

REPORT ON IN-CAMERA PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS

INQUIRY INTO MUSEUMS AND GALLERIES

At Macquarie Room, Parliament House, Sydney, on Monday 11 February 2019

The Committee met at 8.30 a.m.

PRESENT

The Hon. Robert Borsak (Chair)

The Hon. Scott Farlow

The Hon. Trevor Khan

The Hon. Shaoquett Moselmane

The Hon. Walt Secord

Mr David Shoebridge

The Hon. Natalie Ward

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JANET McDONALD, AO, former Museum of Applied Arts and Sciences trustee, sworn and examined

The CHAIR: Thank you for being here today to appear at this in-camera hearing for the inquiry into museums and galleries of New South Wales. The Committee has decided to hold your hearing in camera to allow you the freedom to speak candidly with us about your experiences whilst protecting your privacy. Please note that this is an in-camera hearing; you are bound by the confidentiality of today's proceedings. At this stage, the Committee does not intend to publish your evidence. However, please be aware that the Committee has the power to publish today's evidence if it chooses but we will take into account the confidentiality and sensitivity of the matters discussed. If the Committee wished to publish some or all of your evidence, the secretariat will consult with you about what the Committee intends to publish, taking into account your privacy, any concerns you may have and whether the redaction of some information—for example, your name or formal position—may help to alleviate those concerns. However, this decision as to what is or is not published ultimately rests with the Committee.

It is important to remember that parliamentary privilege applies to the evidence you give to the Committee today but it does not apply to what you say outside of this hearing, so I urge you to be careful about any comments you make to the media or to others after you complete your evidence as such comments would not be protected by parliamentary privilege. It is also important to understand that Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. Therefore, I ask that you focus on the issues involved in this inquiry and avoid naming individuals. Would you like to start by making a short opening statement?

Mrs McDONALD: No.

The CHAIR: You have no opening statement? All right.

The Hon. WALT SECORD: Ms McDonald, can you give us a timeframe of when you were on the—

Mrs McDONALD: I cannot hear you. You have to speak up.

The Hon. WALT SECORD: Ms McDonald, can you hear me now?

Mrs McDONALD: I can.

The Hon. WALT SECORD: Can you give us the timeframe of when you served on the board of Museum of Applied Arts and Sciences [MAAS]?

Mrs McDONALD: Sorry?

The Hon. WALT SECORD: When did you serve on the board of the Powerhouse Museum?

Mrs McDONALD: I am sorry. I think from 1996 to 2003 and then I was appointed again in 2016—I think in March 2016—and I resigned in March 2017.

The Hon. WALT SECORD: Why did you resign?

Mrs McDONALD: I resigned—I am just trying to take notes—

Mr DAVID SHOEBRIDGE: It is all going to be recorded on transcript and you will have the full transcript sent to you at the end of this as well.

Mrs McDONALD: I resigned because of the manner in which the place was being managed.

The Hon. WALT SECORD: Ms McDonald, when you said "the way the place was being managed", what were you referring to?

Mrs McDONALD: I resigned because of the ball.

The Hon. WALT SECORD: The board?

Mrs McDONALD: The ball.

The Hon. WALT SECORD: You resigned because of the ball. What made you reach the conclusion to resign because of the ball? I am trying to get into the background of what happened.

Mrs McDONALD: About the ball?

The Hon. WALT SECORD: Yes.

Mrs McDONALD: The ball was not brought to the board. I did not know anything about it until December.

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The Hon. WALT SECORD: When did you first find out about the ball?

Mrs McDONALD: There was mention of it in October, I believe. Then in December I asked where the finance and the budgets were and was told I should not worry. And then the ball ended up being a disaster.

Mr DAVID SHOEBRIDGE: Mrs McDonald, who told you not to worry?

Mrs McDONALD: The staff.

Mr DAVID SHOEBRIDGE: Which staff member?

Mrs McDONALD: I was told not to name anybody.

Mr DAVID SHOEBRIDGE: No, Mrs McDonald, you are very entitled to name people. We need to know which staff member told you not to worry.

Mrs McDONALD: I cannot think of a surname but it was Lisa, I think, who is the development manager.

Mr DAVID SHOEBRIDGE: What was the context in which she told you not to worry? Was it during a board meeting?

Mrs McDONALD: It was indeed during a board meeting.

Mr DAVID SHOEBRIDGE: You were doing your job as a member of the board, asking questions?

Mrs McDONALD: I was, certainly.

Mr DAVID SHOEBRIDGE: Do you remember what sorts of questions you are asking?

Mrs McDONALD: I asked where the budget was and who was paying and how many people were going and was told not to worry. It was all sponsored and paid for.

Mr DAVID SHOEBRIDGE: Doing your job, as you were as a member of the board, did you get support from the rest of the board when you are asking those kinds of questions? Did they back you in and said, "Yes, of course, we need this information"?

Mrs McDONALD: Well, how can I answer that? I asked the question.

Mr DAVID SHOEBRIDGE: But when you got the answer, "Don't worry about it, she'll be right", did any of the other members then say, "Well, actually, we need to know this. It's a significant event—give us the information."

Mrs McDONALD: If you want me to be absolutely frank—

Mr DAVID SHOEBRIDGE: I do.

Mrs McDONALD: I was told that I was probably asking the wrong questions. I was asked why I would even bother to ask the questions because it had all be paid for—why was I worrying? They said it was sponsored and paid for by all the people who were on the screen so not to worry about it, so I did not. I was told not to worry. I did worry, but the chairman did not bother to say, "We need a budget." Nobody said they needed a budget. I was the only one around the table who was asking about the management of the museum.

Mr DAVID SHOEBRIDGE: In your experience—you had been on the trust for seven years before and you had seen the way the trust had worked then—could you have imagined a big event like that happening without the trust getting a budget?

Mrs McDONALD: Absolutely not, no. Absolutely not.

Mr DAVID SHOEBRIDGE: Was it about December or so that you were asking these questions?

Mrs McDONALD: December.

Mr DAVID SHOEBRIDGE: You had been on the board since March 2016, so you had been on the board—

Mrs McDONALD: A year—no, about nine months.

Mr DAVID SHOEBRIDGE: How would you describe the way the board operated in your second tenure, compared to the way it operated in your first tenure?

Mrs McDONALD: Appallingly.

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Mr DAVID SHOEBRIDGE: You have given the example of the basic request for a budget not being answered. What are some other examples of the way the board operated that made you characterise it as "appalling".

Mrs McDONALD: The lack of information that was brought to the board; the finances. The place was in a mess. Let me say, when I went back onto the board it was really in a huge mess. My first experience on the board had been exciting and wonderful. We had an extremely good director. I went on when Terence Measham was the director. He was such a professional. Then there was Kevin Fewster. Let me say, after Kevin Fewster left, I left. He went to Greenwich and I left. We had a different board and people like—I know I am not supposed to mention names—Anne Summers and Nick Pappas were left to appoint the next director. I am talking about the Carr years, and I was off the board by then. But we appointed Dawn Casey, who was known not to be an expert. We had a woman called Jennifer Sanders who had been there for years and who should have taken the position, but I got told, "Oh, no, she's not up to the job. We found somebody else."

From then on it has fallen into a huge hole, hence the mess it is in today. It is not for any other reason but the management of the place and the way it was managed. The nine years I was on the board it was beautifully managed and the exhibitions were wonderful. We had Dior exhibitions; we had Cartier exhibitions. We had exhibitions that were just extraordinary. From whenever I went off onwards, the place fell into disrepair. It did not have any funding, it did not have any recurrent funding, and the efficiency dividends were cut. When I went back onto the museum board I was shocked by the state of the museum and the quality of the people on the board. There was no-one left of the curators. There were only about four curators that I knew when I was on the board. This is just bad management. That is all I can say. It is truly bad management.

Mr DAVID SHOEBRIDGE: Is it a case that the museum expertise—skilled, professional curatorship and museum expertise—was no longer running the show and it was taken over by a different set of skills?

Mrs McDONALD: Yes, but that is only my opinion.

Mr DAVID SHOEBRIDGE: You can only give your opinion and we have had a number of witnesses raise concerns about the direction of the museum, so you are not on an island. Could you articulate your opinion on whether it is that loss of museum expertise and the change in management style and what that is?

Mrs McDONALD: It is all of those things. It is all of that. It is the quality of the people who were managing the museum. They appointed somebody who had a reputation just because she was a woman. I am going to say that she was chosen because she was a woman, over another incredible woman who should have been running the museum. She had 25 years of experience, had been the deputy for years and was whom I had worked with right through those nine years. To then say, "She's not good enough." ... I am talking about Nick Pappas and Anne Summers, who made the decision to appoint her over Jennifer Sanders. When I went to Nick Pappas and said, "Why aren't you appointing Jennifer Sanders?" he said, "Oh, we have got someone better than that." We ended up with a museum that was run into the ground. It destroyed the place and 10 years later, when I went back onto the board—

Mr DAVID SHOEBRIDGE: It is a hollowed out—

Mrs McDONALD: It is a shell of itself. Why are we in this position today? Bad management and bad appointments to boards throughout that period. That is what disappointed me. And when you ask a question about finding a budget everyone says, "Oh, what are you worrying about?" I did not see budgets for that ball. I knew about it in October. They had sort of said, "They are going to have a ball." I had asked if we could have a dinner on 6 March because that was the thirtieth anniversary of the museum. I asked Barney Glover if we could have a dinner. It could have been a fundraising dinner for all the people who had been around the museum for all those years—the Lindsay Sharps and incredible people like that. Barney came back to me and said, "They are having a ball on 1 February" and I said, "Well, we couldn't possibly have a dinner on 8 March if that is what we are doing." He said, "No, we're having a ball." That was \$300,000 lost to the museum. That is why I resigned.

The Hon. WALT SECORD: Mrs McDonald, thanks for coming. I understand that it is quite intimidating to be before a parliamentary hearing, so we recognise that you are cooperating. Please understand that we recognise that it is difficult to appear before a committee. Did you raise at any point your concerns about the board with the Minister or the Minister's office?

Mrs McDONALD: No. It was not my position to do that.

The Hon. WALT SECORD: Who did you raise your concerns with—just other board members?

Mrs McDONALD: Probably I spoke to Elizabeth Crouch, who had come on at the same time as me. We were both concerned about the direction the board was taking and the management was taking with what was happening. John Shine, who had been the chairman when I rejoined the board, I had a meeting with him and he

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said to me, "Oh, I have to step down in July." He could not get out of there fast enough. He turned 70 and he had to retire at 70. He could not get out of the place fast enough. I do not think he was supportive of the management of the board. Everyone was just floundering. For me, I was floundering. There was nothing I could manage to do at the board level. It was impossible to get anything done.

The Hon. WALT SECORD: I know that your resignation relates to the ball, but during your time on the board what were your observations relating to the proposed move of the Powerhouse? How did you think that was occurring?

Mrs McDONALD: It was disappointing in many ways that we had to move the whole museum to Parramatta, but it was government policy so it was accepted.

Mr DAVID SHOEBRIDGE: Did the board take on the job of doing a critical analysis of the move? Did you see an informed critical analysis of the pros and cons presented to the board?

Mrs McDONALD: It was not in our hands. It was a government policy so that was being done. My only concern was making sure that the management was working. My job as a trustee when I was appointed was to look after the collection and make sure the management of the museum was managed well—that was my job. It was not about decision-making. It was about making sure we kept the collection together and made sure that the board and the management—but it was hopeless. It was impossible. It was not manageable.

The CHAIR: It was effectively taken out of your hands to do that.

Mrs McDONALD: Well, it was government policy.

The CHAIR: Yes, that is right. You are saying that you were surplus to requirements—is that what you are saying?

Mrs McDONALD: No. My job was to make sure the management of the museum was managed well, and it was not being managed well.

The CHAIR: That is right.

Mrs McDONALD: In the staffing. My line is that I was there and I made it very clear that the management was not up to the job of running a museum.

The Hon. WALT SECORD: Mrs McDonald, I know that you are very well known and your board experience is very well known, so you have experience of being on a good, well-run board. How did the Powerhouse board compare to other boards you have served on?

Mrs McDONALD: It was awful. That is why I resigned—because of the board. Nobody was giving you any information from the management.

Mr DAVID SHOEBRIDGE: I could be trite and say you have changed your evidence. Previously it was "appalling" and now it is "awful", but I think it is of the same flavour—is that right?

Mrs McDONALD: Yes, appalling.

Mr DAVID SHOEBRIDGE: What about the leadership of the board—the leadership that the chair was providing? Because often it is the chair who sets the tone, works with the staff to make the agenda and get the agenda right, make sure the information is there. How would you describe the leadership of the board in your most recent stint?

The CHAIR: You can be frank and tell us what you think about Mr Glover.

Mrs McDONALD: He is a very good man.

The CHAIR: I am sure he is a good man, but was he a good chairman?

Mrs McDONALD: He was put in after John Shine. I worked with John Shine until July, then Barney Glover became the chairman from July till the March when I retired—or resigned. I did ask him a couple of questions about the ball and some evidence but he sent me back a text and said, "I don't think you put that in writing." So I sent back a note and said, "I'll resign if I have to put something in writing. I'm a trustee. I should be allowed to ask you questions and I shouldn't have to put something in writing to the chairman." That was really then end. That was why I resigned.

The CHAIR: Can you just say that again? I did not quite get the gist. Was it that he was worried that he had to answer you in writing?

Mrs McDONALD: I would have to put something in writing if I needed a question answered from him.

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The CHAIR: Okay.

The Hon. SHAOQUETT MOSELMANE: You have clearly indicated that you were unhappy right through the second stage of your directorship.

Mrs McDONALD: I was disappointed—disappointed in the approach that the trustees were taking and the support they were giving to other trustees. It was a very confusing time.

The Hon. SHAOQUETT MOSELMANE: I was going to ask whether there were any other issues apart from the ball—anything through the nine months that you were there—that showed that there was complete mismanagement, lack of care, interest and support that you have had on previous occasions.

Mrs McDONALD: I have sat on many boards and chaired many boards. I think this was the worst board I have ever been on, truly. I could not believe the incompetence of the board.

The Hon. SHAOQUETT MOSELMANE: Right through the nine months you were there.

Mr DAVID SHOEBRIDGE: Twelve months.

Mrs McDONALD: Yes. It did not seem to have any authority. It was just ambling on.

The Hon. SHAOQUETT MOSELMANE: Because they were just following government directions, is that right? They had no interest in debating or discussing—

The Hon. TREVOR KHAN: She is making her position quite clear, the Hon. Shaoquett Moselmane. You might devalue it if you—

Mr DAVID SHOEBRIDGE: I think Mrs McDonald can give her own position quite clearly.

The Hon. TREVOR KHAN: I think she is doing very well.

Mr DAVID SHOEBRIDGE: The Committee would benefit from getting a sense of your board experience, Mrs McDonald. What is your board experience? You have told us about the seven years you have previously served—

Mrs McDONALD: It was actually nine years. It was probably 1994 to 2003.

Mr DAVID SHOEBRIDGE: From 1994 to 2003 on the Museum of Applied Arts and Sciences [MAAS] board. What other boards have you sat on?

Mrs McDONALD: I sat on the National Library board. I chaired the National Breast Cancer Centre board for 10 years. I was chairman of the Australian Theatre for Young People for many years back in the 1970s and 1980s. I cannot think what else I have done. I have been on DUSC, the Drug Utilisation Sub Committee, for PBAC, the Pharmaceutical Benefits Advisory Committee, for 10 years. I sat on Cancer Australia board as deputy chair of that for three years. I sat on the Women's Advisory Council in New South Wales as deputy chair.

The CHAIR: So it is right to say you have some pretty extensive experience.

The Hon. TREVOR KHAN: I do not think anyone is going to challenge that.

Mrs McDONALD: The Benevolent Society board, chairman of the Royal Hospital for Women—on it goes.

The CHAIR: And this board that you came back to was the worst you have ever experienced.

Mrs McDONALD: Well, it was directionless. It did not know what it wanted.

The CHAIR: Were you expecting the move to Parramatta to be good for the museum?

Mrs McDONALD: It was government policy that it go to Parramatta so that is what we were doing. We were managing the—

The CHAIR: But in your own mind did you actually think it was a good thing?

Mrs McDONALD: Did I think it was a good thing? I would have preferred it to stay where it is but I actually think that we should be looking at a museum up on Macquarie Street. I believe that we should be looking at the old—what do you call it?—Registrar General's building. With Macquarie Street being an historic precinct I thought it might be a good solution to bring the decorative arts, fashion and design up to Macquarie Street. I mean, I am on the board of the local health district and Sydney Hospital is. Sydney Hospital has a museum, the Reserve Bank has a museum, you have The Mint and The Barracks. You could sweep down Macquarie Street and around to the Opera House and have the most extraordinary experience of historic sites around Macquarie Street. I thought that would be a very good solution; keep the museum at Ultimo and do something at Parramatta by all

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means. I actually believe that Parramatta is a—I was out there the other day having a look and I think Parramatta deserves a museum of some sort. The collection could be spread across three sites.

The CHAIR: The Committee actually recommended something like that in its interim report in November 2017.

The Hon. TREVOR KHAN: It seems like yesterday.

The CHAIR: I know. Who was the Minister when you were appointed the second time around?

Mrs McDONALD: Troy Grant.

The CHAIR: Did you meet with him at all?

Mrs McDONALD: Indeed, before I was appointed I met with him.

The CHAIR: Did he give you any undertakings in relation to what he thought was going to happen with the museum?

Mrs McDONALD: Not at all, he just asked me to go back onto the board.

The CHAIR: Did you ask him any questions in relation to what his expectations may be?

Mrs McDONALD: No, I was excited about going back onto the Powerhouse board. I had the most wonderful nine years when I was there the last time with wonderful Ministers. I had worked under Peter Collins and he could not have been more helpful to that museum in those days. He was an excellent Minister for the Arts. So I knew what it was like to work with a good Minister and I was so excited to be back working with Troy Grant but, unfortunately, the museum was not the way it was back in the old days.

Mr DAVID SHOEBRIDGE: It was not Collins class?

Mrs McDONALD: I am sorry?

The Hon. TREVOR KHAN: That is very good.

Mrs McDONALD: What?

The Hon. TREVOR KHAN: That was a submarine joke.

Mr DAVID SHOEBRIDGE: I am sorry, I do not know what you are saying.

The CHAIR: What he is saying is that Troy Grant was not of Mr Collin's class.

Mrs McDONALD: I disagree; he was a gentleman.

Mr DAVID SHOEBRIDGE: A gentleman?

Mrs McDONALD: Absolutely.

Mr DAVID SHOEBRIDGE: But was he engaged in the museum and the Arts portfolio?

Mrs McDONALD: Well he asked me to go back onto the board. Yes, he obviously was.

Mr DAVID SHOEBRIDGE: In the time that you spent on the board did you find the same kind of engagement and support from the Minister's office as you found with the previous Minister?

Mrs McDONALD: Yes, of course I did.

Mr DAVID SHOEBRIDGE: Were you aware that there was a committee, which had MAAS representatives, government representatives and others, that was meeting to work through the relocation?

Mrs McDONALD: Yes, but I was not involved in it.

Mr DAVID SHOEBRIDGE: Did the board get regular reports from that committee?

Mrs McDONALD: I think I was overseas for one of those meetings and I was not there. I think we had a couple of briefings from Craig—whatever Craig's surname is?

The Hon. WALT SECORD: Limkin.

Mrs McDONALD: Yes, Limkin.

Mr DAVID SHOEBRIDGE: In those briefings did you feel as if you got the full picture as to what was happening? Or an adequate picture as a board member to do your job?

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Mrs McDONALD: Well there were lots of designs and pictures. We had lots of meetings with designs for the museum.

Mr DAVID SHOEBRIDGE: Mrs McDonald, you know my question was not about whether you got lots of pictures. My question was whether or not you had sufficient information as a board member to do your job?

Mrs McDONALD: To move to Parramatta? It was not my position to worry about going to Parramatta; I was looking after the collection where it was at the time. We had not moved to Parramatta. I was still at Ultimo and we were still trying to keep the doors at Ultimo open and that was important. That was my job.

Mr DAVID SHOEBRIDGE: You say that was your job but surely if there was this major change happening, one key part of the board's job was to keep an eye on it, to plan for that change and to make sure that change was going to be as successful as possible. That was also part of your job on the board, was it not?

Mrs McDONALD: We had to make sure that the collection was intact, that was important.

Mr DAVID SHOEBRIDGE: That was not the proposition I put to you. The proposition I put to you was: The board's job was to make that transition, if it had been decided by the Government, as successful as possible, not just to keep Ultimo running in the interim?

Mrs McDONALD: Well it was.

Mr DAVID SHOEBRIDGE: Part of your job was to make that transition as successful as possible, was it not?

Mrs McDONALD: It was not my job. I was trying to keep the doors open, get the people through and make sure the collection was intact. And I was trying to make the finances of that place work; that was the important part. I was not involved in the day-to-day workings of making sure. We only had board meetings every two months so I only had about four board meetings while I was there.

The Hon. NATALIE WARD: I think the witness has answered the question.

The Hon. SCOTT FARLOW: One point of clarification that may assist. Were there different subcommittees of the board that looked at certain items? I think you mentioned before you were largely charged with the management of the collection. Was there a subcommittee that was looking into that?

Mrs McDONALD: No, there were no subcommittees—the only subcommittee was I think one of the board members was on that committee to look at the move. Barney Glover was there and Lisa Chung—

The Hon. SCOTT FARLOW: So there was a subcommittee about the move?

Mr DAVID SHOEBRIDGE: No. There was that separate committee that we discussed earlier.

Mrs McDONALD: I was not involved with that.

The Hon. NATALIE WARD: With respect, I understand where you are going but that question has been asked three times and the witness has answered.

The CHAIR: If the member wishes to take a point of order I will rule on it but the member cannot interfere in questioning.

The Hon. NATALIE WARD: I can comment to my colleague.

Mr DAVID SHOEBRIDGE: You say it was not your job to look after the relocation?

Mrs McDONALD: It was not my job.

Mr DAVID SHOEBRIDGE: You were focused on the collection in the existing building.

Mrs McDONALD: That is right.

Mr DAVID SHOEBRIDGE: Well whose job was it to look after that? If it was not your job then surely somebody on the board had to have that role?

Mrs McDONALD: Lisa Chung was going to meetings and reporting back to the board.

Mr DAVID SHOEBRIDGE: It was just one board member's job?

Mrs McDONALD: I think Barney was going to those meetings as well but I am not sure.

Mr DAVID SHOEBRIDGE: So it was maybe two board members?

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Mrs McDONALD: Yes.

Mr DAVID SHOEBRIDGE: Do you not believe there was a collective responsibility on the board to do everything you could to ensure that the transition was working and to be informed about it? That was the collective responsibility of the board, not just that of Ms Chung or Mr Glover, was it not?

Mrs McDONALD: I do.

Mr DAVID SHOEBRIDGE: So how did you exercise that collective responsibility as a board?

Mrs McDONALD: I think I went to four board meetings in that time, so there were reports back to the board from Lisa Chung. She would tell us what was happening and I think Mr Limkin came twice to the board. That was it.

Mr DAVID SHOEBRIDGE: Did you see a budget for the move?

Mrs McDONALD: I cannot remember. I will have to take that on notice because I cannot tell you.

Mr DAVID SHOEBRIDGE: By all means. Did you see a strategic plan for the move?

Mrs McDONALD: Yes, there were pictures.

Mr DAVID SHOEBRIDGE: I am not asking about pictures. I am asking if you saw a detailed strategic plan drawn up by the organisation? A comprehensive document saying how it was going to work?

Mrs McDONALD: From the trust?

Mr DAVID SHOEBRIDGE: From the trust.

Mrs McDONALD: No.

Mr DAVID SHOEBRIDGE: From any part of the organisation?

Mrs McDONALD: No, I do not believe so.

Mr DAVID SHOEBRIDGE: Reflecting back then, do you find it surprising that there was not that kind of clear strategic plan and identifiable budget for something so extraordinarily important to the organisation?

Mrs McDONALD: Why do you think I resigned?

Mr DAVID SHOEBRIDGE: You said you resigned because of the board but I am asking you these deeper questions about how the board operated.

The Hon. TREVOR KHAN: Do not get aggressive, David.

Mr DAVID SHOEBRIDGE: Mrs McDonald, I am asking you these deeper questions because I am trying to go beyond the board and find out why you resigned.

Mrs McDONALD: The board was why I resigned. It was just a shambles, and it was a disgrace that we lost that much money in the circumstances of being in a financial mess anyway. It was just frustration and bad management the whole time I was on the board.

Mr DAVID SHOEBRIDGE: It would probably minimise it to say it was the straw that broke the camel's back, but it was a quite ill camel before that straw came along. Is that right? There were other things about the board that were causing you disquiet.

Mrs McDONALD: We were not getting the information from the staff.

Mr DAVID SHOEBRIDGE: Including on the critical issue about the relocation. It is almost as though you felt you had to distance yourself from it, because you did not have the information.

Mrs McDONALD: I put it all behind me, quite frankly, a year later. I walked away from the whole thing.

Mr DAVID SHOEBRIDGE: When you say it was not your job to look at the relocation, it was government policy, the flavour of your evidence sounds to me that you were unsettled by it and you did not engage with it when you were on the board because you did not feel that you could add value to it, given the information you were getting. Am I wrong in that?

Mrs McDONALD: I left because I was frustrated about the management of the organisation and the information that was coming up. You did not get decent financial papers. When I was on the board in the 1990s, we had a board meeting every month. We were given information about the collections, about exhibitions, about

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what was needed, about how much it was all going to cost. You cannot have a board meeting every two months and be well informed.

The Hon. SHAOQUETT MOSELMANE: At those board meetings, did you express your frustration? Did you talk to somebody? How did you express your frustration?

Mrs McDONALD: You ask questions, but you are told, "Don't worry, that's all in hand. Don't worry." But you knew it was not. Quite frankly, it was just bad management.

The Hon. SHAOQUETT MOSELMANE: You said the Minister was a gentleman. Did you think of approaching him with your frustrations?

Mrs McDONALD: You know how boards work. As a trustee, one has to always respect the chairman and one does.

Mr DAVID SHOEBRIDGE: The final issue I would like to explore with you is that you gave evidence about the exchange with the chair when you were asking him questions and the response was, "Put it in writing". There was a little uncertainty about the nature of that exchange. Can you be more detailed about that exchange?

Mrs McDONALD: I wish I could because I would have had it on my telephone. I went looking for it, because been interesting, but when I was playing golf my telephone ended up in the creek. My phone and everything disappeared into the creek.

Mr DAVID SHOEBRIDGE: Another one of those "telephone in the creek" stories!

Mrs McDONALD: Don't laugh; I have just had a hip replacement because of it. The exchange is not on my current phone. The exchange was about trying to get the board information and finding out about that. He said, "If you want to that, do it in writing". I thought no, I am not doing that. I should respect Barney Glover; he is the Vice-Chancellor of Western Sydney University. He was going through tough times, too, at that time; his wife had a terrible illness and he was under a lot of stress, he told me later. His wife had cancer of the stomach at the time, I think. It was not a good time for him. I think there were a lot of things going on around the board table of worry and concern. You do not get paid to do this job; these jobs are voluntary.

Mr DAVID SHOEBRIDGE: If you can find that text exchange—

Mrs McDONALD: I cannot find it, I am sorry. I looked for it yesterday, because I would have been very happy to share it with you, but the phone has disappeared.

Mr DAVID SHOEBRIDGE: These things happen.

The CHAIR: In your second tenure, knowing what is happening with the Ultimo site, at any stage did anyone mention the name of any developers that may be taking over the site to you?

Mrs McDONALD: There are lots of rumours going around. One hears lots of rumours, but nothing specific. I have never found out who the specific developers are, or if someone has site or not. I do not know; I have no idea.

Mr DAVID SHOEBRIDGE: There was never a report to the board that X, Y, Z developer was lining up?

Mrs McDONALD: As you know, there are lots of rumours. People talk, but I do not know anything specific.

Mr DAVID SHOEBRIDGE: Nothing came to you in your role as a trustee?

Mrs McDONALD: No.

The Hon. WALT SECORD: That is it for my questions.

Mr DAVID SHOEBRIDGE: Me too.

The Hon. TREVOR KHAN: Your testimony has been very helpful; that is my observation.

The CHAIR: Mrs McDonald, who took a question on notice. The Committee has resolved that answers to questions taken on notice be returned within three days. The secretariat will contact you in relation to the question you have taken on notice.

Mr DAVID SHOEBRIDGE: You said who could provide some more information in relation to one question. The secretariat will give you details about what the question was, and you will have three days to respond to it because we have a short time frame. The secretariat will take you through that.

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The CHAIR: Thank you very much, you have been most helpful.

(The witness withdrew.)

(Short adjournment)

REPORT ON IN-CAMERA PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS

INQUIRY INTO MUSEUMS AND GALLERIES

CORRECTED

At Macquarie Room, Parliament House, Sydney, on Monday 11 February 2019

The Committee met at 8.30 a.m.

PRESENT

The Hon. Robert Borsak (Chair)

The Hon. Scott Farlow

The Hon. Trevor Khan

The Hon. Shaoquett Moselmane

The Hon. Walt Secord

Mr David Shoebridge

The Hon. Natalie Ward

Monday, 11 February 2019

Legislative Council

WITNESS B sworn and examined

The CHAIR: Thank you for being here today and for appearing at this in-camera hearing for the inquiry into museums and galleries in New South Wales. The Committee has decided to hold your hearing in-camera to allow you the freedom to speak candidly with it about your experiences while protecting your privacy. Please note that it is an in-camera hearing. You are bound by the confidentiality of those proceedings. At this stage the Committee does not intend to publish your evidence. However, please be aware that the Committee has the power to publish today's evidence if it chooses, but we will take into account the confidentiality and sensitivity of the matters discussed.

If the Committee wishes to publish some or all of your evidence the Secretariat will consult with you about what the Committee intends to publish, taking into account your privacy, any concerns you may have and whether the redaction of some information, for example, your name or former position, may help to alleviate those concerns. However, the decision as to what is or is not published ultimately rests with the Committee. It is important to remember that parliamentary privilege applies to the evidence you give to the Committee today, but it does not apply to what you say outside of this hearing and so I urge you to be careful about any comments you may make to the media or to others after you complete your evidence as such comments would not be protected by parliamentary privilege.

It is also important to understand that Committee hearings are not intended to provide a forum for people to make adverse reflections about others under the protection of parliamentary privilege. I therefore ask that you focus on the issues involved in this inquiry and avoid naming individuals. Do you wish to make an opening statement?

WITNESS B: I do. I have prepared an opening statements. I would like to thank the Committee for allowing me to speak with you today and for taking so much of your time over the past year or so to investigate the vitally important issues regarding the future of museums in New South Wales. The planning for the State's cultural institutions over the past five years, in my view, has been piecemeal, ill-informed, often based on ignorance and hubris, and potentially damaging not only for the next five years or so, but for hundreds of years—this is the time frame that I and my most respected colleagues work with. We do have to plan short term, but we also plan for our great, great grandchildren to keep our State's wonderful diverse collections, that tell the stories of our culture, of our families, of our history, safe, secure and accessible for generations to come. The Powerhouse collections are the cultural DNA of New South Wales—they are that important. Museum staff have worked for over a century in Ultimo collecting, researching, sharing, exhibiting and lending to develop the Powerhouse as it now stands.

This amazing collection and museum, built on more than a century of passion and dedication, is why I am so proud to have been a longstanding member of staff

—all of the careful thorough processes for acquisition, cataloguing, receipting, movement, transport, storage, inward and outward loans, exhibition planning and installation, conservation and preservation, licensing of firearms and prohibited substances, hazardous substances involving asbestos or radioactive substances, security and management of the vault and other high security areas.

One of my most loved tasks was to take many, many groups of people through the collection stores and watch the sense of wonder and discovery emerge, including small groups of children from country schools, to the best known of designers and people such as Bill Gates, all of whom loved their experience.

I have very deep concerns regarding the decision and the process around the plans to move the Powerhouse Museum to Parramatta. I have been closely involved in many senior management and project team meetings over the past four years and have watched the process unfold, mostly with a sense of horror that something that arose from a quick decision, I assume by Mike Baird and Elizabeth Anne McGregor, could become reality with so little thought and interrogation.

I can assure you that even the past and current executive, up until the end of last year, although publicly supporting this decision, have privately had serious concerns and really not thought it was such a good idea to move the Powerhouse to a smaller, constrained, crowded site on a flood plain at Parramatta, and to move the collection, archives and library at great risk and cost partially to that site and primarily to a fairly isolated suburban

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site in Castle Hill. They will say publicly that they are in support, as

. Privately I have heard such comments as, "There are a lot of dumb decisions in this project", "Over my dead body we'll be moving to Parramatta", "At least this should be good for my career", "I'll be moving back to an art gallery as soon as I can", "I don't really care what staff and volunteers think", "Most of the collection is uninteresting", "History is boring", "Community consultation is a waste of time; we're just ticking the boxes", "We'll use the Boulton and Watt engine to run a designer brewery". Really, this is what staff have had to endure in recent years.

There has been a major focus on the latest, the hippest, the fashionable,
 . The core audiences of family, schools and older visitors have been mostly neglected. Long-term dedicated, professional staff have been ignored and sometimes scorned.

Because I follow social media closely, I know that around 95 per cent of comments on Facebook, Twitter and Instagram have expressed horror at the plans to move to Parramatta while closing down Ultimo. There is a huge amount of support across Sydney and the museum profession for fabulous new or expanded cultural institutions in Western Sydney and in the regions. The Powerhouse used to have an extremely strong, well-respected regional program of travelling exhibitions, loans, advice and workshops until the regional managers' role was deleted in a restructure in 2014, and it never recovered.

Also in 2014, a quick and ill-informed project plan to renew the Powerhouse by selling off the Harwood Building was written very quickly, and professional staff were not consulted. Very minor environmental and building issues were seriously exaggerated in an attempt to extract a large amount of money from government. To this day, many experts from all over the world have commented that the museum has world-class storage and display conditions in Ultimo. We hosted loans and exhibitions from the world's major museums until last year, including the British Museum; the Victoria and Albert Museum; the LA Museum of Art; the National Museum of Athens; the Kremlin Museum in Moscow; and Bill Gates' precious Leonardo Da Vinci Codex Leicester. We met the stringent requirements for all these institutions: security; humidity and temperature control; customs and biosecurity; visitor management; and professional staffing.

The museum is in a significant heritage powerhouse, an original tram shed, and a beautiful original post office. It is also an example of wonderfully designed post-modern adaptive reuse, which is unique in Sydney. In my view, the whole site easily meets the requirements of heritage listing. This cannot ever be replicated in Parramatta. The fact that they are now calling it a "Powerhouse precinct at Parramatta" is absurd.

The decision and the business case process—which never compared the case for staying in Ultimo or any other regional network options—is obviously deeply flawed and needs urgent review. The collection is at high risk of unprofessional handling, packing and movement. There is no way there will be enough qualified staff to move 300,000 objects from Ultimo to Parramatta, Castle Hill or to unknown, insecure sheds housing priceless large objects such as the Bolton and Watt steam engine. It is going from being an ideal location on site at Ultimo to a distant suburban location with extremely low visitation rates—that is, Castle Hill—even after many attempts to relaunch it as a museum discovery centre. Constant packing and movement of the delicate objects for transport 20 minutes to Parramatta and back and to other sites will be costly, risky and time-consuming.

The Hon. WALT SECORD: Thank you for appearing before the Committee today. I would like a timeline.

WITNESS B:

The Hon. WALT SECORD: When did your time at the Powerhouse end?

WITNESS B:

The Hon. WALT SECORD:

WITNESS B:

Mr DAVID SHOEBRIDGE: That was your last day on the tools?

WITNESS B:

The Hon. WALT SECORD:

WITNESS B: Yes.

The Hon. WALT SECORD: So you have intimate knowledge?

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WITNESS B: That is right.

The Hon. WALT SECORD: When did you begin to express concerns about the move?

WITNESS B: Immediately that the announcement was made. I will expand on that. Initially, when Rose Hiscock was director, and the decision was announced, the view of the board and the executive was that we would agree with the project only if it was completely fit for purpose, that it met all the spatial requirements that we had in Ultimo, including storage—we have 4,500 square metres of storage for small objects at Ultimo—and all the amazing volume and height requirements, and that we had enough space to run a museum that would not be less than what we had.

The Hon. WALT SECORD: You use the word "initially".

WITNESS B: Yes.

The Hon. WALT SECORD: Why?

WITNESS B: Because that changed over time. When Rose left, Dolla Merrillees was on board. The communication with CIPMO and government and the requirement to make the money add up meant there were pressures for sharing sites with other developments. Also, initially the brief for the workshops with AEA Consulting—that is, Adrian Ellis from London, who is one of the top museum consultants—was to decide between the riverside site and the golf course site. He said at that stage that it was a very difficult process because after a lot of investigation neither of the sites was ideal for a major state museum. However, because of the way consultants work, everything unfolded and the riverside site was recommended.

The Hon. WALT SECORD: Do you think there was interference with or that directions were given to the consultants?

WITNESS B: Yes.

The Hon. WALT SECORD: Can you elaborate?

WITNESS B: I do not know the facts, but I think there was involvement from the governmental level and Parramatta council and various people pressuring for the riverside site.

The Hon. SHAOQUETT MOSELMANE: To what extent were you involved in discussions?

WITNESS B: I was at a workshop with those consultants.

The Hon. SHAOQUETT MOSELMANE: Were there major expressions of dissent during those discussions?

WITNESS B: Yes, there was a lot of internal dissent and discussion.

The Hon. SHAOQUETT MOSELMANE: Can you elaborate?

WITNESS B: A lot of senior staff did not believe it was the best idea. Certainly, we were very open to a second major institution that might have been run by MAAS. But we knew that the goods line had just opened with the very strong heritage values in the building we have. There is a very long history of MAAS in Ultimo, and there was the precinct that was developing in terms of University of Technology, Sydney, TAFE and design schools, the goods line, and the new convention centre development at Haymarket. It is a very vibrant and exciting area for creative industries and design and technology.

The Hon. SHAOQUETT MOSELMANE: You have expressed disappointment about this issue throughout your statement. Is that the feeling of most of the staff?

WITNESS B: Yes, it is definitely the feeling of long-term staff, I would say without exception. A lot of staff have left and a lot of the current staff have been there for only a couple of years. They came in knowing that they would be part of this move. The executive would say, "This is a career-defining opportunity." That is how they were trying to sell it to people. There would be a once-in-a-lifetime opportunity to work on a great new project and it would be great on their curriculum vitae [CV].

The Hon. SHAOQUETT MOSELMANE: Did the executive have enough knowledge?

WITNESS B: I do not believe they did.

The Hon. SHAOQUETT MOSELMANE: But they were selling that idea.

WITNESS B: That is right, yes.

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The Hon. WALT SECORD: You used the phrase "career-defining opportunity". Who would have used a phrase like that?

WITNESS B:

Mr DAVID SHOEBRIDGE: Regardless of the substance, this was a CV-building exercise?

WITNESS B: That is what I believe. There is a very strong background in fine arts and contemporary art in the executive and also with the head of curatorial, . They all come from art gallery backgrounds. Two senior staff commute from Melbourne:

The Hon. WALT SECORD: They commute from Melbourne?

Mr DAVID SHOEBRIDGE: How do they do that?

WITNESS B: Their partners both live in Melbourne. I think they go back to Melbourne every fortnight. But they see Melbourne as their base and they have bought houses there. came in from Brisbane and had not lived in Sydney before. Rose came from Melbourne and commuted from there. I do not feel there was really a strong understanding of Sydney.

The Mr DAVID SHOEBRIDGE: Does the museum need that fine art gallery expertise?

WITNESS B: No, it is not. It is not a fine art gallery. The art galleries and museums handle their collections, exhibitions, public interaction, engagement and policies quite differently. Our audiences are way higher in schools, families and younger children than galleries. Our collections are very diverse and can be used to tell all sorts of really interesting stories but also a lot of factual stories as well as narratives to talk about innovation and the history of our State and of our diverse cultural communities. It is a lot about telling stories and art galleries do not do that; they just put out these objects. They sometimes tell a story but they do not emphasise that and they do not often have programs in which younger kids are involved. They do not have interactive playing spaces as much. They are pretty much different audiences. They have very short labels on their walls.

Mr DAVID SHOEBRIDGE: I got a sense from your earlier evidence that there is almost a contempt about history and historical context and that role of the museum.

WITNESS B: That is right. That is also because they—It first happened under which was surprising and unfortunate, that social history was taken off the strategic plan for the museum.

Mr DAVID SHOEBRIDGE: "Here are some pretty frocks", which is not why a museum should operate.

WITNESS B: No. It is a very small part of the collection. I think that you might have seen our listing of 72 collecting areas that we had for a very long time. It has just been not of interest to recent executives.

Mr DAVID SHOEBRIDGE: Since we have only a very short amount of time, I wanted to ask you about the final business case for the renewal of the Powerhouse Museum, which you have helpfully given the acronym FBCRPM. Maybe we could call it the renewal of the business case—

WITNESS B: That was the 2014 plan.

Mr DAVID SHOEBRIDGE: —in 2014. You are very critical of that business case. Can you give us a plotted summary of your criticism of it?

WITNESS B: I think it was done very quickly. I think it was done by people who did not have a deep understanding of the museum. I think that Rose Hiscock wanted to make a big impact quickly and wanted to show that she was making her mark. It did not have any respect for the heritage of the site or any understanding of the collection. Her background is in marketing. She has been a head of marketing and worked at the Australia Council. She wanted to come in and make a mark and do something quickly.

Mr DAVID SHOEBRIDGE: As I understand it, you view the \$350 million budget that the business case said was required as both excessive and misdirected.

WITNESS B: That is right.

Mr DAVID SHOEBRIDGE: Would that be a fair summary?

WITNESS B: Yes.

Mr DAVID SHOEBRIDGE: Can you indicate what you think a more accurate and focused budget would be to get the Powerhouse to its world-class standards where it should be?

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WITNESS B: Look, I think it is "how long is a piece of string?" I think it depends on how much you do but I think it would be a very good idea to be staged.

The Hon. TREVOR KHAN: Sorry, I missed that.

WITNESS B: I think it is "how long is a piece of string?" I think the best idea is for it to be staged. I think it has been let run down and rented out to University of Technology Sydney in advance and galleries closed. For the fashion ball at high expense—two aeroplanes were moved and actual exhibition infrastructure was taken out to fit more tables in. It just became more and more difficult for some of the senior staff to stay there. The head of conservation has also left to go to the State Library.

Mr DAVID SHOEBRIDGE: But would it be fair to say that for a fraction of the relocation cost, a staged expenditure over time in the current site would produce, in your opinion, a much superior outcome?

WITNESS B: Yes.

Mr DAVID SHOEBRIDGE: Can you expand on that a little?

WITNESS B: I think that in terms of the storage and workshops et cetera, it only really needs replacement of some of the rolling compactors units. There have been very few problems. I know there was a leak after I left but that has probably happened twice in 30 years—minor leaks. There was one outbreak of mould in particularly hot and humid time and maybe the air conditioning had gone down. That was cleaned up immediately. In the vast majority of the time there, everything has been very safe, secure and in good condition. Look, I cannot really tell you. I know you are talking to Brad Baker today. He would be a good person to ask that of.

Mr DAVID SHOEBRIDGE: But, you say in your submission that the current site was built as a purpose-built museum and it is still very much fit for purpose. Is that still your view?

WITNESS B: That is right, yes.

Mr DAVID SHOEBRIDGE: What do you say to the arguments that it is out of date, in an inappropriate site and that there is a necessity to move?

WITNESS B: I think it is absurd. It would not have been keeping on the beautiful mummies exhibition, which are, you know, thousands of years old. Do you think the British Museum would give us those mummies if the museum was not up to scratch? I know that with every old building—you might as well say that the British Museum and the Met in New York and the Victoria and Albert [V&A] Museum are not fit for purpose.

Mr DAVID SHOEBRIDGE: Or the stadium or the Opera House.

WITNESS B: Or the Art Gallery or the Australian Museum. They all have fluctuations in temperature and humidity and we all do our best to ensure that they are as good as possible.

Mr DAVID SHOEBRIDGE: Buried away in your submission, you reference the fact that the collection acquisitions have significantly declined.

WITNESS B: Yes, that is right.

Mr DAVID SHOEBRIDGE: Tell us about that.

WITNESS B: Well, the offers of donations have significantly declined. The curatorial view is that we only want to acquire masterworks with that art gallery view. The objects of everyday life that might be incredibly important to tell the stories of New South Wales got knocked back.

The Hon. WALT SECORD: But is that not part of the actual, original charter of the Powerhouse?

WITNESS B: Well, that is tricky because the Act says museum of applied art and applied sciences, so you can interpret that as being your ceramics, glass, fashion and your engineering, transport science and technology. Some of those objects have continued to be acquired. In about the mid-1980s, it was decided to make the museum also a museum of the history of New South Wales. Social history was collected right from the mid-1980s. It had some major social history exhibitions in 1988, opening of the Powerhouse. It was in the Dawn Casey that she decided that we should not collect history anymore; we should just stick to the Act.

Mr DAVID SHOEBRIDGE: For me, some of the memories of going to the Powerhouse are you step in amongst these objects that take you back to a moment in history, like in the 1970s or 1930s, and to be surrounded by those ordinary objects. That sense of context is, I think, one of the most powerful things. Are you saying that has been lost?

WITNESS B: Yes. Nobody else collects that in New South Wales. The State Library makes some effort and I did have an exchange on on that point and he said, "Oh no, the State Library

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does that". I mean, it is just not informed. We had amazing social history curators at the museum for a long time. was the last one and he retired probably a year and a half ago. We had great debates in our strategic planning sessions and senior management sessions around the role of history and just no-one was interested. They said it was boring and that it did not bring people in, whereas the most popular exhibition of the whole history of the Powerhouse Museum—except for Harry Potter, which, of course, was wonderful—was the never-done exhibition, which was the history of kitchens and housework.

It was such a great intergenerational engagement opportunity because children, parents and grandparents could look together through the history of all these amazing kitchens. People would always say on these exit interviews, "Oh, I love that. The exhibition about the kitchens was my favourite." There is no way they would be doing that now. A lot of my colleagues and I are very concerned with the current management and what they will produce at Parramatta. Some of the acquisitions were now art commissions, calling them architectural installations, that thing with the big, long, tall tubes that they put into the turbine hall instead of the aeroplanes. There was an exhibition called "This is a voice", which was full of contemporary art installations. It was not visited. All this contemporary art—I think it is a great thing to do. You can obviously interpret historical collections through a contemporary artist's gaze. It is very, very valid. But it cannot be only that.

Mr DAVID SHOEBRIDGE: It might be a niche part of the museum; not the full.

WITNESS B: It is niche. Our audiences—the long-term audiences that we have had—just walked past it. It is too opaque for school children and ordinary families to even engage with.

Mr DAVID SHOEBRIDGE: You do not see many kids from fourth class saying, "Look at that contemporary art. Doesn't it put a view of reflection on that steam train?"

WITNESS B: That is right. It is all about what people can then say when they go for their next job. I am very concerned. I am sure Lisa Havilah did a fantastic job at Carriageworks, but it has no collection. We have 500,000 objects built up over 130 years. You cannot just get that expertise overnight.

The Hon. SHAOQUETT MOSELMANE: You have expressed that some of the staff expressed horror over the plans to move to Parramatta at the start when it was first discussed. Is that horror still there 1 ½ years later?

WITNESS B: It is in long-term staff. Certainly a lot of the staff in my departments continue to be very unhappy and are planning to leave or retire. It is not about, "We don't want to move"; it is very much about the fact that we know Sydney is growing enormously. There are so many populations that can benefit enormously from new institutions, whether they are really inspiring science and technology centres, places for local art communities to have studios and work with families and kids, or are blockbuster exhibitions. We need all of that. All of the international cities we all visit have many more museums than Sydney does, for a city of our size.

Mr DAVID SHOEBRIDGE: It should not be a zero-sum game.

WITNESS B: No. The point in one of the government documents that "Sydney is adequately resourced for museums" is just so wrong. If you go to any of those Scandinavian countries that win "best places to live in the world"—they always win in those lists of fantastic places to live—there are dozens of museums in their cities, and they are very well attended. They are often subject to a lot of community interaction and consultation.

Mr DAVID SHOEBRIDGE: If the decision was reversed and the Government said that it was going to retain the Powerhouse Museum where it is and invest in it, what sort of effect do you think that would have on staff morale and the overall direction of the institution?

WITNESS B: I think people would be thrilled. I think they would be very, very excited. You can tell by the PSA communications. That has been one of the only arms of communications that staff have had, because we have very much been told not to speak about it and that we must publically and on social media be all for the move.

Mr DAVID SHOEBRIDGE: Munch on this unsavoury sandwich and say it is yummy.

WITNESS B: That is right.

The CHAIR: Thank you very much for coming. It was most informative.

WITNESS B: Thank you very much for your time. I really appreciate having my voice heard.

Mr DAVID SHOEBRIDGE: Thank you for your very detailed submission.

The CHAIR: Just before you go, are you still working in the museum sector?

WITNESS B: I am hoping to, yes.

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The CHAIR: Thank you very much.

(The witness withdrew.)

REPORT ON IN-CAMERA PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS

INQUIRY INTO MUSEUMS AND GALLERIES

UNCORRECTED

At Macquarie Room, Parliament House, Sydney, on Monday 11 February 2019

The Committee met at 8.30 a.m.

PRESENT

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The Hon. Scott Farlow

The Hon. Trevor Khan

The Hon. Shaoquett Moselmane

The Hon. Walt Secord

Mr David Shoebridge

The Hon. Natalie Ward

Monday, 11 February 2019

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WITNESS C sworn and examined

The CHAIR: Thank you for being here today to appear in this in-camera hearing for the inquiry into museums and galleries in New South Wales. The Committee has decided to hold your hearing in-camera to allow you the freedom to speak candidly with us about your experiences whilst protecting your privacy. Please note that as this is an in-camera hearing you are bound by the confidentiality of today's hearings and proceedings. At this stage, the Committee does not intend to publish your evidence, however, please be aware that the Committee has the power to publish today's evidence if it chooses. But we will take into account the confidentiality and sensitivity of the matters discussed. If the Committee wished to publish some or all of your evidence, the secretariat will consult with you about what the Committee intends to publish, taking into account your privacy, any concerns you may have, and whether the redaction of some information, for example your name or former position, may help to alleviate those concerns. However, the decision as to what is or is not published ultimately rests with the Committee.

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WITNESS C: I have never done anything like this, so I am a little bit nervous.

Mr DAVID SHOEBRIDGE: It is not as awful as it looks.

WITNESS C: As you know, I was one of the _____ at the museum.

I was there for the whole night of the ball and everything else. The photos, which you should have seen, were from the ball. _____ as well as his reply. Hopefully you have all received that. It is mainly along the lines of: I did not like the way they did a lot of it. I have been made _____ since then. I do not have anything against them because they made me _____ it is just because I think it is the right thing to do.

The CHAIR: Do you want to look at these videos and photos first?

The Hon. WALT SECORD: Yes, that is what I thought we were going to do.

WITNESS C: Do you want me to say anything with these?

The CHAIR: Sorry, say again.

WITNESS C: With the photos and stuff do you want any more information with them?

The CHAIR: If you can provide any information and give us a voiceover, that would be good.

WITNESS C: Okay.

Mr DAVID SHOEBRIDGE: They are only short, so why don't we watch them and you can tell us afterwards or during?

[Video shown.]

The Hon. SHAOQUETT MOSELMANE: If you can tell us while it is happening, or we can see that.

WITNESS C: That was at the end of the ball. That is all the staff, when they were quite drunk, dancing around on the catwalk that was set up.

The Hon. WALT SECORD: That is staff?

WITNESS C: That is staff. _____ is up there at the end dancing. There are quite a few of the other ones. They are all staff members or their partners up there dancing. They took advantage of it and they were all very, very drunk. After this of course was when they went up to _____ office and kept drinking.

The Hon. TREVOR KHAN: There seem to have been empty tables and somebody was carrying out chairs.

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WITNESS C: Yes. A lot of the other people had already left by then. The guys carrying the chairs out, in the official time they said it was meant to start and finish, this is still going on. A lot of everyone had already left before the official finishing time and guys were moving stuff out.

The Hon. TREVOR KHAN: They were probably as old as me and it was way past their bedtime.

The Hon. SCOTT FARLOW: What time was that video, approximately?

WITNESS C: Give me a second and I will have a look at the time and date on my phone. All that is off my phone. That was late, after all the official stuff was done. That one was at 20 to one in the morning.

The Hon. WALT SECORD: Who took this video?

WITNESS C: Me.

The Hon. WALT SECORD: You did.

WITNESS C: These are all off my phone. This was taken with my phone.

Mr DAVID SHOEBRIDGE: What were you thinking when you took the video?

WITNESS C: I was personally thinking that realistically having been to other events—I used to work for Westfield for five years and I was in maintenance and everything else. There were times when Westfield had events and everything else, and there were times when people drank. They do not do it so much now, so I have been told, but they would have non-public events and everything else where there were just staff and they would have drinks and everything else. But anything where the public was, it was: Have a couple of drinks, but that is it. You keep your control. Even though I was only in but all the managers I spoke to who worked there and everything else, it was not that you get absolutely gaga at an event. Plus, this is public money. This is a public event. People pay to go this thing. I know people might have a drink or two to try to relax and calm down and everything else, but the amount these guys had been—free Grey Goose vodka and they were downing it. I was there as the but I was watching people downing a lot of alcohol, probably just thinking, "This is free and I'll drink what I can."

The Hon. WALT SECORD: Did anyone try to stop you taking the video?

WITNESS C: No. No-one stopped me taking video and I did not hide it either.

The Hon. SHAOQUETT MOSELMANE: They were all drunk.

WITNESS C: Mostly, yes.

Mr DAVID SHOEBRIDGE: But they looked oblivious.

WITNESS C: They look oblivious to it and no-one gave a rat's arse. Other staff took photos and stuff as well. I just took video. I could not drink. Because I was there as of course you cannot drink while you are there. I was being paid to be there as a . The moment you start drinking, you are null and void. You have lost responsibility. I was not going to be drinking or anything else. It was not anything along those lines. I just thought that one or two drinks would be one thing but getting as blotto as some of these guys were—they were slurring, saying, "Hi, how are you?" A lot of them ended up giving me hugs and stuff—staff who would normally not talk to me were hugging me. I thought, "Yeah, you're drunk."

The Hon. TREVOR KHAN: I am not trying to distract you, but is there another video?

WITNESS C: There were two videos basically showing a similar sort of thing.

The CHAIR: It strikes me that this must have been extraordinary for you to take your phone out and start taking a video of it.

WITNESS C: I just thought it had gotten to the point where these guys, I have taken photos where a whole lot of things were happening in the night, just to see, because it was also at the time my missus wanted to see what was going on and everything else and I thought I would show her the video. I am working, and this is what they are doing.

Mr DAVID SHOEBRIDGE: We only have a short amount of time. Maybe we can play this next video and you can tell us about that, and then we will go through the images and you can quickly give us that commentary and we will try not to talk too much.

[Video shown.]

WITNESS C: A couple of more of the staff were up there. I do not know if he is up there, but was in some of the photos of them up there. I know s down the end.

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The CHAIR: Which end? Down the other end?

WITNESS C: The other end. She is the blond-haired one at the other end. The other lady in front just took a photo as well, so no-one really cared about people taking photos of what they were doing. The lady at the near end I understand is another staff member's wife. I do not know who she was. I did not actually know her—the one in red.

The CHAIR: Someone just went down.

Mr DAVID SHOEBRIDGE: You want an OHS risk assessment.

WITNESS C: Yeah. Dancing around on there is probably not the smartest thing to do, especially with that amount of drinking. Some of the photos will be upside down.

[Photographs shown.]

WITNESS C: There were some of the staff dancing. is up the end there dancing. He was drinking just like everybody else.

Mr DAVID SHOEBRIDGE: Who was that?

WITNESS C: was in that last one. Quite a few of the other staff are out of the office. Basically most of these are the people who sit up in the office, the directorate, or were at the time. They were all very sloshed.

The Hon. WALT SECORD: Did you see any other—

WITNESS C: I did not see any staff members taking any other substances.

The Hon. WALT SECORD: That was going to my question, because that was—

WITNESS C: I did see non-staff members taking substances.

The Hon. WALT SECORD: What substances, for instance?

WITNESS C: Basically "tap it on their hand and sniff it up" would be the best way of saying it. That is definitely not any sort of cold or flu tablets I have ever seen. Putting a powder on their hand and other staff like that lady there, I saw her sniffing something as well. She is some designer, I understand. That is Julie Bishop doing her talk. I also know that when Julie Bishop turned up she said, "Who do you want me to spruik?" and they had no idea who she should talk to in order to try to get money. She knew what she was there for: to help get them money.

The Hon. WALT SECORD: She was there to work.

WITNESS C: She was there to work the room and try to help them raise money, and she turned around and said, "Who do you want me to talk to?" and they shrugged and said, "I do not know."

The Hon. TREVOR KHAN: She is a good fundraiser.

The Hon. WALT SECORD: She was working, unlike other people.

The Hon. TREVOR KHAN: I understand what he is saying.

WITNESS C: I just could not believe it when they had that sort of person there—

Mr DAVID SHOEBRIDGE: And they had no game plan.

WITNESS C: —and they had no game plan of what she was there for. Any politician there that night should know what they are there for: to try to help raise money for the museum.

The Hon. WALT SECORD: Did you see any other politicians there?

WITNESS C: Yes. The arts Minister was there.

The Hon. WALT SECORD: Don Harwin.

WITNESS C: Yes.

The Hon. WALT SECORD: What was he doing?

WITNESS C: He was around. He was trying to do a similar sort of thing. I heard the bit with Julie Bishop, so that is why I am saying it. I did not get close to the other guy. It was just interesting the amount of money they spent on this was ridiculous. I could see it from the moment they got the guys in to set this up how much money they were going to use. I was like: "There's no way you guys could physically fund raise on this."

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You're going to go backwards." That is what I was saying from the beginning, and they were like: "Well, that's what they want."

The Hon. WALT SECORD: Have you been discouraged from appearing before this Committee?

WITNESS C: No, I have not had anyone discourage me. There are only one or two people who used to work at the museum who know that I am here. —and I am not here because I was made I make that clear—I did not talk to a lot of them about it because I do not think it is any of their real business. It needs to be here that I say what is really going on, because I think it was an absolute that would be the best way of saying it. Excuse the language.

Mr DAVID SHOEBRIDGE: On the afternoon of 3 February you sent your email to

WITNESS C: Yes.

Mr DAVID SHOEBRIDGE: Setting out part of what you saw happen?

WITNESS C: Yes. The security manager—in facilities, security is part of facilities. I have forgotten her name, but anyway she was there that night until about 10.30 p.m. and then she left because she had to come in early in the morning and make sure they did all the wrap up and stuff. I spoke to her and she said, "You should send an email to and tell him what is going on, what happened." That is one reason why I did this. I was also going to send something because I was concerned about it. I did actually speak to before the email went. I said, "Look, I want to talk to you about this." He said, "Send it as an email, we need to have this in writing." That is why I sent that to him.

Mr DAVID SHOEBRIDGE: He responded back that "... management is aware of the issues."

WITNESS C: Yes.

Mr DAVID SHOEBRIDGE: Suggesting they were already aware of the concerns. Did he ever explain to you what the issues were?

WITNESS C: They were aware of the issues because when I had to carry a director down from the directorate down to a taxi and had the first couple of taxis go, "Not touching it."

Mr DAVID SHOEBRIDGE: This is —

WITNESS C:

Mr DAVID SHOEBRIDGE: Who face planted at some point?

WITNESS C: Basically, yes. We got her down there—I had to basically carry her down from the directorate. helped me to carry her down. Then we ended up getting a chair for her to sit on because none of the taxis—originally, the first taxi was like, "Not touching it. She is too drunk." Plus we had to sit her down because the other thing was we did not have her address. It took us half an hour to get her address out of her because she was that—we found out that she lived at . That was great but other than that? The name and the road was so slurred that I did not understand what she was saying. We actually asked her and one of the female staff went through her bag trying to find her ID to find out where she lived. I ended up having to send one of the female staff home in the same taxi just so she could get there. She was lucky enough that the taxi driver helped carry her up the stairs to her house—front door.

Mr DAVID SHOEBRIDGE: When said he was aware of the issues, did he tell you what issues? You said you had a conversation with him before the email.

WITNESS C: I had a conversation with him but he did not give me any more information about it other than that. He knew—I know was there that night but he left earlier. He wasn't there later when they were all dancing and stuff. He had already gone home from what I could see.

The CHAIR: Do you want to explain why you were there until the end?

WITNESS C: I was there to the end because I had to reset everything for the museum to be ready for the next morning. So because of all the lighting and stuff we had to shut off all the lighting. They wanted certain lighting on and certain lighting off, so they needed me to go through and reset a whole lot of breakers. I had like 50 breakers I needed to reset and everything else, plus if there was a power outage they wanted somebody there so everything would keep flowing smoothly. That was the reason I was there: To make sure everything worked.

The Hon. WALT SECORD: Why were you helping to pour someone into a taxi?

WITNESS C: I will put it this way, I am a volunteer firey. I went up to the directorate to see what was going on. Also they had not organised to get after hours access to their own directorate, so they were all whingeing

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and bitching that they could not get into the directorate. After 10 o'clock they got locked out, so I go up there and I unlocked—facilities have 24-hour access. While security was trying to sort it out I went up there and helped them get in and out of the office and they will whingeing and bitching about security—they could not get into their desks to do whatever they were doing.

Mr DAVID SHOEBRIDGE: Which was not work?

WITNESS C: I do not know what they were doing, they just needed to get back in. I do not know if they needed to get their handbag or needed to do what. That was the thing, they did not have that organised—another thing they did not plan with having access to things. Like they did not organise it with security to prearrange their access. It would have been a click—as the security manager said to me—of the computer for her to give all those people in directorate that night 24-hour, overnight access.

Mr DAVID SHOEBRIDGE: So you ended up having to open and shut doors?

WITNESS C: Until that got sorted out I was opening and shutting the door for a bit upstairs and that is when I saw

Mr DAVID SHOEBRIDGE: Then security—

WITNESS C: —the bit with _____ was seen as well. That is when _____ was helping her. _____, not being a big man, _____ needed a hand and that is when I helped him. I said, "She needs to go home." She is like, "I need to go into the office." They are like, "No, you are not going into the office. You need to go home." The duty of care is also one reason why I do it. I am sober; they are not. I saw that she should be going home and she needed to be given a taxi. They had a cab charge there, so put her in a taxi and send her home. Also if she is that pissed she should not be out in public.

The Hon. SHAOQUETT MOSELMANE: Did you share those videos and photos with any—

WITNESS C: A couple of staff saw them who were at the museum but they were lower level people like myself; no-one really up in management. A couple of people wanted to see the photos, especially if you look at some of the other photos, it was just the way it was all dressed up. I showed some of the other people the way it looked because they wanted to see what the lighting was like and that.

The Hon. SHAOQUETT MOSELMANE: There was no physical sharing with other directors or managers?

WITNESS C: No. _____ got to see some of them but not the videos. He just got to see some of the photos from what I had taken but he was not really worried about them.

The Hon. SHAOQUETT MOSELMANE: Do board members know about them?

WITNESS C: I am not sure.

Mr DAVID SHOEBRIDGE: Have you spoken with anybody else who was there in a security capacity or an employment capacity who was not intoxicated?

WITNESS C: I spoke to the security manager and I did speak to some of the security guards but other than that—other staff members, I spoke to a couple of them about just how the night was but other than that it was not any in-depth.

Mr DAVID SHOEBRIDGE: Nobody else has reported to you other untoward activity that night?

WITNESS C: No. I spoke to one of the cleaners and they just said—the cleaners said there was a bit of a mess in the toilets and stuff but then that was because people threw up and bits and pieces. You know, the usual thing when people are drinking. Also the cleaners are under the security manager so that is the other thing knows—yes, it is _____ is probably the one you need to speak to about a lot of this stuff, she would probably have found out more information than me unfortunately.

Mr DAVID SHOEBRIDGE:

WITNESS C: _____ . I am not sure of her surname because I have forgotten I am sorry. I know she was—no, she still is the _____ there.

Mr DAVID SHOEBRIDGE: You said at some point the staff transitioned up to their offices. How many of them did that?

WITNESS C: Most of those people you saw dancing transitioned up. Once they transitioned up—they doing that *Staying Alive* was basically the last thing before they were staring to pack up all the audio equipment. So that is when they all decided to migrate upstairs.

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Mr DAVID SHOEBRIDGE: Did they migrate with anything with them?

WITNESS C: Yes. They migrated with bottles of wine and champagne—not wine, sorry, champagne and vodka were definitely taken upstairs. I definitely saw them taking bottles up with them. They were just, "Oh we have got them." A couple of them were doing the whole two bottles—most people have seen people do that—carrying bottles of alcohol up there. Before I left—after I had done all the resets is when I went upstairs and checked on everybody and said, "Is everyone okay?" That is when [redacted] turned around and made the comment that she did not—like "Who are you?" For her to turn around, especially when I am wearing our work uniform with MAAS written on my shirt, you know it is written quite large—you might have seen it.

The Hon. WALT SECORD: What did she actually say?

WITNESS C: She just turned around and said, "Who are you?" Like I am wearing one of the staff uniforms and she is saying who am I? Would you not first be saying, "How can I help you? What are you here for?" But she was like, "Who are you?" Like "I have worked for you for two years and you are like what?" I do not work in her office. I know she was there when I have been working in her office so she knew who I was and you would expect her to remember your maintenance staff since we are the ones fixing a lot of things and she did not remember a thing. She was drunk. She was definitely drunk.

The Hon. SHAOQUETT MOSELMANE: Was that a reaction from someone who was trying to hide something?

The Hon. TREVOR KHAN: That goes beyond speculation.

Mr DAVID SHOEBRIDGE: I think what [redacted] is saying is that she was very intoxicated but she would have known him if she was not so intoxicated.

WITNESS C: I personally think if she had not had been so intoxicated she would have known who I was.

The Hon. WALT SECORD: Now I understand. So it was not like, "Who do you think you are?"

WITNESS C: No.

The Hon. WALT SECORD: It was, "Who are you?"

WITNESS C: More along the lines of—

The Hon. WALT SECORD: I misunderstood.

WITNESS C: Okay. The thing is they were all dolled up like that. I was wearing a black polo shirt with MAAS, shorts and workboots.

The Hon. WALT SECORD: You were working.

WITNESS C: I was working but everyone else was all dolled up. So if someone comes up who is wearing a maintenance uniform you would think they would go, "Okay this is maintenance."

Mr DAVID SHOEBRIDGE: You would put two and two together?

WITNESS C: Yes.

The CHAIR: Unless you are pretty intoxicated.

Mr DAVID SHOEBRIDGE: When you were up there in the offices were they all gathered together in one office or were they spread around?

WITNESS C: It was all mainly—they were not all in the other offices that I could see. They were all in office because [redacted] office has the doors out to the balcony. There were people sitting on the table outside and they were all sitting in her office because her office has got a desk and then there was the other tables inside outside as well as outside.

Mr DAVID SHOEBRIDGE: She has got the director's office.

WITNESS C: Yes, she has the big director's office. It is a very fancy office.

Mr DAVID SHOEBRIDGE: When there were people there, did you witness anything else with them?

WITNESS C: Mainly just them and there was alcohol that I had seen them bring up. There were bottles of Grey Goose and there were bottles of champagne. Moet or whatever it was. There were bottles on the tables; I could see that they were there.

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The CHAIR: By that stage the Minister had gone and everyone was gone.

WITNESS C: Yes, the Minister was gone.

The Hon. SHAOQUETT MOSELMANE: He did not come back?

WITNESS C: I did not see him. To be honest, I did not see him there. I know Julie Bishop had already left. The reason I know that is that her security guard was busting to go to the toilet. He went to the toilet and then she left and he was like, "Oh, crap!" He had to try to find out where she went. He had been busting all night. That is one of the reasons I remember when she left.

Mr DAVID SHOEBRIDGE: It sticks in your mind.

WITNESS C: It sticks in your head.

The Hon. TREVOR KHAN: The sheer look of terror on his face.

WITNESS C: Yes, he was real impressed.

The Hon. SHAOQUETT MOSELMANE: When did the last person leave?

WITNESS C: They left around three. I did not come back the next morning, but from what said to me, they had to go up to the office around 7.30 in the morning and say, "Maybe it's time you guys went home. It probably doesn't look good for the staff to see you guys walking out the way you look."

The Hon. WALT SECORD: They were still there at seven o'clock in the morning?

WITNESS C: At 7.30 in the morning.

Mr DAVID SHOEBRIDGE: Who was there at 7.30?

WITNESS C: did not tell me who.

Mr DAVID SHOEBRIDGE: But it was in the director's office?

WITNESS C: In the director's office. told me that she had to say, "Vacate before the other staff turn up", because many of the staff, especially from the museum, would start about eight o'clock or 8.30. She needed to get them out beforehand. These guys had Cabcharges and they could have gone at any time, but they did not.

Mr DAVID SHOEBRIDGE: Do you know if there was some form of investigation into this? Do you know if there were closed-circuit television records?

WITNESS C: I do not know if kept any records of that night. I think she should have. As the manager, she is the only one who has the ability to do that. I do not know if or anyone else above her turned around and told her either to keep it or to delete it. That is me speculating. is the one with control over all the CCTV. She had it set up; she was the only one who could keep it longer than the usual 21 days, or whatever it was. We all worked under at that time; Facilities was under and I went to him as my manager. That is why I spoke to him about it and that is why it went to him.

Mr DAVID SHOEBRIDGE: Did you see him leave at some point of the evening?

WITNESS C: I know that when they were dancing, he was already gone. has been very friendly to me as a staff member. He always says, "Hi, how are you? What are you working on?" Not to pry, but to be friendly; we would have chats about staff and everything else. Sometimes my direct manager would not agree to do something. I would say, "I think we should do this" and would hear what I said. He would say, "Why don't we do it? It doesn't cost that much money. If it is going to save money on maintenance, why wouldn't you do what the is suggesting?" There were times when he told our direct manager that he was wrong and he should do what we were suggesting.

The CHAIR: I have a question on a matter that is unrelated to what you have been talking about. What is your impression of the general condition of the building, as far as are concerned? Are you qualified to talk to that?

WITNESS C: It is not too bad. There are things that were wrong with that and there was a lot of lax maintenance. I will give you a bit of history to this. My dad was the construction manager when they built the museum back in the 1980s. I remember going there as a kid, and from what my dad said to me, they spent a lot of money trying to put in the best at the time. A lot of that stuff is still there because they have never upgraded it or anything else. It costs too much to do an upgrade of some of that stuff because they spent the money originally.

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They have kept trying to continue on with what it is. Sometimes when things have failed, they try to replace it. They have tried upgrading stuff.

The CHAIR: Do you mean the 1990s rather than the 1980s?

WITNESS C: It opened in 1988, so the late 1980s.

The CHAIR: I was thinking about it in terms of upgrades.

WITNESS C: There were some upgrades that they did, but I was not there when they did the last upgrade. I have seen stuff where they have just cut through things and left it. I thought that was ridiculous. A contractor would come in and cut a hole and cut through wires. We would have to go through and test it when they were still hooked in. They would turn breakers off, but there would still be bare wires at the other end. I think the building is worth saving and I think it should stay where it is. The management does not look at everything when they do it. They are like, "What is the next project we can do?" They do not look at overall how much money they should spend on what and whether it is worth it for the long-term life of the building.

Mr DAVID SHOEBRIDGE: When was that conversation?

WITNESS C: That was when I got there.

Mr DAVID SHOEBRIDGE: Which year?

WITNESS C: It would have been 2016. They said, "No, we're not going to spend money on that." The manager that I had, was always looking for ways to save money—trim money here, trim money there.

Mr DAVID SHOEBRIDGE: The custodian idea behind the institution was not apparent?

WITNESS C: No. I suggested a whole lot of things and the senior electrician would say, "We've already asked for that. We can't do this, we can't do that." It was not the best way of running the place. When I worked for Westfield just before Centrepoint got rebuilt, we were slapping the place together to keep it going knowing that the whole thing would be stripped out and redone. Westfield made sure that the front of house was spick and span and looked beautiful. I had a hell of a job at the time trying to keep it lit before they did the refit. I left just after they started that. The attitude of keeping the place looking good is one of the things you should be doing, and not having the place look like you are saving money by not replacing things and letting it look half-arsed.

The CHAIR: Thank you very much for coming,

(The witness withdrew.)

(End of in-camera evidence)