSW Crime Commissioner*

Police Integrity Commission

Mr G. E. Sage, *Assistant Commissioner*

CHAIR: I welcome you all, particularly the Minister, who for the first time is attending a budget estimates hearing of General Purpose Standing Committee No. 3, and Commissioner Moroney, who is for the second time appearing before the Committee. This is the public hearing of General Purpose Standing Committee No. 3. I wish to thank the Minister and all of the departmental officers for attending today. At this meeting the Committee will examine the proposed expenditure for the portfolio area of Police.

Before questions commence, some procedural matters need to be dealt with. In relation to broadcasting proceedings, Part 4 of the resolution referring the budget estimates to the Committee requires evidence to be heard in public. The Committee has previously resolved to authorise the media to broadcast sound and video excerpts of its public proceedings and copies of the guidelines are available from the attendants.

I point out that in accordance with the Legislative Council's guidelines for the broadcast of proceedings, only members of the Committee and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photographs. In addition, Mr Bradley, the New South Wales Crime Commissioner, who is expected to give evidence this evening, should not be photographed or filmed, for security reasons. To assist the media, the Committee will direct questions to Mr Bradley first. I therefore request that all cameras be turned off.

In reporting the proceedings of this Committee the media must take responsibility for what you publish or what interpretation is placed on anything that is said before the Committee.

There is no provision for members to refer directly to their staff while at the table. Witnesses, members and their staff are advised that any messages should be delivered through the attendants on duty or the Committee clerk. For the benefit of members and Hansard, could the departmental staff and officials identify themselves by name, position and departmental agency before answering any question referred to them.

When a member is seeking information in relation to a particular estimates program or subprogram, it would be helpful if the program or subprogram is identified if it is relevant.

Minister, the Committee has agreed that we will have no break and go right through to the end for the two hours. Is that a difficulty with you?

The Hon. MICHAEL COSTA: I will have to check with my union.

CHAIR: I declare the proposed expenditure open for examination. Minister, do you have any opening statement that you want to make?

The Hon. MICHAEL COSTA: No opening statement.

CHAIR: Are there any questions for the Crime Commissioner, Mr Bradley?

The Hon. GREG PEARCE: In relation to your comments on the use of technology and interception of telecommunications, did you have any concerns on the findings of the Police Integrity Commission inspector regarding the use of telephone intercept material and listening device material which was handed to the ABC Four Corners program prior to the commencement of Operation Florida?

Mr BRADLEY: Did I have have concerns arising from his report?

The Hon. GREG PEARCE: Yes.

Mr BRADLEY: With regard to the report about the listening device material, I concluded that the information was gathered for a proper purpose and it was properly used. I think that there there was one matter which he referred to—I do not know whether this report is public yet or whether I can divulge the contents of it here. There was one minor matter which he reported on, which he regarded as very minor, in that there were two names mentioned in one document which were not mentioned in another document.

The Hon. GREG PEARCE: Did you take any steps to investigate whether anyone at the Crime Commission had provided Four Corners with any of the material?

Mr BRADLEY: You are now talking about the telephone interception material?

The Hon. GREG PEARCE: Yes.

Mr BRADLEY: Yes. That matter has been looked at by the Crime Commission and I have had the advantage of the information gathered by the Police Integrity Commission. There is a current inspection under the Ombudsman's Act and I have had the advantage of knowing what that inspection revealed. As far as I can see, there is no allegation and no evidence that anyone in the Crime Commission provided anything to Four Corners improperly.

The Hon. GREG PEARCE: On an earlier occasion when you appeared before this Committee I asked you why you or the Crime Commission had not dealt with drug gangs and Mr Bigs. Your answer was that you had limited resources. I notice that within the report this year there is an amount of \$43 million achieved from confiscation action. Where does that appear in the budget, and do you now have adequate resources to get out there and deal with the Mr Bigs and the gangs?

Mr BRADLEY: If I implied or you inferred that we had inadequate resources, the implication was unintended. What I intended to say is that our resources are finite as opposed to limitless. As to the funds available from—

The Hon. GREG PEARCE: What is the difference between finite and limitless?

Mr BRADLEY: Finite and limitless? There is a difference. One is limited and one is limitless.

The Hon. GREG PEARCE: That is right. That is my concern.

Mr BRADLEY: We do not have unlimited resources.

The Hon. GREG PEARCE: So you do not have the resources to deal with the Mr Bigs and the gangs. That is the issue that we raised earlier on.

Mr BRADLEY: I do not think that follows. That is an inference which you of course are entitled to draw. It was not the import of the answer I intended to convey.

The Hon. GREG PEARCE: The question is: Do you have sufficient resources to deal with the Mr Bigs and the gangs?

Mr BRADLEY: I think we have adequate resources for the tasks which are set for us by the legislation and the management committee. In relation to the funds which have been recovered under the Criminal Assets Recovery Act, those funds are paid into the confiscated proceeds account. They are not paid into the revenue of the Crime Commission.

CHAIR: As the Minister knows, I am very intensely interested in the Ethnic Community Liaison Officers [ECLOs] issue and that was to be one of my recommendations in any case. Minister, I am aware that the ECLOs are civilians and not police officers and this contrasts with the separate community policing unit. Given that ECLOs are responsible for enhancing communication and understanding between police and ethnic communities and they are not sworn police officers, what training are ECLOs given about police practices and procedures?

The Hon. MICHAEL COSTA: I can go into the details of the ECLO training if you want to do that. The issue of whether they are sworn officers or not is a policy decision, and certainly I think the Commissioner might want to say something about that. Extensive training is undertaken. I could provide a list of that if you so desire, rather than go through all that training at the moment.

CHAIR: Yes, if you would like to table that.

The Hon. MICHAEL COSTA: I do not have it here, but I will provide you with a list of the training that is undertaken. The key for the training is to look at cross-cultural skills, of course, and communication skills with the specific communities that the ECLOs are working within. The other skills that are provided are general project management skills, the normal skills you would expect. I am happy to provide a detailed list of the training programs that are available.

CHAIR: Yes, that would be helpful, thank you.

Mr MORONEY: If I could add to the Minister's response on what I interpreted to be your principal question; the Ethnic Community Liaison Officers in each of the local area commands to which they are attached are part of the crime management unit within each of those local area commands. The nature of the role, functions and responsibilities of those officers, more commonly referred to as ECLOs, is clearly set out in their relevant job description. Primarily they are the conduit between serving police officers and the various ethnic communities in which they serve, but they are principally tasked through the crime management units with particular emphasis on how the working relationships between those communities and their police officers can be improved.

CHAIR: Who actually determines the Ethnic Community Liaison Officers' work program and what is their administrative and operational accountability? What is their work program and who are the ECLOs accountable to?

Mr MORONEY: Ultimately he or she is accountable to the local area commander for the realisation of the priorities of that particular command. Those priorities are determined both on a corporate basis and on a local basis. Those priorities will be added to with the implementation of the PACT program, which is to be introduced shortly.

CHAIR: What does it cost to run the ECLO program as a proportion of the total police budget?

The Hon. MICHAEL COSTA: My advice is that we do not have that information, but we will take it on notice and provide you with it.

CHAIR: Do you think it is cost-effective?

The Hon. MICHAEL COSTA: Well, that would be a matter for the Commissioner.

Mr MORONEY: My initial response to that is, yes, I believe they are effective, and so much so that we would be looking to build and enhance the role and function of those officers at each command.

CHAIR: Do they have any career path in terms of salary packages and promotions?

Mr MORONEY: Likewise could I take that on advisement and I will provide that information to you.

The Hon. JOHN HATZISTERGOS: What is the Government doing to provide in-car videos in police patrol cars?

The Hon. MICHAEL COSTA: The placement of in-car videos in police vehicles should provide occupational health and safety benefits for police officers and will assist police to better prevent and prosecute crime. People are less likely to attack police in or near police vehicles if they know their crime is likely to be video recorded and the evidence collected. In-car video recordings can provide evidence of offences witnessed by police and reduce the number of disputes as to what did or did not occur at a particular crime scene.

It is important that NSW Police gets the in-car video system right. NSW Police need to employ the best and most appropriate technology in relation to in-car videos. NSW Police trialled a \$12,000 Victorian in-car video system in an Eagle Vale highway patrol vehicle from May 2001. The trial was monitored by NSW Police and the Department of Public Works and Services. The evaluation found that the system needed further improvement. That is why the research and development branch of NSW Police Special Services Group has been asked to develop a new in-car video system. It must give a high level of image quality both during daylight and in night-time conditions. It must be able to be connected

to other equipment such as mobile data terminals. The new system will include an integrated unit to avoid messy cabling between roof, boot and dashboard. It will be placed on the overhead console. It will be easier to install and remove and is safer than the previous system in crash situations. It will be a highly secure unit to ensure against accusations of doctoring. It would be able to be installed by conventional technical contractors and it must be easily updated, repaired or moved to other vehicles.

The system will be installed in a Mascot highway patrol vehicle in the next two weeks before being rolled out to Brisbane Waters and other appropriate locations. The sound and image are recorded on a mini-DV format, which removes the need for data to be downloaded from the system at the end of a shift. The system will provide for good quality images in both day and night situations. The camera is integrated into the console, which removes any possibility of the camera being adjusted to miss the field of view. The secure wireless microphone attached to the system will allow recordings of conversations outside the car to be recorded on the video with police having regard to the restrictions of the Listening Devices Act 1984, which obviously imposes restrictions on the recording of private conversations. The system will be integrated with other policing technologies such as mobile data terminals, radar, radio, beacons, sirens and braking systems. The new system will be able to be easily updated and repaired and transferred from vehicles as they leave service within NSW Police. The trial of the new system in these areas will be evaluated in December 2002. That is all the information I have at the moment on in-car videos.

The Hon. JOHN HATZISTERGOS: What improvements has the Government made in handling police complaints since last year?

The Hon. MICHAEL COSTA: The complaints system is clearly a major issue of concern to police. Certainly, as I have been around the State talking to front-line police, it is one of those recurring issues that emerges and in fact one could argue, I think quite persuasively, that police morale is very much linked to a proper and effective complaints system.

For the benefit of the Committee, police were required until recently to treat almost every written criticism by a member of the public, no matter how small, as a formal complaint. For example, if a member of the public complained that a police officer was too brief in replying to them, a file would be created. The matter would be reported to the Ombudsman. A formal investigation or alternative dispute resolution would take place. The results would be reported to the Ombudsman and NSW Police would consider any Ombudsman response to the complaint. Police have told me this process can take hours, even days, of police time. The time, of course, could be better spent performing front-line policing duties and being visible on our streets, as is currently the direction of the Commissioner.

There was no effective capacity for sifting out vexatious complaints. Late last year the Government introduced the Police Service Amendment (Complaints) Act 2001 to improve the complaints system. We did so after consultation with the Ombudsman and the Police Association and the Police Integrity Commission—effectively all the stakeholders. The Act means that the Ombudsman and the Police Integrity Commission, in consultation with the Police Commissioner, can develop guidelines to permit police not to report specified less serious complaints to the Ombudsman or to otherwise deal with such matters as complaints. Importantly, the Ombudsman and the Police Integrity Commission can still audit the way police deal with these matters.

I can advise the Committee that in the first four months of the implementation of the new complaints system there has been a 33 per cent reduction in the number of matters dealt with under the formal complaints system. That is a significant reduction and, given the linkage that is there over time with police morale, it is a very pleasing result. Thirty three per cent is an enormous change and it is a relief for police, and I think over time, as I said, it will boost morale. The figures show a 46 per cent reduction in the number of complaints in April 2002 compared to April 2001. The Ombudsman's office has advised that the drop is due to both the new complaints system and a reduction in the number of people coming forward to complain, which is also very pleasing, good news for the police, and good news for the community.

The complaints system will be vastly improved by the Statewide roll-out of the new computer system, c@tsi, which replaces the old complaints information system. C@tsi will enable NSW Police, the Ombudsman and the Police Integrity Commission to use a single shared computerised complaints system rather than the four separate systems currently in place. It replaces two police databases as well as the

Ombudsman and Police Integrity Commission databases. C@tsi is scheduled for full operation by September 2002.

The new complaints management system will also include the police oversight data store to enable police complaints agencies to conduct complaints trend analysis and profiling. Further improvements to the complaints management system are being considered as part of the current review of the Police Integrity Commission Act and the Police Service Act.

By the end of the financial year we will have provided approximately \$8.7 million for the police complaints case management system project. This includes \$1.365 million in recurrent funding. In 2002-2003 the Carr Government is providing further funding of approximately \$2.824 million, including \$824,000 in recurrent funding, bringing the total capital expenditure in this area to \$9.335 million.

The reform introduced by the Government in the last year means that police who were spending days tied up behind their desks are now free of that red tape and are back on the streets, and it is a very pleasing improvement to the complaints system. By no means is it the end of the reform process; we still have a long way to go, but the initial results from the legislation passed last year are very pleasing indeed.

The Hon. MICHAEL GALLACHER: What is the overall budget for the police media unit?

The Hon. MICHAEL COSTA: I do not have that figure with me, but I am happy to take it on notice and provide it.

The Hon. MICHAEL GALLACHER: Commissioner, why have the changes that have occurred to police media policy as recently as March of this year put a focus on spin doctoring?

The Hon. MICHAEL COSTA: Can I suggest that you quote from whatever document you have because I do not know of any document in the police protocols that talks about spin doctoring.

The Hon. MICHAEL GALLACHER: The police media policy states:

Whenever significant media interest exists or is expected, notify the police media unit and provide a full briefing so the police media unit can provide strategic media advice to you and the senior executive. They can help you maximise positive media coverage and minimise negative coverage.

The Hon. MICHAEL COSTA: So you can see that there are no words to the effect of spin doctoring.

The Hon. MICHAEL GALLACHER: Can I draw your attention to the definition of "spin doctoring" in Chambers 21st Century Dictionary:

Especially in politics, who tries to influence public opinion by putting a favourable bias on information when it is presented to the public or to the media.

I understand that to be spin doctoring consistent with the police media unit policy. Commissioner, why has the focus been on spin doctoring?

The Hon. MICHAEL COSTA: Can I again—

The Hon. MICHAEL GALLACHER: No, my question is to the Commissioner and—

The Hon. MICHAEL COSTA: As the Minister, I am entitled to answer the question.

CHAIR: He can answer.

The Hon. MICHAEL GALLACHER: He should at least have the courtesy to allow me to finish my question. Commissioner, my question to you is: Why was the focus changed for the police media unit in March of this year to spin doctoring?

The Hon. MICHAEL COSTA: Again, can I suggest that there is no basis to answer that question because there is no requirement for our media unit to spin doctor. If the honourable member is

referring to a very sensible policy that exists to provide information to the community about police activities, he ought to direct the question in that form. There is nothing in police media manuals or any documents that I have seen or any documents that have been authorised by the Commissioner or myself in relation to spin doctoring. The provision of information to the public is a critically important component of policing in every location that I am aware of. If the honourable member has any contrary views, I would be interested to see the information.

The Hon. MICHAEL GALLACHER: Madam Chair, there is considerable community concern over reports this week of the incident in China Town, which was reported as malicious damage according to the police media unit. I consider this to be a serious matter. What I would like to do is to show the Commissioner of Police the former police media unit's operating instructions and the current police media unit's operating instructions and ask him to comment on why the change, a substantial change, has been made to the focus of the police media unit's operating instructions. I believe that is a fair question.

The Hon. MICHAEL COSTA: Can I again object. The Commissioner was not the Commissioner in March. He has only been recently appointed. I think it is very unfair to be asking the Commissioner about matters pertaining to the role of Commissioner when he was not the Commissioner. I have already indicated that there is no policy in relation to spin doctoring. We certainly do have a policy, as all organisations do, except I suppose the Liberal Party, in terms of adequately communicating information to the public.

The Hon. MICHAEL GALLACHER: Madam Chair —

CHAIR: Order. Order.

The Hon. MICHAEL GALLACHER: Every member of NSW Police must be consistent and must have an understanding of operating instructions. I believe it is fair to ask this Commissioner his understanding of why the changes were made in light of what the community and what members of this Parliament believe was initial spin doctoring on a very serious event in China Town earlier this week.

The Hon. MICHAEL COSTA: Madam Chair, I have no —

CHAIR: Order. Order. I do not really want a debate here. I think the Minister has already answered part of the question asked. If the Commissioner would like to add a further answer to it, the Commissioner is allowed to answer. It is up to the Commissioner whether there is any further answer to the question.

The Hon. MICHAEL COSTA: The Commissioner is here to assist me in the estimates process. I have no problem with the Commissioner answering the question about the role of communication within community policing, which I think is a fair question, but to ask the Commissioner about a change that occurred before he was Commissioner is just a waste of everybody's time.

CHAIR: You have already partly answered the question, so I think it is up to the Commissioner as to whether he has anything further to add to the question that was put to you. So you have no further answer.

The Hon. MICHAEL GALLACHER: With all due respect to the Minister, he has more experience in policing than the Minister will ever have and I believe he could probably answer this question far better than the Minister will ever be able to answer it.

CHAIR: I rule that out of order.

The Hon. MICHAEL COSTA: I am happy for the Commissioner to take a sensible question about the role of communications in policing. I think the public is entitled to know what that role is, it is entitled to know the expenditure in relation to that and the critical components it has in relation to an overall plan for community based policing, but he is being asked something that he cannot answer because he was not the Commissioner when the change was made. If the honourable member is happy for the Commissioner to talk about communications in policing, I have no objection.

CHAIR: Commissioner?

The Hon. MICHAEL GALLACHER: And I would ask that the Commissioner at least be shown the documents, Madam Chair, so he knows what he is being asked.

The Hon. MICHAEL COSTA: The Commissioner can read his own.

The Hon. MICHAEL GALLACHER: I am sure he knows the police media documents are in existence.

The Hon. JOHN HATZISTERGOS: I am concerned about the spin you keep putting on that.

The Hon. GREG PEARCE: Point of order, Madam Chair.

The Hon. GREG PEARCE: I would like you to draw the Minister's attention to the guidelines for these Committee meetings. The Minister is clearly under a misapprehension that somehow or other he is entitled to dictate the questions or determine whether other witnesses answer or not. I ask you specifically to draw the Minister's and the other witnesses' attention to clause 4.2, which provides, amongst other things, that witnesses have to answer, or are here to answer questions and that members can ask for explanations from the Minister, officers of the department, separate bodies or corporations, et cetera, as we think fit.

The Hon. PETER PRIMROSE: To the point of order: I also ask that attention be directed to 4.2 as well, which specifically states that convention dictates that questions of a policy nature should be directed to and answered by the Minister.

The Hon. MICHAEL GALLACHER: This is a police policy, Mr Primrose. It is police instructions, not the Minister's instructions, and that is why the question was asked.

The Hon. PETER PRIMROSE: The question is of a policy nature.

CHAIR: Clause 4.2, dot point 5, provides that the Chair will determine whether questions are in order, but as a general guide we usually leave it to a witness to object to the question.

CHAIR: There is no point of order. I ask Mr Moroney, the Commissioner, to answer the question. Members are interjecting on the witness' answer, the witness has not had a chance to speak.

The Hon. PETER PRIMROSE: Good ruling.

Mr MORONEY: Thank you, Chair. Firstly, if I could respond, the first document that I have been shown appears to be an extract from the Police Service handbook, in particular paragraph 52.02, headed "The Police Media Unit". The other document is not from the Police Service handbook but appears to be part of the guidelines for NSW Police Media Policy 2002. So they are not, firstly, one and the same document, but I am happy to take both documents, by way of comparison and by reference to other documents, determine how the changes came about.

As the Minister indicates, I only became the Commissioner three weeks ago. However, I should also add that the primary role and function of the police media unit is more than anything else to convey the truth of the matter, and I would expect them to do no more and certainly no less. There is no policy document which requires spin doctoring on anybody's behalf; there is no policy to that effect and that certainly would not be countenanced. What is simply required are explanations based on the truth of any given circumstance on any particular occasion at any particular time. I am happy to take the two documents away, Chair, and provide that comparison and respond more formally.

CHAIR: Thank you, Commissioner.

Ms LEE RHIANNON: I address my question to the Commissioner. Commissioner, could you give a brief description of visible police operations undertaken in the past month in Sydney? I only ask for a brief description in terms of approximately how many operations there are, how many police are involved and where, because I then want to go on and ask you a few other questions. So just a brief description of police operations in Sydney.

The Hon. MICHAEL COSTA: Are we talking about all visible police operations or are you referring to something specific? Just to make the point, visible police operations are built into daily operating procedures of all our police.

Ms LEE RHIANNON: I am trying to get a sense. I think that I asked a clear question of the Commissioner. He was about to answer before you came in, Minister. I am after a brief description, so I can then go on to explore some other issues. You are using that term publicly. If you could just describe it to us please?

Mr MORONEY: Highly visible police operations are conducted within each local area command. The tasking and deployment of our officers obviously varies on the basis of their taskings. Those taskings are developed on the basis of intelligence as to the crimes that are committed, the days of the week, and the hours of the day. Those things determine where our officers are to be deployed. Those deployments are primarily the responsibility of the local area commander, working through the crime management unit, which has amongst other things a component of the new intelligence.

In recent weeks there have been a number of more high profile, visible police operations, known as Operation Vikings. They have variously been conducted since late May of this year and will continue for some considerable time. Like local area command based deployments, they are also based on intelligence patterns, where we know crime is happening, where there are expectations of crime occurring.

Ms LEE RHIANNON: Have any of these operations been carried out in Chinatown?

Mr MORONEY: I would believe so. I can obtain that specific information by viewing tasking sheets.

Ms LEE RHIANNON: So you understand that some of your highly visible policing operations have been carried out in Chinatown?

Mr MORONEY: Yes, I believe so.

Ms LEE RHIANNON: Did you or any other officers criticise members of the Chinese community for not speaking about the recent attacks on Chinese restaurants?

Mr MORONEY: No, I did not.

Ms LEE RHIANNON: And none of your other officers have made public statements criticising members of the Chinese community for not speaking out?

Mr MORONEY: Not that I am aware of. In fact I think it has been to the absolute contrary, where there has been encouragement in the ethnic press, on radio and on television for people to come forward. I personally volunteered my office number and I was pleased that a number of members, particularly of the Chinese community, have volunteered information which has been most useful.

Ms LEE RHIANNON: So when these operations have been undertaken, if they have been undertaken in Chinatown, are you confident that your officers are speaking to shop owners, workers in the area and visitors there? Are they making an active effort to speak to people of non-English speaking background? Is that part of their brief when they go into such communities?

Mr MORONEY: It certainly is and that is a specific direction from me. As you would know, I suspect, or may know, I participated in Vikings operations. One of the key issues that I have emphasised is that Vikings is not about arrests, it is about visibility of the police on the street; it is about talking to people on the street and in the shops. The feedback that I get whilst I travel to these locations by train and whilst walking through the shopping centres and talking to shopkeepers and other members of the community is that they are seeing the police and they tell me that police are going into their premises.

Ms LEE RHIANNON: Could you take questions on notice in regard to the number of visible police operations and regular beat operations that have occurred in Chinatown in the past month, please?

Mr MORONEY: I will.

CHAIR: I want to congratulate both the Minister and the Commissioner on their visible front-line police policy. I think it is a wonderful new initiative. However, I want to ask what training will be provided to police officers who do not normally perform beat or street policing in order to bring them up to date with current legislation, police powers and procedures because, as you are aware, the police have a lot of new powers, particularly for officers who are not operational in areas like crime agencies who have not performed street policing for maybe more than ten years.

Mr MORONEY: I believe that all of our police officers are operational. There is, amongst other things, a requirement within the current enterprise agreement that officers maintain a level of proficiency both in terms of their knowledge and in terms of their practical skills, such as firearms and other weapons training. I am also aware that the service has obligations under the Occupational Health and Safety Act and I am not about to endanger the life or well-being of any police officer. In order to ensure that it is not the case that that level of endangerment is there, officers who feel that they need refresher training, be that in terms of law, practice, procedure, policy or weapons training, have that available to them. I have clearly indicated to all of our officers that, whether they perform what is more commonly known as front-line operational duties or support functions, they will participate in Operation Vikings, and that is from the Commissioner down.

CHAIR: How is this policy of rostered street policing going to be applied to police who work in sensitive areas, such as the joint investigative response team, which is responsible for investigating child sexual abuse and is required to be on call for the victims? Are these officers going to be pulled out of an investigation to walk the streets?

Mr MORONEY: No. Commonsense and good judgment have to prevail in this whole exercise. Mention was made of officers of crime agencies, including officers attached to the JIRTs, as they are more commonly known. I am not about to pull those officers away from the important role and functions that they perform, but, equally, I expect them variously to participate in proactive policing that is part and parcel of every officer's duty.

The Hon. MICHAEL GALLACHER: Minister, you proudly announced today the extension of the use of road spikes and you have detailed it a little bit more this evening. Can you tell the Committee why it has taken your Government nearly eight years to actually do something about them? They came about as a result of a recommendation of the Staysafe Committee in November 1994.

The Hon. MICHAEL COSTA: I have not mentioned road spikes tonight, so I do not know where you got that comment from. It is obviously a prepared question and I am happy to take a prepared question, but do not imply that I mentioned them when I did not.

The reason we took the decision this week, in consultation with the Commissioner, in relation to road spikes was obviously as a conclusion of the tragic case surrounding the circumstances relating to the death of Constable Afflick. There was a decision made, and Dave Madden and some of the operational police can fill you in if you want further information because I was not the Minister at the time the decision was made, to suspend the trials in relation to road spikes to allow that case to go ahead. That case has gone ahead and there has been a conclusion. Based on an analysis evaluation of that case and the usage of road spikes, it was decided to move forward with that program.

I have to say that it is my view as Minister that our police and our community deserve all of the tools that are appropriate that can make their job safer. It is, as you would know, being a former policeman, a very dangerous job. Pursuits are one of the most dangerous components of the job and if we can make pursuits safer, if that is not an oxymoron, we will try to do that. The information that I have had from the police is that road spikes help in controlling pursuits and bringing vehicles to a safe stop.

The Hon. MICHAEL GALLACHER: Thank you for correcting me, Minister. It was in fact video recorders that you spoke about, but the 1994 report recommended the use of video cameras and recorders within police vehicles as well as tyre deflating devices. Could you please inform the Committee why the Government has waited all this time, nearly eight years, before actually doing something about it?

The Hon. MICHAEL COSTA: Could I just have clarification: What was the date of that report?

The Hon. MICHAEL GALLACHER: November 1994. Your Government came to power five months after—

The Hon. MICHAEL COSTA: So the report was under the Fahey Government, was it?

The Hon. MICHAEL GALLACHER: Members of your Government were on the Staysafe Committee and those recommendations came forth, so you have just ignored it for eight years? Fine, thank you.

The Hon. MICHAEL COSTA: Madam Chair, the reality is that the programs are undertaken by NSW Police based on operational requirements.

The Hon. MICHAEL GALLACHER: Eight years?

The Hon. MICHAEL COSTA: The police obviously have competing claims on resources that are finite.

The Hon. MICHAEL GALLACHER: Eight years?

The Hon. MICHAEL COSTA: I am happy to go through a discussion on finite resources; that is what the whole budget process is about. Government is responsible. Governments have to make decisions about allocation of resources. I think it is completely appropriate that the police force and police management make those decisions rather than this Committee. Management has taken the view, supported by the Government, that it is appropriate to trial this technology. It is important technology. It will make our operating environment safer and I support it. I do not understand the question.

The Hon. JOHN HATZISTERGOS: Perhaps Mr Gallacher can tell us why it took eight years for him to ask the question.

The Hon. MICHAEL GALLACHER: It has been asked before.

The Hon. GREG PEARCE: Minister, can I take you to pages 15-1 and 15-15 of the budget papers and the item "Expenses for the Ministry of Police", which increased by something like a quarter since last year, plus there are increases for staffing and increases in the number of staff. Was one of those staff members present when you interviewed Sergeant Mark Fenlon last December?

The Hon. MICHAEL COSTA: I do not understand the question; I do not understand the relevance of it. Could you explain it?

The Hon. GREG PEARCE: The question is whether you had a staff member present when Sergeant Mark Fenlon visited you last December?

The Hon. MICHAEL COSTA: I do not understand the relevance of the question to the estimates.

The Hon. GREG PEARCE: The question is whether there was a staff member and the follow-on question is whether that staff member took notes of the meeting?

The Hon. MICHAEL COSTA: I do not understand the relevance of the question to the estimates.

The Hon. MICHAEL GALLACHER: We can ask you any question, Minister.

The Hon. MICHAEL COSTA: Well, you can.

The Hon. MICHAEL GALLACHER: It was a fairly straightforward question.

The Hon. MICHAEL COSTA: I do not understand the relevance of the question to the estimates. I have made a complete statement today in relation to the Fenlon matter and I stand by that statement. I have nothing further to add to it. I thought the purpose of this Committee was to gain information, rather than grandstand for political purposes.

The Hon. GREG PEARCE: Are you aware that Mr Fenlon prepared contemporaneous notes of his meeting with you in December?

The Hon. MICHAEL COSTA: Madam Chair —

The Hon. GREG PEARCE: And are you aware that Mr Fenlon claims that he gave you a copy of his complaint to the Ombudsman in relation to crime statistics -

CHAIR: Order.

The Hon. MICHAEL COSTA: Madam Chair, my response to this is very clear. I do not see the relevance of it to the process we are in. I am happy to answer it because —

The Hon. GREG PEARCE: Then answer it. If you are happy to answer it, then answer it.

CHAIR: Do not interject. Let the Minister finish.

The Hon. MICHAEL COSTA: I am happy to answer it. I would wish that the honourable member would give me the opportunity to answer it. I made a full statement today to the media about this matter when it was raised. I stand by that statement. I can go further and say that if the honourable member has any evidence, any evidence, of a falsification of knife search statistics, I would encourage him to take it to the Police Integrity Commission, the Ombudsman and the many other bodies that we have available to deal with these matters. I encourage him. If he needs the address of any of those locations, I can provide it. Even better, I can drive him there with the information. If he is not prepared to do that, I cannot see the purpose of this questioning in relation to budget estimates.

The Hon. GREG PEARCE: Minister, thank you for telling us that you are prepared to answer the question. My question is: When did you first become aware of Mr Fenlon's complaints about the police statistics in relation to knife searches?

The Hon. MICHAEL COSTA: Chair, I have already answered that question, but I again repeat my comment. I am very concerned that allegations have been made that may well be of a criminal nature and that information is not being provided. If there is documentation, I have indicated today, and I indicate again to this Committee, it ought to be in the hands of the relevant authorities. I am prepared to assist in that process if some of the members of this Committee have a difficulty in understanding the process.

In relation to Mark Fenlon, I made a full statement today. I provided not only a statement, but a number of emails that were subsequent to that meeting, and I also provided a copy of the letter that was presented to me. I cannot do anything more. I do not see what the problem is. I would like anybody who has information to bring it forward.

The Hon. MICHAEL GALLACHER: Minister, why did you mislead the House last week when you were asked a question about this by saying you had no knowledge of the matter whatsoever? You were asked a question about falsification of statistics in relation to knife searches in western Sydney and your answer was, "I have no knowledge of it."

The Hon. MICHAEL COSTA: That is my answer. I have never misled the House. I have no knowledge of falsification.

The Hon. MICHAEL GALLACHER: That was not what you said. You said "no knowledge of the matter you are raising".

The Hon. MICHAEL COSTA: I have no knowledge of the matter that has been raised and I stand by that. I thought this exercise was to do something productive for the citizens of New South

Wales, that is to examine the budget estimates. If the Opposition wants to turn it into a second question time, I am quite happy, but I stand by my statements. There have been some allegations made by a particular individual. I put the view of that particular meeting based on my discussions and the documents available. I stand by that. I cannot understand where this is heading.

The real issue here is whether there has been falsification of data, any data, I would like people to come forward. I will ensure, and I am sure the Commissioner will ensure, that the people responsible are dealt with in accordance with the appropriate procedures and law. There is nothing to hide here. If people have been falsifying data, they deserve to have the full force of operational procedures, or alternatively the law, applied to them if it is relevant.

The Hon. MICHAEL GALLACHER: That is correct, Madam Chair, and that is why the Minister has drawn to our attention the fact that our Committee's role is to look at the expenditure of the Police budget, and that is exactly what we are doing as far as operational aspects are concerned. Is that correct?

The Hon. MICHAEL COSTA: I am happy to provide the honourable member with the same documentation I received when I came to the Committee, if he has not got it, but I would have thought that he had that book. My point is a very simple one. If somebody has falsified information, I do not care who they are, what political persuasion they are, what size, what colour, what age, there are laws to deal with this; provide the information to the relevant bodies and it will be dealt with. If any information comes to me about these matters, certainly that is where it will be directed. I have no information about these matters. If the honourable member does, he ought to do what I have suggested. If he has a difficulty finding these institutions, I can provide the addresses, or, alternatively, I can ensure that this material gets there through a secure courier system if he is unable to deal with the matter.

In relation to estimates, my point was simple. The time of all of these officers in this room is extremely valuable. They have duties, many of those duties go to public safety and I would rather see them focused on doing those duties. I understand the need for them to be here, but let us focus on using the expertise to enlighten the public about the way we go about policing, rather than grandstanding about political matters that are better kept for the theatre of question time.

CHAIR: Thank you, Minister. I just want to make a general comment that operational matters are the only matters I will not make you answer questions about. So I would ask the Minister or the Commissioner not to answer any operational matter.

The Hon. MICHAEL COSTA: Is that a ruling on the last question?

CHAIR: It is the standard ruling in any Committee hearing.

Ms LEE RHIANNON: I direct my question to the Minister. How many adverse findings have been made by the Police Integrity Commissioner over the last 12 months?

The Hon. MICHAEL COSTA: I do not have that detail, but I can certainly take that question on notice and provide it.

The Hon. GREG PEARCE: Could we have Mr Sage perhaps answer that if he can?

Ms LEE RHIANNON: Yes, because I think you must have prepared that information for tonight's meeting, Minister.

The Hon. MICHAEL COSTA: What preparation I make for tonight's meeting is really up to me. If Mr Sage has that information, I am happy for him to provide it.

The Hon. JOHN HATZISTERGOS: He is an independent body.

Ms LEE RHIANNON: Could you provide that information please, Mr Sage?

Mr SAGE: I do not have that information with me but I can obtain it and provide it.

The Hon. JOHN HATZISTERGOS: You can actually get it by reading the reports, can you not?

The Hon. IAN WEST: It is on the web site.

The Hon. JOHN HATZISTERGOS: It takes a little bit of time but you can actually do it. You do not have to ask a question.

Ms LEE RHIANNON: I will put questions on notice about that then. I will go back to the Police Minister.

CHAIR: Before you go on, I have a question in relation to what you were asking the Police Integrity Commission.

Ms LEE RHIANNON: I will hand it back to you then. My questions are not going to go any further. I have got to say that I find it extraordinary that for tonight's proceedings we have not got that information before us.

CHAIR: Mr Sage, I spoke to you before and I received a letter from you back in September 2001 concerning previous investigation of officers, and I would like to know the process or criteria for deciding whether an investigation into an allegation of misconduct by police will be carried out, who makes this decision, and who is this person accountable to?

Mr SAGE: The person who makes the decision as to whether a matter will be investigated is the Commissioner of the Police Integrity Commission or in some cases myself as Assistant Commissioner. It depends on a number of factors. It depends on a number of serious matters that are being investigated at any one time and there is a set of criteria that are also used if there are resources available to be applied to investigations.

The Police Integrity Commission Act is quite specific in relation to the need for the Police Integrity Commission to concentrate on the most serious misconduct, and that is where we try to pitch our investigations. So at any one time there might be one major investigation that is taking a high percentage of the resources of the Police Integrity Commission and I think most people in this room are aware that the Florida investigation is taking a significant amount of the resources of the Police Integrity Commission at this time. So when matters of that nature are running and they need to be investigated to finality, there is not going to be a lot of resources left over for other matters.

I think I recall the matter that you are referring to. I know you have not mentioned the name, but I think I am aware of what you are referring to.

CHAIR: At this point in time I do not think you answered my question. I actually know the criteria, how you decide, which matter you decide to investigate, and the process. When you say "serious", what do you mean by a serious matter?

The Hon. GREG PEARCE: Would it be the case that the PIC has not investigated Mr Fenlon's complaints because of this resource issue?

Mr SAGE: Well, I have heard the ruling that has been made in relation to operational matters. There are matters that relate to the Fenlon complaints. It would require a decision by the Commissioner of the Police Integrity Commission that it is in the public interest to talk about those matters. Section 56 of the Act is quite specific: It is the Commissioner that has to make that determination. He is not here tonight and I am not Acting Commissioner today, so I cannot make that decision. The Fenlon matters you may be referring to—

The Hon. MICHAEL COSTA: Can I suggest that it would make this a lot easier if you would clarify which matters. You have a witness here who is clearly in a difficult position because of the nature of his work. If the honourable member was to clarify exactly what matters he is talking about, perhaps that would make it easier.

The Hon. GREG PEARCE: I am happy to do that. It is specifically in relation to the falsification of COPS records in relation to knife searches under the Crime Amendment (Police and Public Safety) Act in relation to the Blacktown local area command [LAC]. These are matters that were raised with the Minister last December which the Minister denies were raised with him—

The Hon. MICHAEL COSTA: Point of order. That matter has not been raised with me. Let me make it clear. I do not want Hansard to reflect—

The Hon. GREG PEARCE: The matter was raised with you when you met with Mr Fenlon in December last year.

The Hon. MICHAEL COSTA: With respect, you were not at the meeting.

The Hon. GREG PEARCE: Well, you produce the minutes of your staff member who was there.

The Hon. JOHN HATZISTERGOS: There is actually legislation that sets up a committee that oversights the Police Integrity Commission where these issues could more properly be ventilated. In fact, the Commissioner has been along since December and he could have been asked by Opposition members these and other questions relevant to current or other investigations.

The Hon. MICHAEL GALLACHER: But he was not.

The Hon. JOHN HATZISTERGOS: Well, I have not finished. That has not occurred and I am wondering why we are wasting the time of this Committee and not asking questions about the budget. Those other questions can be dealt with by that other Committee which has the statutory responsibility for overseeing the PIC.

The Hon. GREG PEARCE: Mr Sage was in the course of answering, in his own terms, a question that I properly put to him when the Minister interrupted him. I think the Minister should be reminded that if we cannot finish asking questions today the Committee can resolve to have another hearing so that we can pursue these questions, and if the Minister continues to make long statements and continues to interrupt and stop witnesses answering proper questions, that is what we will have to do.

The Hon. MICHAEL COSTA: Madam Chair, the fact of the matter is that I disputed an assertion of something that was not accurate. The honourable member—and *Hansard* will show this — made allegations that I was presented with material at a meeting which I have already covered and indicated was not the case. I have to say in relation to the—

The Hon. GREG PEARCE: Well, produce the minutes.

The Hon. MICHAEL COSTA: Can I finish? In relation to his other comments, I deliberately took the decision when I came to this meeting not to make a long opening statement, as was done on other occasions, to provide the Committee with as much time as it requires. I am happy to extend my stay here for as long as it takes to satisfy all of the questions that the honourable members have. There is nothing to hide in the police portfolio. In fact I am very proud of the resources that have been provided and the changes that are occurring.

CHAIR: There is no point of order. I point out to the members and to the witnesses that the Chair will determine whether questions are in order but, as a general guide, we usually leave it to the witness to object to answering a question. Mr Sage, if you think it is inappropriate to answer the question because it involves some operational matter, then I ask you not to answer the question.

The Hon. PETER PRIMROSE: He was pointing out that it may be breaking the law.

The Hon. MICHAEL GALLACHER: He was asked a specific question about resources.

CHAIR: Mr Sage has the call.

The Hon. MICHAEL GALLACHER: That is exactly right, and he was answering it.

Mr SAGE: Could I just be clear on the question that you are asking me about the Fenlon matter.

The Hon. GREG PEARCE: Well, I do not think I can be more specific than I was a moment ago. I asked you about the allegation by Mr Fenlon that the COPS reports specifically at the Blacktown LAC were doctored in relation to relevance, the numbers of claims and so on. This was the matter that Mr Fenlon raised with the Ombudsman and with the Minister.

The Hon. MICHAEL COSTA: Madam Chair, I object. I have already indicated that the matter was not raised with me.

The Hon. GREG PEARCE: Well, produce the minutes of the meeting.

The Hon. MICHAEL COSTA: If the honourable member continues to assert it as a fact I will continue to object. I do not mind him making a comment that it was alleged by Mark Fenlon to have been raised with me, I do not mind that, but he is stating it as fact. It is not fact at all.

CHAIR: Can I ask Mr Sage: Has this matter been referred to the PIC?

Mr SAGE: I think I will be able to clarify everyone's issue, including Mr Pearce's, if I can just continue.

CHAIR: Thank you.

Mr SAGE: I am not going to go very far with this, I am not going to go into operational detail, but I will say that Mr Fenlon contacted the Police Integrity Commission in early November of last year. He said that he intended raising a complaint with the Ombudsman's office. After discussing it, it was on the issue that you mentioned and it was quite clearly a category 2 complaint that should have been referred to the Ombudsman's office. He understood that. He said he may send a copy to the Police Integrity Commission. He did not. As far as I know, he referred the matter to the Ombudsman's office and then it would follow, if that happened, that it would be referred to the police service.

The Hon. GREG PEARCE: Just to finalise that, Mr Fenlon did raise the matter with you in November of last year, just a month before his visit to the Minister for Police, and the PIC took the view that it was not a matter for the PIC and nothing further has happened from the PIC's point of view.

Mr SAGE: And he understood that at the time.

CHAIR: Mr Sage, with respect, I do not think you have answered my question for the second time. I actually only wanted a general answer about the criteria or process for deciding whether an investigation into allegations of misconduct is carried out.

Mr SAGE: I am sorry, Madam Chair, I did intend to answer your question but somehow we got over to that side of the table. As I understand it you are talking about the practical issues, not the criteria but the practical application of the criteria to the decision-making process.

CHAIR: Yes.

Mr SAGE: We have two committees within the PIC. One determines complaints that are received. They come in two categories, referred or non-referred. Referred are complaints that come through the Police Service or the Office of the Ombudsman; non-referred are directly into the PIC from other sources. There is a determination made as to whether they are category 1 or category 2 complaints and then the process of applying the criteria as to whether they are serious criminal offences, if they are a recent complaint, a contemporary matter, old, what is the prospect of finding evidence, whether further inquiries of a preliminary nature need to be made. All those decisions are made at that committee.

If a decision is made that a matter will be investigated by the Police Integrity Commission, then it becomes an investigation. Whether it be a preliminary investigation or a full investigation, it becomes an investigation and the powers of the Police Integrity Commission can then be applied to that investigation, and that is a separate committee that then manages those investigations.

CHAIR: Why is it then that the PIC cannot provide reasons when you decide not to conduct an investigation into an allegation against officers that has been referred to you? Why can you not tell people, "We are not investigating it because it is not serious enough", or whatever reason? Why can you not tell anybody what you just told the Committee?

Mr SAGE: Well, in relation to non-referred complaints which come direct, not through the Police Service, not through the Ombudsman's Office, we do advise the complainants in relation to those matters. The scheme of the legislation is such that it was never intended that the Police Integrity Commission would investigate every matter that was referred to it. The scheme is that the Police Integrity Commission will see every category 1 complaint, and in doing that, the determination has to be made in a number of cases, or a lot of cases, as to whether it is a complaint that meets that level of seriousness.

Once that is determined, if it is a category 1 complaint, then again the scheme of the Act requires that the PIC makes a determination that it is going to investigate. If it is not going to investigate, it refers it to the Police Service, and then that serious complaint comes under the supervision of the Ombudsman's Act under Part 8A of the Police Service Act. Now, the Police Integrity Commission can still maintain an interest in that investigation by either monitoring, auditing, managing or supervising the complaint. So there is a reporting back to the Police Integrity Commission in relation to those matters.

It is not that a serious complaint, if the PIC determines not to investigate it, is lost for all time. It is investigated by the Police Service under the supervision of the Ombudsman's Office under Part 8A of the Police Service Act.

CHAIR: Is there any obligation or no obligation at all for the PIC to respond and answer letters from members of Parliament?

Mr SAGE: Well, it would be good practice to respond, but there is no requirement in the legislation that there be any response.

The Hon. MICHAEL COSTA: I will have to amend it.

The Hon. GREG PEARCE: Chair, just before you leave that issue, do I understand Mr Sage correctly that a complaint of routinely falsifying knife search incidents, creating additional knife search incidents that did not occur, and generating knife search incidents when custodial staff brought in people, is not a category 1 issue for you to investigate? That is what you have told us, is it not?

Mr SAGE: No, that is not what I have told you. I was speaking to the complaint that you were referring to, made by Mr Fenlon as I understand it. You would need to look at the facts that relate to any allegation that is made.

The Hon. GREG PEARCE: What was the allegation as far as you are concerned?

Mr SAGE: I am not going to go into the allegation. I said that earlier. I am limited in what I can respond to your questions, otherwise it becomes operational, and two things would need to happen. I would need to get the consent of Mr Fenlon, and, secondly, a determination would need to be made that it was in the public interest that the matter be released to you or to this Committee or to anyone else.

The Hon. GREG PEARCE: The process you then described was that the Police Service would investigate the complaint under the auspices of the Ombudsman, if it was not a category 1 complaint. That is as I understood your evidence earlier.

Mr SAGE: That is my evidence.

The Hon. GREG PEARCE: Commissioner Moroney, can you indicate —

CHAIR: Before you ask that question, is there any further question on PIC?

The Hon. MICHAEL GALLACHER: It is a follow-on from this evidence. It is continuity.

CHAIR: I thought you wanted Mr Sage to stay on.

The Hon. GREG PEARCE: Mr Sage may need to stay on because Mr Sage has bounced the issue over to the Ombudsman and the Police and my question is to the Commissioner as to what investigations have been made of the complaint, which was six months ago now, or seven months, eight months ago, and I would like to hear from the Commissioner on that.

Mr MORONEY: The complaint is currently being investigated. It is being oversighted by the Office of the Ombudsman. I have received an approach and I have agreed that when the officers who are the subject of that complaint are interviewed, a representative of the Office of the Ombudsman will be present at each and every one of those interviews to provide not only a notion of independence but a literal independence to that inquiry.

Like Mr Sage, I am in some difficulty, because issues now go to the operational matters, but we are skirting right around the requirements of the Protected Disclosures Act, and I am conscious that there are members of the media present, and in the interests of both the complainant and the officers who are the subject of allegations, in fairness to them I will not expand on that at this time.

The Hon. GREG PEARCE: Thank you, I accept that. Does the Commissioner of Police report to the Minister on the numbers of these types of complaints that are under investigation at any one time?

Mr MORONEY: No, not in a specific sense, but if there are issues of a particular nature or a high profile nature, either because of the rank of the officer involved, or the type of allegation, I may from time to time bring it to the Minister's notice. But my primary reporting mechanism is through the Police Integrity Commission and the Office of the Ombudsman.

The Hon. MICHAEL COSTA: Can I just supplement that?

CHAIR: Of course.

The Hon. MICHAEL COSTA: They are published in the Ombudsman's annual report.

The Hon. GREG PEARCE: Commissioner, was any indication of this particular complaint that we have been discussing forwarded to the Minister's office by you or your predecessor?

The Hon. MICHAEL COSTA: Again, how can the Commissioner answer for his predecessor?

The Hon. MICHAEL GALLACHER: The file is marked. It shows on the file.

The Hon. MICHAEL COSTA: Okay.

Mr MORONEY: Not by me, and I would need to research any action that may have been taken by Commissioner Ryan.

The Hon. GREG PEARCE: I would be happy if you would take that on notice.

Ms LEE RHIANNON: Madam Chair, a question to the Minister. I was tempted to ask a question about product placement, as it is maybe the only way to get a straight answer, but I will refrain from that. Over the past 12 months, what has been the total resource cost of operating drug detection dogs, including training and maintenance of the dogs and police operations' time?

The Hon. MICHAEL COSTA: I am addressing through the Chair. Madam Chair, I do not have that detail here but I am happy to take it on notice and provide the honourable member with that detail.

Ms LEE RHIANNON: I will still try and see if there are any answers on sniffer dogs. It seems extraordinary. One would hope that there will be some information in one of the folders. Is it true to say that the cost of one sniffer dog could instead employ, say, two to three constables?

The Hon. MICHAEL COSTA: I again do not have those details. That is a very detailed question. I am happy to take it on notice and provide you with that.

Ms LEE RHIANNON: It is interesting, Minister, that earlier you were complaining about our questions and you said you wanted to get onto budget matters. It does leave one at a loss as to where we can get some answers out of you. Can you tell me how many people have been arrested in relation to cannabis after being detected by drug detection dogs and how many in relation to other drugs?

The Hon. MICHAEL COSTA: Madam Chair, I do not have those details but I am happy to get the details if it is appropriate and have them made public.

Ms LEE RHIANNON: Minister, can you tell us anything at all about the sniffer dog operations and how much they are costing?

The Hon. MICHAEL COSTA: I can tell you quite a bit about sniffer dog operations. The legislation to clarify the use of drug detection dogs in public places commenced on 22 February 2002.

Ms LEE RHIANNON: I think you know the sort of useful information we are after; we are not after a filibuster, we are after some useful information.

CHAIR: The Minister has latitude to answer questions.

The Hon. GREG PEARCE: Well, he has indicated that he is happy to sit here until we have finished our questions.

The Hon. MICHAEL COSTA: I certainly am. This has provided certainly to both the police and the community as to where drug detection dogs can be used without a warrant. New South Wales has currently—and I know the honourable member has been very interested in the next figure I will give because she has asked me the question in Parliament—14 drug detection dogs which can be used without a search warrant at this time. Of course, they can be used without a search warrant at licensed premises, other than restaurants, sporting events, concerts, dance parties, parades and other such entertainment venues. Trains and stations on the Bankstown, inner west, western suburbs—

Ms LEE RHIANNON: Minister, we do actually have a lot of that information, but what about costing? Have you brought any information on costing with you?

The Hon. JOHN HATZISTERGOS: I find this interesting.

CHAIR: The Minister may answer the question as he sees fit.

The Hon. MICHAEL COSTA: I do not want to waste the Committee's time, I accept that, that is why I did not make an opening statement. I have come here and I think most people would agree, other than—

Ms LEE RHIANNON: Minister, that is a bit rich, you answered a dorothy dixer for a long time. I am asking you some budget questions. You said you wanted budget questions.

The Hon. MICHAEL COSTA: Can I finish?

Ms LEE RHIANNON: Yes, but we are trying to get to the point.

The Hon. MICHAEL COSTA: I am prepared not to go through this if members find the information no longer relevant. In relation to the cost-effectiveness of the whole program, as the honourable member would be aware, given that she is a member of the Parliament that passed the legislation, the Ombudsman will make an assessment and a full review of the legislation after 12 months.

Ms LEE RHIANNON: Does that mean that you have come to tonight's estimates hearing and you have no information about the costings of sniffer dog operations?

The Hon. MICHAEL COSTA: What it means is that I am prepared, in line with the guidelines that I read, to take a question on notice because it is a matter of detail and provide you with that

information. In relation to new information I did provide you with some information that you had been requesting over a number of months in preparation for tonight and that was the number of dogs.

Ms LEE RHIANNON: When you challenged us earlier about not asking you budget questions, what did you mean, because when we have asked you budget questions you have not given us one dollar amount.

The Hon. MICHAEL COSTA: Madam Chair, perhaps I am not understanding the guidelines, but I understood that where there were matters of detail I could provide that by way of taking the question on notice. I am happy to do that. I am not saying that we will not provide it, I am saying that I will provide it in that form as requested.

CHAIR: The Minister can take the question on notice. I refer to Budget Paper No. 3, Volume 2, page 15-18, "Works-in-Progress". I note that \$8.7 million has been provided in this budget for works in progress, including the construction of a new police station at Cabramatta. Several years ago the Government promised to rebuild the Chatswood police station. What is NSW Police doing to upgrade the Chatswood police station, where officers currently work out of a small house supplemented by several demountable buildings, and the population in that area has increased and is multicultural?

The Hon. MICHAEL COSTA: I had the opportunity recently to visit the Chatswood police station and I agree with you, that police station is one of the police stations that does need to be upgraded. I have asked my ministry to have a look at how we can provide reasonable facilities for the police officers at that building and they will be coming back to me. I certainly recognise it as being a priority and I have asked them to look at it as a matter of urgency. As you would be aware I am sure, there was an arrangement in place that involved a public-private partnership that did fall over, and that is the reason for the delay with that station. But I have asked the ministry to have a look at it, having seen the facilities there, and see what can be done.

CHAIR: Going back to the Cabramatta police station, can the Minister inform the Committee what is the progress in relation to that? When is it going to start, when is it going to finish, and what kind of equipment is going to be provided in that station?

The Hon. MICHAEL COSTA: I have some information that would help. I do not actually have a commencement date for it. I think that is subject to some approval processes. It is projected to be completed by September of 2003. The total allocation is \$12.78 million. There is also an interim budget for improved accommodation for Cabramatta police and that is \$235,000. That is being spent on erecting a new two-storey pre-fabricated building at the existing police station and the improvement of security. The Government approved supplementary funding of \$4 million to the NSW Police capital works allocation for the 2001-2002 year to meet the initial costs associated with the construction of the new police station at Cabramatta, so clearly we are well on our way to commencing the processes that are required to ensure that we meet that projected deadline of September 2003.

CHAIR: How many police officers are you expecting to place at the police station?

The Hon. MICHAEL COSTA: I think that is probably a matter for the Commissioner, but let me make the point that that would be determined by what was required in the area at any particular point, but I am happy for the Commissioner to take that.

Mr MORONEY: When the new station is completed there will be a transfer of the existing human resource establishment at Cabramatta, but we will be looking at deploying to Cabramatta a number of human resources that, for the moment, are in adjoining locations. They include, amongst other locations, Wetherill Park, where a number of our specialist groups are located, whom we will be looking to deploy to the new station. It is not possible to put those officers there at the present time because of the physical constraints of the existing station.

The Hon. MICHAEL GALLACHER: Commissioner, in relation to the gang and organised crime strike force referred to on page 15-3 of the 2002-2003 Budget Papers, what is the current strength of the strike force and what is the present position with detective numbers inside the strike force?

Mr MORONEY: I am advised that the strike force currently has an operational staff of 28 crime agency detectives with backgrounds in investigating illicit drug dealing, firearms trafficking and ethnic based organised crime. This staff is set to increase to 52 detectives in August-September of this year following identification of the best officers for this important job. This commitment will fulfil the Government's original commitment to have 52 detectives attached to the strike force. The strike force targets all types of criminal gangs and it works with current anti-gang operations conducted by other parts of crime agencies and by police attached to local area commands.

The Hon. MICHAEL GALLACHER: Does the increase to 52 come about as a result of amalgamation?

Mr MORONEY: No, these are additional officers.

The Hon. MICHAEL GALLACHER: Could you please give the Committee details of the shortfall of 100 detectives approximately that have been identified as recently as 21 April?

Mr MORONEY: I think in the context of discussing authorised detective numbers it is a fair statement that there are 14,000-plus investigators in NSW Police. Some of them come from a variety of specialist roles and functions and are in fact referred to as detectives. There are currently 200-plus officers completing the detectives education program. They will graduate from that program this month, with a further 200 officers to enter the diploma based program conducted by NSW Police and Charles Sturt University later this year.

In addition to the improvements in relation to detective numbers, NSW Police has approximately 1,775 officers in criminal investigation positions. Whilst we are addressing the issue of detective numbers, it is also fair to comment that a number of officers, formerly from detective ranks, are currently occupying positions as duty officers and in a variety of support criminal investigation roles. That expertise is not lost to the organisation, and so, as part of the review of the role and function of duty officers, we will be looking to complement the existing detective staff by, amongst other things, a redeployment of some of those duty officers to those functions.

The Hon. MICHAEL GALLACHER: Just on that train of thought, Commissioner, you said 200 are going into the course later this year. How long does the detectives course go for now?

Mr MORONEY: It is two years in duration. That is the academic requirement of the diploma. There are service requirements for entry into plain clothes. They are a standard requirement which have probably not varied for some considerable period of time.

The Hon. MICHAEL GALLACHER: So, Commissioner, it will be two years before the additional 200 finalise their studies to become designated detectives. Will that still leave a shortfall of approximately 400 if no further detectives leave plain clothes in that time?

Mr MORONEY: There are entry groups coming in to the program all of the time. These are not stand-off or one-off groups coming in every so often. So there will be a catch-up phase, but in order to complement and supplement the criminal investigation, they will enhance the review of the role of duty officers, but I cannot emphasise enough that there are a variety of people out there supporting the front line detective functions. These are crime managers, investigation supervisors, crime co-ordinators and crime management units located at each of those commands. They are there to complement and supplement those officers.

The Hon. MICHAEL COSTA: I just want to clarify that. I do not know whether there was a misunderstanding. My information is that 200 extra detectives graduated from the detective training course this month and a further 200 will graduate at the end of the year.

CHAIR: In relation to that, Minister, is there any special effort to recruit people of non-English speaking background into this detective school?

The Hon. MICHAEL COSTA: I think the Commissioner can answer that, but maybe I will make some comments about the broader issue because I know it has been canvassed in the media. I have to say, and I have said this in the Parliament, we have real problems in recruiting people from indigenous

and non-English speaking backgrounds. In any many areas we have not met our targets, and it is regrettable. I have spoken to the Commissioner about how we can boost people from those backgrounds. Clearly there is a need, particularly as you move down community based policing, to have people who represent those communities within your police force. The ultimate objective, I would have thought, would be to have a police force that roughly reflects the diversity that exists in the community, but I have to say that it is an area where regrettably we have not performed well.

CHAIR: You said there is a target. What is the target?

The Hon. MICHAEL COSTA: The only information I have on that—I can take it on notice—is that recent recruitment campaigns had some success. Five per cent of 410 recruits that became probationary constables in May were identified as being from non-English speaking backgrounds. This compares favourably with the overall 2 per cent representation. What that is saying is overall we have 2 per cent representation; in our last class we had 5 per cent. But do I think the performance is adequate? No is the answer to that, and it is an area that certainly I will be concentrating on as Minister.

CHAIR: Is the Government going to have a continuous campaign or strategy to recruit this section of the community into the police force?

The Hon. MICHAEL COSTA: I think the Commissioner might want to make some comments on that. From the Government's point of view we have certainly indicated from a policy point of view that we see it as a priority and the current recruitment campaign has targeted strategies within the media.

CHAIR: Commissioner?

Mr MORONEY: Could I firstly give an apology to Mr Gallacher. I said the diploma program was two years in duration. It is in fact 12 months. My apologies for that.

The recruitment campaign has been under way a little over two weeks now. In terms of the success of that in raw applications on the desk, those applications are forthcoming, but, indeed, the hits on the recruitment web site are encouraging. The number of recruitment packages that are going out is also encouraging. There is an enormous level of interest, we suspect not only because of the recruitment campaign but because of a range of other factors, which I suspect highlights the visibility of the police on the street.

As I indicated in another committee, Chair, that some members were at recently, one of the difficulties that we face, particularly in the recruitment of indigenous people and people from ethnic backgrounds into NSW Police is not so much the ability or the capacity of the applicant to meet the particular standard, be that educational, background, health, et cetera, but indeed pressures or perceived pressures from those communities themselves. So how we go about the recruitment of people from indigenous or ethnic backgrounds very much rests with those particular communities themselves, and the support and encouragement that they need to give to their own people to join NSW Police is, I believe, crucial to how we proceed forward in this area.

Your opening question was, if my memory serves me correctly, how do we recruit particularly more detectives into those areas where there is high volume crime, in particular high volume violent crime. That is part of the education and training of the detectives education program; it is about the recruitment and selection of the right people in the right place. Given the enormous diversity of multi-cultural groups, it is almost difficult to recruit now to cater for every specific ethnic group.

It may be of interest in terms of the current recruit classes that are at the academy in Goulburn and its site at Hawkesbury, that in terms of recruits currently in training from non-English speaking backgrounds, the vast majority, almost unexpectedly I would imagine, are students from English speaking backgrounds, in this particular case some 92 per cent of that intake. The proportion of students speaking another language is similar to previous intakes but several new language backgrounds have emerged in the current intake. These include, amongst others, Danish, Persian, Mandarin, Portuguese, Thai, Urdu, Chinese and Russian. In terms of ATSI students, the intake enrolled is currently 475 Australian born students, and four of these are ATSI students. That is in one sense regrettably low and there is much to be done in that regard.

Recently, the Minister and I met with a group of Aboriginal elders in the town of Armidale and, amongst other things, we openly encouraged a working relationship with the Aboriginal community, particularly the elders of that community, and how we, together with the academic providers of recruit training, can provide a bridging program, particularly for ATSI students to make the bridging course into the academy at Goulburn and Westmead, and we will be proceeding down that path.

CHAIR: I just want to make a correction to your language group. Mandarin and Chinese are the same group. Chinese includes the Mandarin and Cantonese languages.

The Hon. MICHAEL COSTA: My advice is that is how they identify themselves.

CHAIR: You must correct that because Mandarin is part of Chinese.

The Hon. JOHN HATZISTERGOS: I have a question for either the Minister or the Police Commissioner. What was the cost to the Police Service of the resources which were deployed to deal with the M1 protest?

The Hon. MICHAEL COSTA: In fairness to Lee Rhiannon, I will take that on notice and provide it. I do not actually have any figures. What we have here is the amount of police that were rostered and I think that is fairly public information: 500 police were rostered, 31 detained and 30 of those charged. We know that there was also an incident with the mounted police. I will take it on notice and get you that information.

The Hon. JOHN HATZISTERGOS: What injuries were caused to police horses?

The Hon. MICHAEL COSTA: My advice is that—and I think this is public knowledge, so I do not know where the question is going—there was the felling of a police horse and a rider. The horse recovered, I am told. I know there was a lot of community interest in that. The officer recovered as well. Dave Madden, the Deputy Commissioner of Operations, would probably have more information if you really want that.

The Hon. GREG PEARCE: While you are looking for some figures, can you tell me where in the Budget Papers I can find the revenue from the trial of supplementary policing?

The Hon. MICHAEL COSTA: I will get that information, but let me clarify the position: It actually has not started yet. I am happy to take that question on notice. I have a long answer here which goes through supplementary policing—

CHAIR: If it assists you, the director-general can answer the question.

The Hon. MICHAEL COSTA: No, I can answer the question, but I do not want to read out the answer and waste a lot of time of the Committee. The fact of the matter is that under the trial you would be aware—I have announced this in Parliament—we are actually subsidising the trial for those locations, so I am trying to understand your question. What do you mean by revenue? Projected revenue?

The Hon. GREG PEARCE: What is the projected revenue, what is the cost, what is the budgeted subsidy for the supplementary policing trial and what will be the cost afterwards?

The Hon. MICHAEL COSTA: The reality is that we will not know what the costs will be. It is likely to be a cost—

The Hon. GREG PEARCE: Well, you have a budget and I want the budget.

The Hon. MICHAEL COSTA: No, it is likely to be a cost rather than revenue because once you net the figures off, given that we are subsidising it—

The Hon. GREG PEARCE: What I want is the dollars in the budget on each side and at the end.

The Hon. MICHAEL COSTA: I will take that on notice and get that information for you, but remember it is contingent on exactly what does happen in relation to supplementary policing.

The Hon. GREG PEARCE: I know the outcome will be contingent. I am asking you for the budget figures and next year you can give us the outcomes.

The Hon. MICHAEL COSTA: The director-general is happy to take that.

Mr TREE: A full answer we can give you on notice, but the actual amount depends on the completion of negotiation with the five people who have indicated that they want to take part in the trial and the duration of the trial. Those negotiations are still ongoing.

The Hon. GREG PEARCE: Mr Tree, from which account did the payment of \$455,000 to Mr Ryan come and what authorisations were required to draw those funds?

Mr TREE: It came from police salaries, I am advised.

The Hon. GREG PEARCE: What authorisations were required for that payment?

Mr TREE: The deed of release signed by the Minister and Mr Ryan, which was drawn up by the Crown Solicitor.

The Hon. GREG PEARCE: Did you arrange for the execution of that deed?

Mr TREE: No, the Crown Solicitor did.

The Hon. GREG PEARCE: Was there correspondence between the Crown Solicitor and Mr Ryan or his solicitors in relation to the execution of the deed?

Mr TREE: I am advised that all documents in relation to this have been tabled in the Parliament.

The Hon. GREG PEARCE: That was not my question. My question was to you, Mr Tree: Was there correspondence between the Government, in any guise, and the solicitors for Mr Ryan in relation to the execution of the deed for payment or otherwise in relation to finalising that matter? You can take it on notice if you need to check your file.

Mr TREE: I can take it on notice.

Ms LEE RHIANNON: Commissioner, do you know of any incidents where Glock pistols or capsicum spray units have been stolen or can no longer be accounted for?

The Hon. MICHAEL COSTA: Actually I have seen this answer; it is good news.

Ms LEE RHIANNON: You have seen one of the answers?

The Hon. MICHAEL COSTA: This one I was interested in.

Mr MORONEY: I can indicate since the issue of the Glock pistols to the entire NSW Police force in mid-1998 there have been four police suicides using police-issued Glocks. In this period there have been no further self-inflicted injuries using Glocks; however, there were six instances of accidental discharge where police officers have been injured. There have been no injuries to the public involving the accidental discharge of the Glock pistol. Turning specifically to the issue of the Glocks, my understanding is that since their issue some eight pistols have been stolen. Four have been recovered and accounted for and four remain outstanding. I am not aware of any capsicum spray being lost or stolen, but I can undertake to research that and provide that information.

The Hon. MICHAEL COSTA: Can I suggest that, in fairness to the Committee, both elements be taken on notice and information brought back. I would hate to be misleading anybody.

Ms LEE RHIANNON: You used the word "stolen". Was it found that it was police officers who stole the Glocks or was it non-police officers?

Mr MORONEY: I will take that on notice and provide that answer.

Ms LEE RHIANNON: Commissioner, under section 181D of the Police Service Act you are able to suspend or dismiss people that you have concerns with in terms of how they are performing as a police officer. I know you have only been in the job for three weeks. Have you taken out any 181Ds against any police officers and, in relation to the ones that were put in place by the previous commissioner, are you revising those files or were they just cancelled out when you became the new commissioner?

Mr MORONEY: I can indicate that since being appointed as the Commissioner of Police I have taken action to dismiss two police officers under the provisions of section 181D. These are officers in whom, in accordance with the legislation, I had lost confidence. A number of other officers have been invited to show cause as to why I should not lose confidence. Their responses are awaited. Subject to their response, several courses of action are available to me: either dismissal in terms of the provisions of section 181D, a reviewable sanction under section 173, or a non-reviewable sanction under the same provisions of that section.

In terms of the provisions of section 181D and its application I can indicate that the royal commission found that the Commissioner's power to remove officers in whom he had lost confidence is absolutely integral to proper management. The Government gave the Commissioner this power by introducing section 181D of the Police Service Act of 1990 in 1996. Persons removed under the provisions of section 181D may appeal to the Industrial Relations Commission. The Ombudsman has assisted greatly in improving the section 181D process and this provision will be further considered as part of the review of the Police Service Act which is to be tabled by 1 January 2003.

I can indicate that since the introduction of this particular provision, 824 police officers have been considered for section 181D action since 1996 and, as at 7 June last, of those, 64 officers have been removed or dismissed from the service; 113 have resigned; 57 have been medically discharged; 263 have been issued with a warning notice; 242 have been dealt with by other management action under the provisions of section 173 of the Act; and some 85 matters are still pending my decision.

Whilst section 181D action is the most serious form of management action that can be taken, the Commissioner can take a range of other actions, as I have indicated, under the provisions of section 173 of the Police Service Act, ranging from counselling to reduction in rank. Administrative officers, however, of NSW Police are disciplined in the same manner as general public sector employees.

Ms LEE RHIANNON: Thank you for clarifying that, Commissioner. Just one more little clarification. At the start of your question, if I understood correctly, you said that in the three weeks that you have been there you said that you have dismissed two officers and there was a number of officers that you were considering what action you would take. How many in this other section? When you say a number of officers, how many are you referring to there?

Mr MORONEY: There are some 85 show-cause notices in various stages of return to me. Officers are entitled to seek legal advice in the preparation of their response. Some officers are left to take that course of action, some are left to respond of their own accord. I consider all of the representations from those officers before taking that decision.

The Hon. GREG PEARCE: Mr Jarratt did not get that opportunity, did he?

Mr MORONEY: No, because he was not subject to the provisions or considerations of section 181D.

The Hon. MICHAEL GALLACHER: Earlier, Mr Sage, the Minister for Police challenged me to bring to the attention of the Police Integrity Commission allegations by Mr Fenlon or any other person. Mr Sage, I now hand you a complete copy of that complaint, and would you please ask Mr Griffin, the Commissioner of the Police Integrity Commission, to consider this as category 1?

The Hon. JOHN HATZISTERGOS: That is not a question. That is out of order.

The Hon. MICHAEL COSTA: That is a stunt.

CHAIR: We need to table the document you just handed to Mr Sage and also the two earlier reports that were handed to Mr Sage before. Our Committee needs to have a record of it.

The Hon. MICHAEL GALLACHER: Madam Chair, I am more than happy to table it, but I suspect there are highly confidential aspects in that.

CHAIR: The Committee will decide.

The Hon. PETER PRIMROSE: Why give it to him tonight? You could have given it to him any time.

The Hon. MICHAEL GALLACHER: The Minister challenged me to give it to him right now.

The Hon. PETER PRIMROSE: You know the procedures. It is a stunt.

CHAIR: The procedure of the Committee is that we will decide whether it is confidential or not.

The Hon. PETER PRIMROSE: Absolutely.

CHAIR: So, I would like the member to table that document as well as the two documents that were handed to the Commissioner before, the two papers about the media. We need these back to be tabled. Can we do that at the same time, as the Committee needs to have a record?

The Hon. MICHAEL COSTA: Madam Chair, can I suggest a bit of caution here. I really want these matters investigated. Can I suggest that before these things are tabled, somebody takes some advice on whether they should be tabled. I accept what the honourable member has done. He has provided the information. Let it go forward and be investigated, like I think everybody on the Committee wants. I would hate to see the thing prejudiced because some documents were tabled in an inappropriate way.

CHAIR: I want to assure the Minister, the Commissioner, Mr Sage and everyone else here that the Committee will not publish the confidential part of the paper. The Committee will have a deliberative meeting after the hearing to decide on the publication of any document that is tabled in this hearing.

The Hon. MICHAEL GALLACHER: I would like to ask the Commissioner a question in relation to criminal investigation as set out on page 15-22 of the 2002-03 budget papers. Could the Commissioner explain the criminal investigation budget covering special activities to target organised criminal activities and criminal groups underspending its budget in 2001-2002 by \$20 million?

Mr MORONEY: I am apprised that the 2002-03 \$1.76 billion budget is the eighth consecutive record Police budget. The New South Wales community support program increased from actual expenditure last year of \$966 million to \$1.06 billion this financial year. NSW Police spent \$318 million on criminal investigation programs last year. This year's budget is \$334 million, which is a 5 per cent rise over actual expenditure.

There is \$158 million set aside for the traffic program this year, last year's budget being \$104 million, with an actual expenditure of \$151 million. This year's judicial support budget is \$173 million, compared to \$123 million in the current financial year. The combined budgets for the judicial support and traffic programs was \$331 million, slightly less than the \$334 million criminal investigation budget. More than \$1.7 million is being spent in support of frontline policing and crime prevention.

The Hon. GREG PEARCE: Commissioner, you just mentioned the traffic element of the budget and I notice on page 15-24 that there is an item under "Outcomes", which is persons who did not wear a seatbelt. Last year it was not recorded and this year there is one in there. Was that the occasion of Bob Carr going out to Cabramatta for the propaganda stunt when he did not pay his fine?

The Hon. PETER PRIMROSE: Obviously you do not regard this as a particularly serious issue.

The Hon. MICHAEL COSTA: Chair, on that last question, I am happy to provide some additional information if the member so desires in relation to the budget. I think this is the core of the

criticisms that the Opposition has made and I think it is appropriate that in the context of this estimates hearing, given that we have got only a couple of minutes, that those criticisms be raised, so I can respond to them, rather than they be canvassed in the public domain as they have been up to this date, and I am surprised it has not been asked. I would hate to see this session conclude, which I understand it will do in a couple of minutes, without clarifying some falsehoods that have been perpetrated around the public gallery.

The Hon. GREG PEARCE: Madam Chair, would you call the Minister to order. He has not been asked a question.

CHAIR: Yes, he was asked a question.

The Hon. GREG PEARCE: Can I ask a question?

CHAIR: The Minister has the call.

The Hon. MICHAEL COSTA: I am requesting something from the Chair. Clearly it is up to the Committee to decide whether they go ahead with that. What I am requesting is, given that the time scheduled for this Committee is about to elapse, the Opposition made a number of criticisms of the budget and I have not had an opportunity to respond because I had to wait until the estimates, but unfortunately they have not asked me the very substance of their main criticism at this estimates hearing. I am wondering why they have not asked me. I do have a prepared answer which will clarify all of the falsehoods that have been perpetrated by the Opposition. I would have thought that that question would have been asked here.

CHAIR: Maybe I should ask a direct question.

The Hon. GREG PEARCE: I did not get an answer to my question.

CHAIR: There was a response to your question. He already responded to your question.

The Hon. GREG PEARCE: No, the question was whether Bob Carr had paid his \$200 fine for not wearing his seatbelt, and if he did—

The Hon. MICHAEL COSTA: Madam Chair, this is a ridiculous waste of time for the Committee.

The Hon. GREG PEARCE: No, it is not a ridiculous question. It is a very important question.

The Hon. MICHAEL COSTA: We are happy to take it on notice.

The Hon. GREG PEARCE: You have included it in the budget papers for the first time.

CHAIR: I have referred members to our guidelines for this hearing. It is up to the witness to object to a question. The Minister has already responded to it.

The next issue I would like to raise is community based policing, Minister, and I would like to say that we all recognise that community policing requires police and local communities to work together in partnership to identify problems. For police officers to form meaningful and lasting relationships with their local community, they should be assigned to particular areas on a long-term or permanent basis. In relation to the five years rotation rule, and I understand that is the recommendation from the Wood royal commission, why not be more flexible so that community based policing can be more effective?

The Hon. MICHAEL COSTA: I can commence the discussion on that. Certainly I am fully in agreement with the Chair's comments about community based policing. Community based policing does require some stability in the personnel so that they can build those relationships. The Government is looking at a tenure and transfer policy at the moment and that is part of a review. In addition to that, you would be aware that there is legislation before the Parliament to introduce rank-at-time promotion with a limited tenure in each of those ranks. All of those measures are directed at reinforcing community based

policing. That is from a policy perspective, but I am happy for the Commissioner to take the rest of the question.

Mr MORONEY: The key to your question is indeed the answer and it is the issue of flexibility. It is important in the context of a rotation policy that it is for understandable and right reasons linked to a corruption prevention measure. This is particularly so in areas of high corruption vulnerability in particular specialist squads and branches, but indeed the issue is on the matter of flexibility. If an officer had an individual application to make as to why he or she should remain or indeed his line commander had substantive reasons why the officer should remain, we would be supportive of that. As a matter of fact, I have recently approved of a policy which compensates officers who are prepared to remain in difficult or extremely remote locations whereby they attract financial recompense for remaining in those difficult locations well beyond their tenure.

CHAIR: I think the time has come to an end.

The Hon. MICHAEL GALLACHER: Point of order, Madam Chair: The Government members indicated their preparedness to continue with questions, and so did the Minister. The Opposition, and I suspect the honourable Lee Rhiannon, are prepared to continue. If the Minister is prepared, we should continue on with questions.

The Hon. MICHAEL COSTA: I am quite prepared to sit here for as long as required. That is a decision for the Committee.

The Hon. JOHN HATZISTERGOS: There are other committees.

The Hon. PETER PRIMROSE: I will be guided by the Chair, but I am happy to continue.

CHAIR: Well, if the Minister and other departmental officers are willing and able to continue the hearing, we can continue it. However, I have just been advised that in five minutes another committee will be taking place here, so we cannot continue at this point of time. The Committee may want to deliberate later as to a further hearing, so it will be up to the Committee to do that.

The Hon. MICHAEL COSTA: I am happy to take questions on notice.

CHAIR: I would remind members that they can ask questions on notice.

The Hon. MICHAEL GALLACHER: Perhaps I might assist then. As the Minister is prepared to answer questions, might I suggest that in the deliberative stage of the Committee we set a further date for questions of the Minister and witnesses.

CHAIR: The Committee will decide later. Do you have any closing statement?

The Hon. MICHAEL COSTA: Could I, to accommodate any concern that we have not provided sufficient time for answering, take questions on notice? I am happy to do that. I am just indicating that I made every effort not to engage in long-winded answers to allow the Committee to ask questions, and unfortunately one question I expected to be asked that goes to the heart of the Opposition's criticism of the policing budget was not asked.

CHAIR: Minister, how long will you need to provide answers to questions on notice?

The Hon. MICHAEL COSTA: I am advised that 35 days would be adequate.

CHAIR: Thank you.

The Committee proceeded to deliberate.
