

REPORT ON PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 4 – LEGAL AFFAIRS

BUDGET ESTIMATES 2017-2018
UNCORRECTED PROOF

**At Macquarie Room, Parliament House, Sydney,
on Thursday, 9 November 2017**

The Committee met at 3.00 p.m.

PRESENT

The Hon. Robert Borsak (Chair)

The Hon. Lou Amato

The Hon. David Clarke

The Hon. Catherine Cusack

The Hon. Courtney Houssos

The Hon. Adam Searle

Mr David Shoebridge

MICHAEL FULLER, Commissioner, NSW Police Force, on former oath

SHANE FITZSIMMONS, Commissioner, NSW Rural Fire Service, on former oath

The CHAIR: We are here for the inquiry into Budget Estimates 2017-18. Before we commence I would like to acknowledge the Gadigal people, who are the traditional custodians of this land. I would also like to pay respect to elders, past and present, of the Eora nation, and extend that respect to other Aboriginals present. I welcome you both to this supplementary hearing.

Today the Committee will examine the proposed expenditure for the portfolios of Police and Emergency Services. Today's hearing is open to the public and is being broadcast live via the parliamentary website. In accordance with broadcasting guidelines, while members of the media may film or record Committee members and witnesses, people in the public gallery should not be the primary focus of any filming or photography. I would also remind media representatives that they must take responsibility for what they publish about the Committee's proceedings. The guidelines for the broadcast of proceedings are available from the secretariat.

There may be some questions that a witness could answer if only they had more time, or with certain documents to hand. In these circumstances, witnesses are advised that they can take a question on notice and provide an answer within 21 days. Any messages from advisers or members of staff seated in the public gallery should be delivered through the Committee secretariat. I remind witnesses that they are free to pass notes and refer directly to their advisers seated at the table behind them.

Transcripts of this hearing will be available on the web from tomorrow morning. Finally, could everyone please turn their mobile phones to silent for the duration of the hearing. All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Mr Fuller and Mr Fitzsimmons, you do not need to be sworn as you were sworn at an earlier budget estimates hearing.

I declare the proposed expenditure for the portfolios of Police and Emergency Services open for examination. Questioning of the portfolios of Police and Emergency Service will run from 3.00 p.m. to 5.00 p.m. We will begin with questions from the Opposition.

The Hon. ADAM SEARLE: On 24 October this year, New South Wales police officers assisted with the execution of a search warrant on the offices of the Australian Workers Union for the Registered Organisations Commission. Can you tell us how the New South Wales police officers came to be involved on that day?

Mr FULLER: I will get these acronyms right. It was my understanding that there was a request from the Registered Organisations Commission to the Registered Organisations task force to assist them in a search warrant. That meant that the Registered Organisations Commission had the lead in the job. There was a request that a New South Wales police officer be seconded to the task force to provide assistance with that search warrant—a particular detective sergeant—and they agreed to assist. It was my understanding that two New South Wales police detectives assisted with the search warrant, and there were, I believe, two to three uniformed officers to provide some security at the search warrant. At no time did we have a lead in applying for the search warrant, or providing information for the search warrant. It was merely a mutual arrangement between law enforcement agencies to provide assistance during certain operations.

The Hon. ADAM SEARLE: Can you tell us when those officers were seconded? Had they been seconded for some time or was it just on that day?

Mr FULLER: The officers from the task force had been seconded for some time. It is my understanding that it was a flow-on from the royal commission, and they will continue their secondment, it is my understanding, until 2020. That is, following up on all outcomes from the royal commission.

The Hon. ADAM SEARLE: So in relation to the events on 24 October, apart from the two officers you said were seconded in an ongoing way to the ROC task force, was there a request for any other officers? I think you said there were three other officers.

Mr FULLER: Local area command staff provided more of the security of the perimeter. They would not have had any involvement in the actual search warrant.

The Hon. ADAM SEARLE: Who made the request for them?

Mr FULLER: My understanding is that the Registered Organisations Commission made the request to the Australian Federal Police. That then filtered through to the New South Wales police officers at the Registered Organisations task force. Just to be clear, we have four New South Wales police officers seconded to that task force.

The Hon. ADAM SEARLE: But on the day there were additional officers sought through the local area command [LAC]?

Mr FULLER: That is correct. Yes.

The Hon. ADAM SEARLE: Which local area command was that?

Mr FULLER: I believe it was Sydney City Local Area Command, but I can take that on notice if it is important.

The Hon. ADAM SEARLE: Sure. Again, these are not trick questions. If you do not know something I am happy for you to take it on notice. Are you able to tell us who made the request for the additional officers from the LAC to become involved? Was it those officers already seconded to the task force, or was it—

Mr FULLER: I would have to take that on notice.

The Hon. ADAM SEARLE: I would like to know at what level the request was made, by whom, to whom and when.

Mr FULLER: It was the detective sergeant who agreed to assist the commission staff with the search warrant, but I am unsure what level made the decision to reach out for local staff to assist. But I can certainly find that out easily.

The Hon. ADAM SEARLE: Just so we are clear, I would like to know when the request was made for the additional officers, who made the request—either the name or the rank—to whom it was made and when the request was made. Flowing from that, were you or your office aware of the execution of the warrant before it occurred or before it filtered out into the media?

Mr FULLER: I do not know about my office, but I was not aware. And in fact I asked my chief of staff to contact the Federal Police at the time as an inquiry to see whether there were others, knowing that there would be reasonable media interest.

The Hon. ADAM SEARLE: As well as who, when and all of that, I would like to know if there was a stated reason for the additional assistance being sought.

Mr FULLER: Is that in terms of both the officers on the task force and the uniformed police—

The Hon. ADAM SEARLE: No, I think we can assume why the officers were seconded to the task force. It is more the additional officers. I would also like to understand how many New South Wales police officers altogether were involved with the execution of the warrant and the perimeter—how many bodies were on the ground on the day.

Mr FULLER: Details easily obtained.

The Hon. ADAM SEARLE: Thank you. I think you mentioned the involvement of the officers on the task force was pursuant to a mutual arrangement between the two forces—the Australian Federal Police [AFP] and the New South Wales force.

Mr FULLER: There are a number of mutual arrangements that are documented in terms of assisting agencies.

The Hon. ADAM SEARLE: Again, not a trick question, but I would like to understand the basis upon which the officers seconded to the task force were so seconded, if it is a published document. If it is a confidential document, maybe the Committee could be permitted to see the terms of it, but I will leave that to your discretion.

Mr FULLER: It is history before my time, but certainly it is history that will have been documented.

The Hon. ADAM SEARLE: Thank you. Also, when was that request made, by whom and for what stated purposes?

Mr FULLER: In terms of when those officers were originally seconded to the task force or the commission.

The Hon. ADAM SEARLE: That is right. You mentioned earlier that the New South Wales police did not have a lead role or did not obtain any of the information upon which the warrant was based. Would it be fair to say, then, that the New South Wales police had no involvement in the obtaining of the warrant—you were just there in a support role?

Mr FULLER: The advice I have got is that we had no involvement in obtaining any of the legal documents to execute the search warrant.

The Hon. ADAM SEARLE: And you were not an applicant for that warrant.

Mr FULLER: No.

The Hon. ADAM SEARLE: If that changes, obviously, endeavour to let me know.

Mr FULLER: Yes.

The Hon. ADAM SEARLE: When did your office first become aware about the execution of the warrant? Again, if you do not know offhand, please take that on notice.

Mr FULLER: From my perspective, we picked it up in the media in terms of my office, and then I asked my chief of staff to make contact with the Australian Federal Police to ascertain whether there were any other warrants, knowing that it was going to cause some interest. I felt as though it would be important that I was informed. But I would have loose timings—I just do not have them now. It would have been some time after the warrant was executed and there was media attention in relation to it.

The Hon. ADAM SEARLE: Are you able to tell us whether any of the New South Wales police officers present on the day enter the offices of the Australian Workers' Union?

Mr FULLER: I would only be guessing. I will double-check, but I would assume the detectives on the task force certainly would have. But I can double-check—that would all be well and truly recorded.

The Hon. ADAM SEARLE: Rather than guess, I invite you to find out just so we are clear. If you can also inform us whether they entered the offices of the union and what role they played in the execution or the support of the execution of the warrant.

Mr FULLER: Again, that will be well documented.

The Hon. ADAM SEARLE: Once you ascertain the number of officers involved, we would like to understand what the cost was to the NSW Police Force of participation in that event on 24 October. Please take that on notice. We have been advised that the presence of the State police on that day had to do with apprehended or expected breaches of the peace. Do you know anything about that?

Mr FULLER: No, I do not.

The Hon. ADAM SEARLE: You have taken those other questions on notice.

Mr FULLER: And a lot of that was about why—what was the request—

The Hon. ADAM SEARLE: And by whom and at what level. Thank you.

The Hon. LYNDA VOLTZ: On 3 October this year the deputy commissioner stated that no decisions had been finalised with regard to the amalgamation of the local area commands in New South Wales. When will those decisions be finalised and will the public be made aware of the decisions?

Mr FULLER: If I could just clarify that the State has a deputy commissioner now for regional New South Wales and a deputy commissioner for metropolitan New South Wales. With regional New South Wales we are aiming to make an announcement sometime next week. I have said from the beginning that the re-engineering for regional New South Wales is much more complex. It will be a model different to metropolitan Sydney and it has taken a little bit more time, but I want to get it right.

The Hon. LYNDA VOLTZ: Do we know if there are any plans to amalgamate the Dubbo and Mudgee local area commands?

Mr FULLER: In the metropolitan area the terms "amalgamation" or "consolidation" are correct, but the country is a total realignment of boundaries. You might get a sense of amalgamations in it, but we are really moving away from a local area command model and moving to an entirely different model. It is not as simple as the metropolitan area, which is consolidation of commands, renaming them police area commands, somewhat

flattening the management structure and realigning staff. It is a total change in boundaries and it will be a total name change in terms of the way we deliver services in regional New South Wales.

The Hon. LYNDA VOLTZ: It is more likely to see a redistribution of boundaries.

Mr FULLER: Exactly.

The Hon. LYNDA VOLTZ: You may find current local area commands cut in half and—

Mr FULLER: Absolutely.

The Hon. LYNDA VOLTZ: Would you agree that Cootamundra and Wagga Wagga Local Area Commands are presently operating with an under-strength complement of front-line police officers?

Mr FULLER: I would have to double check but certainly at times there will be commands in the State that will be under authorised strength, that is correct.

The Hon. LYNDA VOLTZ: Can you take that on notice in regards to Cootamundra and Wagga Wagga?

Mr FULLER: Yes, absolutely.

The Hon. LYNDA VOLTZ: As part of that process, they will be captured within the regional boundary realignments?

Mr FULLER: That is correct.

The Hon. LYNDA VOLTZ: Not necessarily combined but we may see Cootamundra and Wagga Wagga local area commands broken up. We may see every local area command in the regional—

Mr FULLER: But the boundary changes will be significant for regional New South Wales.

The Hon. LYNDA VOLTZ: Are they reflective of any kind of Government policy at the moment in regards to regional boundaries?

Mr FULLER: If I can use the metropolitan one as a starting point, the commands that will be consolidated in metropolitan Sydney were really around growth areas such as Liverpool City and Fairfield City, so there was a real philosophy around saying: How do we future-proof policing in metropolitan Sydney? And that is to identify your growth areas, your key hubs, to make sure you strengthen those.

In terms of country, it has certainly been my feeling since I have been the Commissioner about trying to redistribute the same type of resources to the bush that we have in the city and I have delivered that in regional enforcement squads and domestic violence high-risk attendance squads. So we are looking at country areas that people associate as a boundary. I guess, if you think about the Easter Show and when you walk into the produce area, there are distinct boundaries that may be not on a map but that country people understand those areas. So we have really been working with locals to try to establish new boundaries that really reflect country New South Wales. So there is a connection between the police and the community going forward.

The Hon. LYNDA VOLTZ: Will the projected operational strengths for those areas, such as Wagga Wagga and Cootamundra, be announced next week, or are you not able to give us projected operational strength at the moment?

Mr FULLER: Certainly, in terms of what is in the new broader areas, I want to see more police, I do not want to see less. I want to see more specialist police and resources like we see in metropolitan Sydney. This week I will be sending another position to Wagga Wagga, a domestic violence officer position, because I believe they need another position. And I think it is important that, when we are talking about numbers we are talking about capability as well, because I think that is so important in going forward. Just basic numbers in the past have really held us back in terms of future-proofing the organisation. So I think capability is important when we talk about what do areas need going forward: is it rural crime solutions, is it domestic and family violence? Different areas will have different needs, based on the geography.

The Hon. LYNDA VOLTZ: For the projected operational strengths in the metropolitan area, so, for example, if I asked for Fairfield City police area command, would you be able to give projected operational strengths for those commands?

Mr FULLER: In the coming weeks we will. So, in terms of metropolitan Sydney, the first part was to redefine the boundaries, which we have done. The next part is to select the new commanders for those and that has been done. Peter Lennon is the new Police Area Commander for Fairfield City and is a very well respected

commander there in terms of the work he does with the community particularly. He will select his new management team, then that team will build Fairfield City in terms of what they need. Do they need a big crime team? Do they need a big detectives office? I do not want to be the person determining what each local area command needs. I need to support the commanders on the ground who talk to the community and who talk to local government in terms of what resources they need, to have the capability to protect the people of Fairfield City local police area command.

The Hon. LYNDA VOLTZ: I am assuming this is for Fairfield, Cumberland, Liverpool, Burwood, Sutherland, Nepean, Inner West and Campbelltown?

Mr FULLER: Correct.

The Hon. LYNDA VOLTZ: You expect to have the commanders in place when, exactly?

Mr FULLER: All the commanders have been selected. I apologise that I do not have the list but if you are interested, I can provide that to you.

The Hon. LYNDA VOLTZ: Take that on notice.

Mr FULLER: Yes. And they are in the process now of selecting their management teams. That will happen in the next week or two and then really we can start to drill down to numbers. And I really want this to be done by Christmas, in terms of people having a clear picture on numbers in metropolitan Sydney.

The Hon. LYNDA VOLTZ: Could you take those police area commands on notice, in terms of their operational strength, because you will be given a time period to provide them to the Committee as a question on notice.

Mr FULLER: There are still some minor issues in how many commissioned officers will be in each of those areas. I have given an undertaking to the union that I will continue to negotiate on that. But every superintendent is two constables, and every inspector is a constable in exchange and there are other efficiencies to come out of it. But it is certainly information that I want to get out as soon as possible because there are many, many positives in that, in terms of bigger domestic violence teams. The detectives office in Fairfield City will be 50 strong. That is a crime squad in itself. There is nothing in the statistics that I am frightened of getting out there. It is just a matter of, if I have a process in place I am trying to drive that as quickly as possible but at the same time understanding that I do not want to get it wrong either.

The Hon. LYNDA VOLTZ: So, for example, the Sydenham to Bankstown corridor is expected to have an additional 100,000 residences in that corridor alone. And, as you know, that was the biggest local area command. How are you looking, within that operational strength, to dealing with that growth that we know is coming on line because of the planning decisions of government?

Mr FULLER: From my perspective, I cannot entirely future-proof NSW Police on my own. The reengineering will realise hopefully an additional 120-ish police back in the field, from being commissioned officers back to doers. Then there are other positive efficiencies where you get more police back on the ground. But there will reach a point in time where I will have to go back to government and talk about additional police numbers going forward. But I feel as though the right thing to do is get through reengineering first and get a clear picture on where I have vacancies and where I think there is growth, whether that be northern New South Wales or the corridor you are talking about. But I really want that clear picture by March next year. In fact, I am pushing to have that clear picture by March next year.

The Hon. LYNDA VOLTZ: Because we know that 100,000 is by 2020, so that is three years away.

Mr FULLER: I accept that and it takes 12 months to recruit people and there is a whole process in that. But I am really pushing, again with some care, to have the reengineering nailed down by March next year. Everything will not be finished, but really to have it nailed down by March next year.

The Hon. LYNDA VOLTZ: And what about issues such as the Junee Correctional Centre which is undergoing expansion and is going to receive an additional 450 inmates? Will that be taken into consideration when you do the regional restructure of the Wagga Wagga and Cootamundra areas?

Mr FULLER: I have not been to that jail but I was at Wellington only a few weeks back, there is a new jail going at Wellington. I met with the local police out there. The challenge for me is keeping some capacity through reengineering. I have maybe 20 or 50 positions, essentially, up my sleeve that I can move quickly if a need arises. One of the important factors for me in reengineering is keeping a small capacity up my

sleeve, so that if Junee becomes a problem I can roll more staff in there really quickly. At the moment we have a very rigid structure that makes that very, very hard to do.

The Hon. LYNDA VOLTZ: So have you or anyone at the NSW Police Force received a directory from the Treasury to find cost efficiencies and savings in the NSW police?

Mr FULLER: No. In fact the Expenditure Review Committee [ERC] submission that I made to Treasury about reengineering identified some savings through reengineering but certainly not anything in terms of the efficiency savings that Treasury were looking for. I will be honest that, whilst I have a responsibility to manage the budget appropriately, it is not my intention to save money over really future-proofing the organisation. I have a wonderful opportunity and in that, there has been an acknowledgement by Treasury that we need to look closely at the police budget in terms of coming up with a better method of funding NSW police. Whether that means more of the same or less, I guess that remains to be seen. But I hold some hope in the sense of a mature conversation around what is the appropriate funding for the police force going forward, once reengineering is finished.

Mr DAVID SHOEBRIDGE: I thank you, Commissioners, for turning up today. Commissioner Fuller, can you tell the Committee what the Suspect Target Management Plan is?

Mr FULLER: It is an evolution over some years, Mr Shoebridge. It started off as a high-risk offender-type acronym. It is based on a predictive style method of policing where, if you think about it our systems can allow us to show when a certain time and certain location is at high risk of there being a crime, and it may be car theft or it may be burglary. We started some years ago putting police in areas of these hotspots in these hot times trying to get in front of the criminals, if you like, and stop the crime from happening. For many years we focused on responding to crime but over the last particularly 10 years we have moved to disruption and prevention through predictive styles of policing. I think we are up to version three of the STMP. It is the same principle, but in relation to an individual, which means that we have a risk assessment template that helps us identify those potential recidivist offenders and it puts in place some strategies in terms of trying to disrupt their activity to minimise opportunities for them to commit crimes.

Mr DAVID SHOEBRIDGE: Is there a formal document, a policy, which sets out STMP?

Mr FULLER: That is correct.

Mr DAVID SHOEBRIDGE: Are you in a position to provide that to the Committee?

Mr FULLER: In the past we have had legal advice that has been sought through different processes and we have not provided it, but if I could just take that on notice in terms of whether that is something that we would provide or not?

Mr DAVID SHOEBRIDGE: What is the youngest suspect that is on an STMP?

Mr FULLER: At the moment I have asked for a review of that. There were three identified—of nine and, I think, there were two 10-year-olds.

Mr DAVID SHOEBRIDGE: **There were three nine-year-olds and two 10-year-olds?**

Mr FULLER: No, no. I am sorry. Three collectively.

Mr DAVID SHOEBRIDGE: So one nine-year-old and two 10-year-olds.

Mr FULLER: Yes. I had a high level review of why they were on and was satisfied of that. The average age of an STMP is around 26 years old. Around 25 per cent of STMPs—this is just a broad stats over about a three-year run over the entirety of the stats—are under the age of 18. Very, very few are under the age of 10, so 75 per cent of those are adults as we know them—18 years plus.

Mr DAVID SHOEBRIDGE: If 25 per cent are young people, not adults, how many are we talking about?

Mr FULLER: Over the last two years there have been 1,800 STMPs—just broadly. That could be slightly out.

Mr DAVID SHOEBRIDGE: So we are talking about 450 children.

Mr FULLER: Approximately, yes. That is right.

Mr DAVID SHOEBRIDGE: But there is a nine-year-old. I assume your review means that the nine-year-old is still a suspect.

Mr FULLER: I have to double check. That is not necessarily the case because some people would only last a day and some people stay on there for a number of months.

Mr DAVID SHOEBRIDGE: But a nine-year-old has been put onto a police database and identified as somebody who will be regularly stopped and searched by police. Is that the effect of becoming an STMP?

Mr FULLER: It depends. The plan is indicative. In one of these cases the individual was a recidivist offender in terms of, I think it was, either stealing cars or breaking into houses.

Mr DAVID SHOEBRIDGE: A nine-year-old?

Mr FULLER: Yes. I guess from my perspective the other side to it is that we try to stop them before they commit a serious crime, which means that if they are in breach of bail or other conditions that have been put in place—

Mr DAVID SHOEBRIDGE: Which it cannot be for a nine-year-old.

Mr FULLER: I am sorry?

Mr DAVID SHOEBRIDGE: That cannot be for a nine-year-old. There is no criminal responsibility for a nine-year-old.

Mr FULLER: I accept that, but the two 10-year-olds.

Mr DAVID SHOEBRIDGE: Are you saying that they were in breach of bail; that there had been a determination of criminal responsibility for those 10-year-olds?

Mr FULLER: Well, no. In terms of the briefing, I am happy to provide you with a high-level briefing of those three but it was around recidivist-type behaviour, which is for us an indicator that we need to act, and STMP is only one strategy that we use.

Mr DAVID SHOEBRIDGE: Do you have any expert evidence at all that having a nine- or 10-year-old identified by police as a suspect and being regularly stopped and searched—do you have any peer-reviewed evidence at all—that that reduces offending?

Mr FULLER: Proactivity reduces offending and that is a broad statement. Am I happy that a nine-year-old and two 10-year-olds are on STMP? Personally, no I am not. Do I think there is a better journey for them to run the programs? Absolutely, yes I do.

Mr DAVID SHOEBRIDGE: Just going back to the question, obviously there is a vast amount of resources being devoted to this if you have 1,800 people on STMPs.

Mr FULLER: Over two years, I would say that is not necessarily the case. When we arrest or charge around 120,000 people a year and you are talking about 1,800, I would not say it is significant. I think it is an important proactive strategy but certainly not our only one.

Mr DAVID SHOEBRIDGE: It is a significant use of resources to be monitoring 1,800 people over two years. That is a significant amount of police resources.

Mr FULLER: I disagree. Monitoring is not 24/7. We do not have people's phones off. Again, it is about predictive methods of policing; that is, if someone is on bail and they are not allowed to be out after 7.00 p.m. and we see them, then we will stop them and take appropriate action.

Mr DAVID SHOEBRIDGE: What about Dean, who was 15 years of age? He had had minor not extensive offences and his offending related largely to graffiti. Dean was stopped and searched 23 times in 10 months with 10 searches occurring in the first three months. That is a significant amount of resources, is it not?

Mr FULLER: True, but I guess if your house had not been graffitied as a by-product of that, is it a good result? I guess from Dean's perspective, did we divert him from a life of crime through that plus other activities? I guess that is the key for me.

Mr DAVID SHOEBRIDGE: Is there any evidence that STMP does avert people from a life of crime? Have you got actual evidence? Do you have peer-reviewed evidence by anybody as to STMP?

Mr FULLER: The Ombudsman reviewed it back in 2005.

Mr DAVID SHOEBRIDGE: And had a series of criticisms of it.

Mr FULLER: Yes, in relation to some of the journeys where the juvenile was already engaged with Juvenile Justice, and I agree with that. I think that if we can find a different pathway for kids in the Police and Citizens Youth Club [PCYC] and other areas, I think it is a much better pathway than STMP.

Mr DAVID SHOEBRIDGE: What proportion of citizens who are the subject of an STMP is Aboriginal?

Mr FULLER: That proportion is over 50 per cent.

Mr DAVID SHOEBRIDGE: What proportion of our population is Aboriginal?

Mr FULLER: I would be guessing but it would be a small percentage—1 per cent or 2 per cent I would imagine.

Mr DAVID SHOEBRIDGE: It is 2½ per cent.

Mr FULLER: Yes.

Mr DAVID SHOEBRIDGE: How is it that STMP identifies more than 50 per cent of people as suspects being Aboriginal when the population across the board in New South Wales of Aboriginal people is 2½ per cent? How is it 20 times more likely for an Aboriginal person to be targeted under the STMP with your Police Force?

Mr FULLER: I would say to you that I have read the policy and I have used it as a practitioner. The policy does not discriminate. It is about those who continue to break the law or continue not to comply with court orders, or are recidivist-type offenders. If you look at the Wollongong Local Area Command, it has the highest number of STMPs in the State, but certainly more than 50 per cent down there are not Aboriginal or Torres Strait Islanders. Certainly the further west you go in Sydney the numbers are much, much higher.

Mr DAVID SHOEBRIDGE: Is more than 50 per cent of the crime in New South Wales committed by Aboriginal people?

Mr FULLER: No, certainly not.

Mr DAVID SHOEBRIDGE: So, Commissioner, how on earth are more than 50 per cent of the people who are identified as suspects by the police and subject to this kind of overt policing Aboriginal? What is going wrong?

Mr FULLER: From my perspective in terms of the broader Aboriginal incarceration, it is that justice and the police have identified right across Australia that there is an overrepresentation of Aboriginals in our justice system.

Mr DAVID SHOEBRIDGE: But if your Police Force is actively targeting in a disproportionate way Aboriginal people using the Suspect Target Management Plan, you are part of the problem because, if you are over policing them at this point, it is far more likely that Aboriginal people will then be charged, then go to court, and then go to jail. This entire program, the Suspect Target Management Plan, is part of the problem, is it not?

Mr FULLER: I would say that it is part of the problem but it is part of the solution as well. If you take Bourke as an example of where they use STMP—particularly with domestic violence they use STMP—but they include Aboriginal elders or leaders in the community, it is one of the, I think, most successful strategies we have used.

Mr DAVID SHOEBRIDGE: Apart from Bourke, where you have a completely different approach because of the justice reinvestment project, which I commend, is there any other part of the State where Aboriginal people are coming to you and saying, "The Suspect Target Management Plan is part of the solution"?

Mr FULLER: I would imagine proactive strategies are not enjoyed by many people in certain communities and that is more broadly than STMP. But person searches and move-on are part of a range of strategies that we use. I am certainly adamant—and we are doing research now to back this in in terms of 2002 and 2003 when we really changed and put a focus on STMP and other proactive indicators—it was the starting point for the greatest crime reductions we have seen in modern history in New South Wales.

Mr DAVID SHOEBRIDGE: Commissioner, you say over 50 per cent of the people who are on the STMP are Aboriginal, what is the actual proportion?

Mr FULLER: As in numbers?

Mr DAVID SHOEBRIDGE: Yes.

Mr FULLER: Could you give me a moment?

Mr DAVID SHOEBRIDGE: Absolutely.

Mr FULLER: There are 1,017 identified as Aboriginal Torres Strait Islander [ATSI] and 804 non-ATSI.

Mr DAVID SHOEBRIDGE: That is more than 60 per cent?

Mr FULLER: I do not have the percentage. I have not hidden from the statistics, I said it was more than 50 per cent.

Mr DAVID SHOEBRIDGE: Commissioner, I would have expected as the person in charge of an organisation that is so disproportionately targeting Aboriginal people through this program that you would acknowledge the problem and take steps to reduce the number of Aboriginal people targeted under STMP. That was my expectation when I started this line of questioning.

Mr FULLER: I am taking steps to minimise Aboriginal people coming into police custody more broadly. I believe in STMP and I believe in proactivity, but I am not proud of the incarceration rates of Aboriginal people in New South Wales and I am taking steps to improve that and working with senior police who support our concerns in relation to incarceration of Aboriginal people.

Mr DAVID SHOEBRIDGE: Unless you stop the biased targeting of Aboriginal people through STMP you are not going to reduce the number of Aboriginal people going to jail. STMP is part of the problem.

Mr FULLER: Can I explain why I think we can? One of the examples to me, we are trialling this, when bail conditions are put on young Aboriginal men it is normally to reside at a particular premises. Some of them live in very difficult situations. They are not living at home and they may be living with an uncle or auntie and that could dry up at any given time. So we are looking at giving Aboriginal juveniles more than one address they can reside at for bail conditions, both police and court. They might have two or three options because their lives are perhaps more complex than you or I. That means that STMP is not applicable because they have two or three residences to reside at, which makes it more flexible in terms of that and other conditions. We are trying to look at areas where types of police activity is resulting in more Aboriginals being arrested and looking at cause and effect and saying if we give them two or three addresses for bail, not just one, it gives them a better chance to not come under police notice in the first place.

Mr DAVID SHOEBRIDGE: That might get them off being on a suspect target management plan, but that does not explain why more than 55 per cent of the people who are subject to a suspect target management plan are Aboriginal. If you are doing that then you have an entrenched problem, haven't you, because you still have 55 per cent of the people are Aboriginal?

Mr FULLER: It is about how to stop them being identified as recidivist bail offenders as a single point and that is ask the question about why they continue to breach. If their environment is different we need to come up with inventive ways of understanding the cultural needs they have. I am open to that. When Geoff McKechnie from Western Region came to me and said, "Let us trial this", I said, "I absolutely agree with it. Do not give them two addresses give them three."

Mr DAVID SHOEBRIDGE: Is that being rolled out across New South Wales or is it just part of the Bourke project?

Mr FULLER: I will give you the locations where we are trialling it. I do not have the locations on me, but I am happy to provide that to you.

Mr DAVID SHOEBRIDGE: If you are aware it is a good solution why is it not being applied now across New South Wales?

Mr FULLER: Because it has only been the last few months that I am pushing it through. I am a believer in what you are saying. I am a believer in better diversionary rates than sending people to jail and I have spoken broadly about that, particularly in terms of juveniles. I am happy to talk about the youth command I have set up, Police Citizens Youth Clubs [PCYC] relationships, and the review we are doing of all the programs. I would much rather young people go to PCYC on a program than I would have them in the back of a police car, I promise you that.

Mr DAVID SHOEBRIDGE: The report from the Youth Justice Coalition makes it clear that once an individual is on the suspect target management plan just being on the list is being used by police as reasonable suspicion for stop and search. You would accept that is not a reasonable basis for stop and search, just being on the list?

Mr FULLER: In terms of the report, it was far from a proper research paper. Most of the people they interviewed did not know whether they were on STMP or not. I took time to meet with the authors of the report. They had very little interest in what I had to say. I am not dodging the discussion around STMP, I like the discussion, but the report itself is far from an academically provided report. Most of the individuals did not know if they were STMP or not, they just assumed it.

Mr DAVID SHOEBRIDGE: Part of the problem is no-one is told if they are on the list or not. That is a problem, is it not? Dean was trying to work out why he was stopped 23 times in 10 months, he was probably thinking "The police are picking on me, what the bloody hell is going on"?, but they did not tell him.

Mr FULLER: The challenge for me, is I said tell me some names and let me look at it and justify it. I understand they did not want to provide the information and I accept that. I am not hiding from the fact that we may be making mistakes but it is very hard when people will not give you the evidence.

Mr DAVID SHOEBRIDGE: Part of the problem is people are being typecast. The police records in relation to Dean, not Dean's made-up version, had a range of justifications for reasons for stop and search, and that included that persons of interest wore Nautica clothing which is known to commit criminal damage offences. Young people who get on the last carriage of a train and wear Nautica are known to commit criminal damage. Are young people being stopped because of what they are wearing?

Mr FULLER: I would hope not.

Mr DAVID SHOEBRIDGE: The police records indicate otherwise.

Mr FULLER: Again, it is hard for me to review this. I am happy to take it as a complaint, I am happy to review it, but it is hard when you do not have the details in terms of who Dean is. I cannot come back with context as to Dean's journey over the last two or three years that may justify it.

Mr DAVID SHOEBRIDGE: Have you made inquiries of your police and issued a directive saying it is inappropriate to stop young people on the basis of what they are wearing?

Mr FULLER: We do an enormous amount of training on stop, search and detain and on powers. I am not suggesting for one moment that we do not get some wrong, but it is something that we drive to police. Stop, search and detain are powers that we use more regularly than more complex powers.

Mr DAVID SHOEBRIDGE: Have you done any study about whether or not being on the STMP list is more likely to find someone being triggered with other offences such as the consorting laws? The report suggests that it is a gateway to being charged with a breach under the consorting laws. Have you done any studies to see whether or not it is a transition into jail through consorting?

Mr FULLER: No, I have not.

Mr DAVID SHOEBRIDGE: Do you think that would be useful if this program has been in place for the better part of 15 years?

Mr FULLER: We have reviewed the program. We have made changes after the Ombudsman review and I am happy to continue to review it. But, proactivity more broadly has had the most significant impact on reducing crime in this State. I know you are talking about STMP, but STMP forms part of proactive measures.

Mr DAVID SHOEBRIDGE: We come back to the beginning. That is what you think but is there any evidence you have? Have you ever asked for an academic peer review that STMP actually works?

Mr FULLER: There have been academic reviews in North America around proactive policing strategies. They are not called STMP. I understand the Bureau of Crime Statistics and Research are currently looking at police productivity broadly in terms of the impact that may or may not have on crime. I have tracked back for the last 20 years in terms of significant changes in policing, and the most significant change in policing was in the early 2000s when proactivity became a known strategy and that is when crime in New South Wales finally started to come down.

Mr DAVID SHOEBRIDGE: There is one community paying an enormously high price for this proactivity and it is the Aboriginal community in New South Wales.

Mr FULLER: If I could find other ways to divert them from it I promise you I will look at it. Things like double addresses for bail to give people a better chance I am happy to look at.

Mr DAVID SHOEBRIDGE: Finally, are you willing to work with the Aboriginal community to reduce the number of Aboriginal people that are subject to STMPs?

Mr FULLER: Yes. I want Bourke to be the shining light in terms of what we can achieve across the State.

The Hon. LYNDA VOLTZ: We were talking about police numbers and you said you were possibly going to have 120 in savings because of the reengineering. What do you think of the Police Association's view that by the end of 2018 you need 500 to deal with population growth?

Mr FULLER: Their view, I thought, I apologise, was they wanted 2,500 additional police. I did not see how they broke that up. From my perspective when re-engineering is over I do believe we will need additional police resources. I just think I need to put some science behind it in terms of how many. I think the other conversation I really want to continue to drive is capability. In the past we have just asked a government—sometimes it was just given broad numbers and we put them on the truck and we just roll in this cycle of responding to crime, locking up people and putting them in jail. I think there needs to be a mature conversation saying "Yes, there are growth areas in New South Wales where we need more staff but what is the capability we really need?"

Is it rural crime in the country, then we need to build rural crime, not just put two blues out there. Is it the child protection register and the growing number of people on that, particularly in northern New South Wales? We need trained police to deal with that. Cybercrime and a whole range of things that we need to talk about. What is the capability we need to continue to keep crime down? The second part is what are the growth areas in New South Wales that we do need to just put police in general duties and ensure that there is a reasonable response to calls for service. I am not saying no to 500; I am not saying no to 2,500, I just really need to put some science behind it around capability and growth, once I have redistributed some staff and put some police back into front-line services.

The Hon. LYNDA VOLTZ: Does that include the restrictions on ability to move around a city such as Sydney? Is that included in your thinking behind the science?

Mr FULLER: Do you mean in terms of, say, the traffic issues in Sydney?

The Hon. LYNDA VOLTZ: Yes. You see that now with the Ambulance Service. I am sure Shayne will tell us later about the fire service as well.

Mr FULLER: I hope he does at some stage, yes.

The Hon. LYNDA VOLTZ: Do not worry, we will get to him.

Mr FULLER: We certainly closely look at response times and there is a pretty robust system around calls for service. I think this idea that you need a police station on every corner is a flawed one as well. I know through re-engineering we are not closing any police stations. In metropolitan Sydney, having a police station on every corner just draws a lot of police off the street. Country is very different again, and will be a different model. I think country people in country towns want their local police officer, and I respect that it needs to be a different model, but they also need service hubs of delivery for things like forensics and other specialist type activities. The regional enforcement squads is one that I continue to drive across New South Wales. Through re-engineering I am finding vacant positions and setting to areas of need because there is a capability gap there, not necessarily police numbers.

The Hon. LYNDA VOLTZ: I think the 500 was to 2018 and the 2,500 was a projected figure of the Police Association.

Mr FULLER: The great challenge for me with any announcement in the short term is that there is a 12 months lag between you and I agreeing for another 10 police and I have to recruit 10 additional police. That is why March is so important for me. Before March next year I really need to nail down re-engineering, and have a clear picture on numbers for the LACs, the police area commands and then the regional model to then go back to government. I guess that will start. We will have recruiting then around April and it gives me the ability then to pump up those classes. There are three classes next year that will all be around the 250 mark at this stage, which is some of the biggest classes we have seen in recent years, and that is because I want to backfill the vacant positions. I want to put us in a strong position that our LACs are filled and we are in a better position

going forward. So if there is an increase in numbers I am not chasing the tail with big classes, like 650 or 700, which become very difficult to manage.

The Hon. LYNDA VOLTZ: What is your retention rate, for example, how many do you project to lose in the next year?

Mr FULLER: Our retention rates are actually almost too good on standards at the moment.

The Hon. LYNDA VOLTZ: Not working them hard enough?

Mr FULLER: I would like to think a lot of it is about the workforce has come a long way, and I think culturally we are sound. There is only probably around 10 to 15 resign every month, and then there is a percentage that disengage medically. I do not have that number but it is not enormous. I know it is around 2 per cent I think is our attrition and they talk about 4 per cent is a good industry standard to continue to change culture.

The Hon. LYNDA VOLTZ: What is the average length of service these days?

Mr FULLER: I apologise, I will have to take that on notice.

The Hon. COURTNEY HOUSSOS: There are concerns in the Maitland region about lack of resourcing and there are not enough police officers to keep their local police stations open. You mentioned a different culture in the country to that in the city. What can you say to the residents of Maitland that the re-engineering process will give them additional staff to open their police stations?

Mr FULLER: We are not closing police stations; we are not opening police stations either. I am not sure about the specific location. That consolidation notion, and the flattening of the structure, will put more police in front-line services. There is also a workforce optimisation program that we have that talks about redistribution of what are essentially vacant positions. There are long-term vacant positions that we have not needed, and remain vacant. I want to move those around so part of that is with the Police Association who are key stakeholders and local police as well. They are working with the branch officials.

We have a system that identifies—it is a little crude—areas of growth and areas where we can move vacant positions. The first part of that will happen in December this year. I do not have the stats on whether Maitland will or will not be a benefactor of that. There is that starting point of having a flexible workforce that, I guess, we have dreamed of for such a long time. But again it does take me some time to recruit people but the big class in March means I can move vacant positions and start to fill them with the big classes next year. I know people get frustrated with the amount of time it takes sometimes because they do not understand the 12-month lag but next year will be a big year in terms of moving and filling vacant positions.

The Hon. COURTNEY HOUSSOS: I am sure the residents will take comfort in that. I refer to the scourge of ice in our rural and regional communities in particular. Do you have any means, apart from crime statistics, of ascertaining which communities are the hardest hit or worst affected by ice?

Mr FULLER: I think ice being such a cheap commodity is one of the reasons why it certainly seems to be a much bigger problem in regional areas, and areas where it is low socio-economic. The cocaine use would be in more affluent areas of Sydney. Cocaine is much more expensive. Certainly intelligence and the seizures would indicate that ice is out there in New South Wales. The problem with ice is it is such a destructive drug, unlike others. The regional enforcement squad was one of my initiatives and they are being rolled out across regional New South Wales. We have sent one to Wagga Wagga, Tamworth, Dubbo and Coffs Harbour is to come. They will also be given around \$100,000 in covert assets to allow them to do covert investigations. The officers will be trained in surveillance and other types of activities that we see in the city.

The big seizures are in the city because we have the capability in the city to attack that mid-level crime. I need the capability in the country and I will continue to drive the regional enforcement squads with training and resources so hopefully in the coming years to have a network where intelligence is being shared. The problem in rural New South Wales is that the main supplier for Maitland, Dubbo or Tamworth could live in Sydney. They could live in Wagga Wagga which means it is very difficult sometimes for commands to leave their boundaries. But by setting up these regional enforcement squads, with the right capabilities, equipment and training to do it, it means we can track down the people supplying the drugs. I think in the past we have sometimes filled the jails with people who use and/or do low-level supply, and disruption is important, but we need to invest time in the high-level dealers and those who are transporting drugs across the State. Ice is a problem for us but drug use is a problem for not only New South Wales but Australian society.

The Hon. COURTNEY HOUSSOS: In addition to those regional enforcement squads do you have other means within the police? Do you have additional police officers at a lower level who are specifically tasked with ice, or is mainly those regional enforcement squads?

Mr FULLER: Enforcement squads are important because they are picking up, again, the mid-level criminals—the ones who are distributing the drugs, the ones who are transporting them, sometimes from South Australia through Victoria into regional New South Wales. For mine, they are key in this. The local area police will have interactions with drug use, I suppose, whether they are users, dealers or otherwise, and sometimes that is a by-product of the violent behaviour that we see from ice addicts and the mental health issues that come from the use of ice. But for mine, the regional enforcement squad is my number-one new initiative in relation to fighting that problem.

The Hon. COURTNEY HOUSSOS: I just wanted to talk a little bit about domestic violence because that is obviously another longstanding problem in rural and regional communities. You talked earlier about the domestic violence high risk squads.

Mr FULLER: Offender teams, yes.

The Hon. COURTNEY HOUSSOS: Offender teams, sorry. Are you able to give us a breakdown—and I am happy if you take this on notice—of how many domestic violence liaison officers have been allocated to affected communities in rural and regional New South Wales?

Mr FULLER: I can get those stats easy for you. I know there were 24 new domestic violence liaison officers come on board last year, which was great. I have upgraded six of those constable positions to sergeant positions as a result of the royal commission in Victoria speaking about you need a career path and you need senior police driving these issues. So I did that very early in the piece. Through the re-engineering—and you will probably be sick of that word like I will at some stage—when I spoke to the police at the Sutherland shire new police area command, I said, "This is your opportunity. If you need six or seven domestic violence liaison officers, then that is what you need." So there are opportunities in these new command structures to really break away from the rigid structure we have and, again, is it a rural crime team you need, is it a domestic violence liaison officer team?

So certainly we will not be eroding the DVLO numbers and we would like to think there would be commands where they will actually grow in numbers. Again, I ran a report for where the Domestic Violence High Risk Offender Team should go for southern region, and the Shoalhaven, Wollongong, Lake Macquarie is a clear hotspot for it, but Wagga comes up as a secondary by far. So I am sending a vacant position down there to become a new domestic violence liaison officer, which will increase Wagga to three officers doing that. I think that is the sort of thing going forward we need to do—we need to be continuing to move our force around to deal with emerging problems.

The Hon. COURTNEY HOUSSOS: Following on from the re-engineering questions my colleague asked earlier, are you able to provide on notice how many DVLOs are going to be on those new re-engineered boundaries? Would you be able to provide that?

Mr FULLER: No, I cannot. I can tell you how many there are at the moment, and I can certainly give you a guarantee there will not be less, but I am really trying to leave it to the commanders, knowing the local environment, to build the teams. But I am certainly talking a lot about DV teams when I talk with them.

The Hon. LYNDA VOLTZ: Can I just ask one other question on the re-engineering? There was a proposal—and, again, I think it was from the Police Association—a couple of years ago about the idea of having mental health nurses attached to local area commands. As you know, with the absence of crisis teams, police now become the front line in terms of mental health. Did you look at that as part of the re-engineering process?

Mr FULLER: It is the first time I have heard of it. Obviously, partnerships with problems like mental health and drugs are the only way forward. I am happy to have a look at whatever submission that was, but it is one I have not personally heard of before.

The Hon. LYNDA VOLTZ: It only occurred to me when you talked about the drug problems and it was one we have previously raised, I think, with the Minister for Mental Health. It was probably about two or three years ago a proposal was put forward that there was a problem there. Anyhow, if you have not looked at it—

Mr FULLER: I will.

The Hon. COURTNEY HOUSSOS: I have got a couple of questions on fixed wing police aircraft in New South Wales. How many are there in New South Wales?

Mr FULLER: I would have to take that on notice. I think there are three; they are Caravans that have been recently purchased. It is two or three, but I can let you know.

The Hon. COURTNEY HOUSSOS: Are you able to let us know—again, on notice if you need to—if they are all located in the same region or are they spread across the State?

Mr FULLER: They are all located in the one location.

The Hon. COURTNEY HOUSSOS: How many people are employed to pilot those aircraft?

Mr FULLER: Again, I do not have the information, but it would be easily obtained.

The Hon. COURTNEY HOUSSOS: Can you tell us how many—again, on notice is fine—airial patrols are conducted on a monthly basis?

Mr FULLER: I would imagine some of them would be national security type patrols. I will take it on notice and I will let you know what I can in terms of that answer.

The Hon. COURTNEY HOUSSOS: This might be another one you can take on notice: How many fines are issued as a result of the aerial patrols?

Mr FULLER: In terms of road enforcement?

The Hon. COURTNEY HOUSSOS: Yes.

Mr FULLER: All of those questions were in relation to road enforcement?

The Hon. COURTNEY HOUSSOS: Yes.

Mr FULLER: I am sorry.

The Hon. COURTNEY HOUSSOS: We do not need to delve into national issues.

Mr FULLER: I will take all of that on notice, if I could, and come back to you.

The Hon. LYNDA VOLTZ: Mr Fitzsimmons, what carcinogenic substances are volunteer firefighters exposed to during hazard exposure events?

Mr FITZSIMMONS: Clarify please, Ms Voltz?

The Hon. LYNDA VOLTZ: There are some retardants that are currently being used that have been identified. Really it is whether you are identifying any that they have been exposed to either through their use or they are attending sites where they are being exposed.

Mr FITZSIMMONS: Are you referring to the PFAS challenge that is linked with foam that is topical at the moment?

The Hon. LYNDA VOLTZ: PFAS is one that has been an issue up in Newcastle, but I understand that also there is an issue with carcinogens in roadside vehicle fires and those kind of incidents.

Mr FITZSIMMONS: As a general rule, I think the by-product of combustion, whatever is burning—whether it is grass, bush, vehicles, buildings, debris, whatever, there is going to be particulates in the smoke and the production of that fire. We do issue a range of respiratory protection, everything from P2 masks for routine bushfire or grassfire type smoke operations right through to breathing apparatus for those brigades that would be more likely to be involved in the more hazardous events or offensive firefighting-type operations—entering buildings and large vehicle fires and what have you. The training and practices are, generally speaking, for those that are not fully equipped with the offensive firefighting-type apparatus and respiratory protection, is more of a defensive approach to firefighting and standing back away from the smoke and involving expertise beyond that, where it is appropriate.

The Hon. LYNDA VOLTZ: What about when that is at rural properties? Obviously, large sheds and farms may hold a lot of those types of dangers and risks.

Mr FITZSIMMONS: Absolutely, and what I was trying to describe before was our volunteers, our firefighters, come across all manner of fire events including agricultural buildings and even not in agricultural areas—sheds in the backyards of some people contain all sorts of things. We work particularly closely with Fire and Rescue, who are the lead agency in hazardous material operations across New South Wales, and where there

are suspicions we engage with Fire and Rescue to investigate, and, where appropriate, they will declare that a hazmat and take the lead on managing and dealing with that particular event.

The Hon. LYNDA VOLTZ: You will have had a hazardous production target for this year, and the conditions have been somewhat chequered in New South Wales. Firstly, how much of the target has been completed?

Mr FITZSIMMONS: Off the top of my head, it is around the 70 per cent mark, but I think I have got the exact figure from our annual report that has just recently been published. The challenge in the last season, obviously, was really with the weather and we have got a program going of annual works programs as well as a four-year program of delivering works. It might be easier if I get the exact figure on notice for you. I do not have the annual report figure here with me, but I am pretty sure we were up over 70 per cent of the completed program for 2016-17. But I will give you a copy of the annual report and all the compiled figures therein.

The Hon. LYNDA VOLTZ: Seventy per cent of the 2016-17 target?

Mr FITZSIMMONS: Of the last annual target, correct.

The Hon. LYNDA VOLTZ: What about now, running into summer?

Mr FITZSIMMONS: There has been a fair bit of work that was trying to be achieved, particularly with the dry winter we had, July and August. I have not got the exact figures to date but I will give you them on notice when I get back. It is fair to say brigades, land management agencies, fire agencies were really taking advantage of the dry conditions in winter, particularly July and August. A lot of burns were being suspended around September because it was just getting too dry and too dangerous to conduct those burns and a lot of them were falling out of the desired prescriptions as well. So we have been trying to take advantage during the weekends, whenever the weather permits. I will give you a note on that in terms of how we are tracking for the current year as well.

The Hon. LYNDA VOLTZ: Do you have adequate resources, now, to see out that target for this current year?

Mr FITZSIMMONS: We have more resources today that we have ever had in history when it comes to being able to prepare for and implement hazard reductions. Whether it be mechanical hazard reduction works or prescribed burning hazard reduction works, there has been intervention, over nearly a decade, of things like mitigation teams to support local brigades and local communities in doing a lot of preparatory work. I think we have talked about this before at estimates.

Historically, anecdotally there has always been a suggestion that somehow green tape is impeding effective completion of hazard reduction burning. All the evidence is quite the contrary. One of the single biggest impediments to hazard reduction burning is the weather. Second to that, historically a lot of onus was put on volunteers, land management agencies and fire agencies to do a lot of the preparatory work—the hand tool lines preparing in, around and behind properties in the more complicated burns. So we have employed mitigation teams for quite a few years, whose principal role is to get out and do a lot of that preparatory work so that when the weather conditions are present, the brigades, the fire services and the land management agencies can take advantage of those favourable weather conditions to implement the burning. That has seen a corresponding increase in completion rates.

We have also taken an approach to ensuring—like we do with wildfire or bushfire operations, where we move teams of firefighters around the State to help when a bushfire is impacting on a community—that, if there are large and complex or resource hungry hazard reduction burns that need to be implemented, we have hundreds of volunteers that are happy to dedicate themselves, for many days, to go from one area of the State to another area of the State to help their colleagues implement really challenging prescribed burning. So a whole combination of things, including use of aircraft for aerial ignition, is increasingly seeing improved completion rates of hazard reduction burns.

The Hon. LYNDA VOLTZ: I have one more question but I will come back to it after we finish.

The CHAIR: Commissioner Fuller, you have talked quite a lot in terms of police regional commands in terms of the bush or regional and rural areas. Is "LACs" still the terminology for urban areas?

Mr FULLER: Metropolitan Sydney areas will become "police area commands". The regional areas will be renamed. I will be announcing what that will be next week.

The CHAIR: You used the terminology, which I picked up, of "police regional commands".

Mr FULLER: Obviously at this stage we are still nailing it down, so I did not want to give you a scoop today, if that is okay, in terms of the new names.

The CHAIR: I am not looking for a scoop, I am just trying—

Mr FULLER: They will be renamed differently to metropolitan Sydney to reflect country policing.

The CHAIR: That is what I was getting to.

Mr DAVID SHOEBRIDGE: It will not be PRC, though, like People's Republic of China?

Mr FULLER: It will not be. It is something that is probably old. Sometimes old worked.

The CHAIR: I suppose the crux of my questions is: how will those structures differ, and how will they be applied on the ground?

Mr FULLER: The structures themselves will have more of an officer-in-charge type of model, which is an older model. Forget about the name for one moment. They will be larger geographical areas that will have an enhanced capability for things like rural crime. Again, there will be a reduction in some senior police, and any of those savings will go back to police on the ground. There will be a reduction in geographical areas. They will be slightly bigger. No police stations will close, but I am adamant that there will be more police with an enhanced capability in regional New South Wales by the time I finish.

The CHAIR: Commissioner, are you aware of media reports concerning serving New South Wales police officers being bullied and intimidated for wishing to speak publicly about concerns in relation to the merger of the Cootamundra Local Area Command and the Wagga Wagga Local Area Command during the Cootamundra by-election?

Mr FULLER: No, I have not been made aware of any bullying or harassment claims. There are significant platforms for people to send their concerns or information. My communication plan has been sound. I am doing continuous communication with the workforce. People are putting their concerns forward and they are being answered, so I would be disappointed if people feel as though they are being bullied and harassed.

The CHAIR: At the last budget estimates hearing on 31 August I asked the Minister for Police a number of questions which were taken on notice. The responses subsequently provided lacked the detail I was seeking so I will ask those questions again today in the hope that the staff of the Firearms Registry may be able to better understand the answers I was trying to get. Regarding firearm suppressors, in answer to my question No. 76 regarding firearm suppressor guidelines—I have a copy here, which I will hand to you later—which was submitted to the Firearms Registry for consideration and adoption, the Minister advised that it was decided that the Firearms Registry staff would continue to use the current NSW Police Force internal resources, as well as the legislation and court outcomes when making decisions on applications. Do the internal resources show that the use of firearms with a silencer in crime is a rare occurrence—as in the United States, in the published paper by Paul Clark? I can hand you up a copy of that. I do not expect you to answer this off the top of your head but if you can that would be good. Will you provide the Committee with copies of those internal resources on notice?

Mr FULLER: I have to say that last time we spoke I thought internal resources were humans, but it turns out they are not—so it was a learning curve for me! I will answer the question, but I did meet with the commander of the Firearms Registry last week, about providing a quicker and better service around the registry, which was agreed to. We are going to conduct a review in terms of the workload of the unit. I would like to take your question on notice. I will again nail down the answer to the question.

The CHAIR: Thank you. As an addendum to that, you might also take on notice why the impact on shooters' hearing is not taken into account in these decisions, when research—by Dr Matthew Branch in the US—shows that modern muzzle-level suppression is vastly superior to ear-level protection, and the only form of suppression capable of making certain sporting arms safe for hearing. I have that paper; I will hand it up to you.

Mr FULLER: Thank you.

The CHAIR: At the previous hearing of the Committee on 31 August 2017 I asked the Minister for the number of New South Wales firearms licences by postcode. Unfortunately, the staff at the Firearms Registry misinterpreted my question. I did not receive the information that I was after. Can you provide this Committee with the most up-to-date number of New South Wales firearm licences for each and every postcode in the State in an excel spreadsheet format?

Mr FULLER: We have that information available, and I will provide it through the chain.

The CHAIR: I think it was just misunderstood.

Mr FULLER: We have the information. We can provide it. I will send it through the chain.

The CHAIR: I will hand up to you what the spreadsheet looks like, along with these things. Mr Fitzsimmons, are you aware that the Government's Environmental Planning and Assessment Amendment Bill removes the definitions of "bushfire prone land" and "bushfire prone land map" from the Environmental Planning and Assessment Act 1979?

Mr FITZSIMMONS: Off the top of my head, no.

The CHAIR: You have not been briefed about this change?

Mr FITZSIMMONS: Not personally; it is not coming to mind.

The CHAIR: Then I cannot ask you the question: do you agree with the legislative change?

Mr FITZSIMMONS: I will take it on notice. If there has been a proposed amendment we should have been given the opportunity to comment on it.

The CHAIR: Could you have a look at that. You might also consider how that affects the role of the New South Wales Fire Service throughout the State.

Mr DAVID SHOEBRIDGE: Particularly in your role—

Mr FITZSIMMONS: It is intriguing me because we still have bushfire prone land maps. They are still current. They are still being updated. Particularly, Mr Shoebridge will recall that we worked to adjust some vegetation classifications with councils in pockets around Sydney for some of the 1,052, it terms of what they were designating as bushfire prone land maps reclassifications.

The CHAIR: I will hand you up those questions and you might care to take those on notice, please.

Mr FITZSIMMONS: I will happily get something back to you.

Mr DAVID SHOEBRIDGE: The role of the RFS in considering development applications which are in or adjoining bushfire prone land is one of the key public safety tasks of your organisation, is it not?

Mr FITZSIMMONS: Correct. As a matter of fact I think it is fair to say that the record will show that New South Wales led the way across the country in that regard.

Mr DAVID SHOEBRIDGE: Indeed. So, having clear definitions of what bushfire prone land is—having it clearly identified in legislation—

Mr FITZSIMMONS: It goes to a lot of things, Mr Shoebridge.

Mr DAVID SHOEBRIDGE: Indeed. In answer to the Chair's question could you consider providing a prompt response because it is likely that that legislation will be debated next week in Parliament.

Mr FITZSIMMONS: I will certainly provide that for you.

Mr DAVID SHOEBRIDGE: You might also, if you can, indicate the number of occasions upon which referrals have been made to your organisation for advice on conditions in relation to development in bushfire prone land over the last few years.

Mr FITZSIMMONS: I can give you an indication right now. Those figures are up over 4,000 a year, so probably 4,000 to 4,500 a year on average we would be considering development applications in bushfire prone areas.

Mr DAVID SHOEBRIDGE: For myself, the advice of the RFS is one of those key public safety and personal safety issues that is essential in our planning system.

Mr FITZSIMMONS: Correct. And we have been involved in planning legislation reviews and we argue very robustly that the planning and development control matters are focused on life safety particularly. They are one of the things that development is considered in, but certainly bushfire planning and construction is a key from our perspective.

Mr DAVID SHOEBRIDGE: Lastly, if you could give, if possible, the average and the median determination times, because often that is a criticism.

Mr FITZSIMMONS: Yes. We do publish them, so there are obligations. It is important to note that there are two different areas, of course. You are probably familiar with them. We have the 100B—integrated development, special care facilities and those sorts of things.

Mr DAVID SHOEBRIDGE: Aged facilities and all that kind of thing.

Mr FITZSIMMONS: Yes. Through to what we call the 79BA—I think it is—developments which are more your infill, your extensions, your residential block and that sort of thing.

Mr DAVID SHOEBRIDGE: Patios.

Mr FITZSIMMONS: Infill development. Yes. Often that might be an advisory to council as opposed to an authority under 100B.

Mr DAVID SHOEBRIDGE: Correct. And you will break that down and give that to us.

Mr FITZSIMMONS: I can give you some figures. Whatever I have got available I am happy to share.

Mr DAVID SHOEBRIDGE: Commissioner, when did work commence on the new headquarters at Olympic Park.

Mr FITZSIMMONS: In recent months. We are scheduled to be into the new building in 12 months' time. This time next year, all going well, we will be relocated into the new building.

Mr DAVID SHOEBRIDGE: When work commenced, what was the budget?

Mr FITZSIMMONS: I have some of those figures handy. We initially approved a budget of \$21.5 million to establish the new building. That location was chosen to be in Olympic Park.

Mr DAVID SHOEBRIDGE: Commissioner, is the budget on track for a \$21.5 million budget or have there been additional budgetary calls in relation to the project?

Mr FITZSIMMONS: I will just clarify something. The very initial outset was around \$14.2 million. That has been revised to \$21.5 million in terms of increased standards and what have you. We are in the final negotiations of concurrent fit-out and construction. We are working with relevant authorities around that fit-out, but we are working very hard to control the developers to the identified budget price.

Mr DAVID SHOEBRIDGE: Commissioner, there have been very real concerns expressed to me that indeed the budget is blowing out and indeed the construction time frame is blowing out. I had the figure of a \$14.5 million budget, but you say it is now a \$21.5 million budget.

Mr FITZSIMMONS: Correct. That was revised, sir.

Mr DAVID SHOEBRIDGE: When was that revised?

Mr FITZSIMMONS: It would have been revised prior to the 2017-18 budget papers, so it would have been revised in the last six to 12 months.

Mr DAVID SHOEBRIDGE: After work commenced?

Mr FITZSIMMONS: After we had gone to tender. Some of the key reasons for a change were that there was a determination to increase the conventional structural integrity to what we call a level four construction standard, which is effectively earthquake-proof as opposed to high-end. Following some consultation and reports through authorities such as police there was a requirement to increase our security arrangements appropriate for an emergency service. And there were some issues around operational fit-out and active information and technology requirements. So there were some minor amendments to the very early proposal through to the tendering, selection of a tenderer, going through the construction cost and we are now going through a more integrated fit-out running concurrent with construction with a view to meeting the time frame of occupancy 12 months from now.

Mr DAVID SHOEBRIDGE: You can understand the concerns that are being expressed to my office that there is a 50 per cent increase in the budget between the initially announced budget and what it is at now—or what it was at least at the time the tenders were completed. Perhaps you could provide us on notice with the best estimate you have of what the current budget for the project is and what the expected completion time frame is.

Mr FITZSIMMONS: The current budget is \$21.5 million and the time frame is to be in there in 12 months' time. Construction is well underway.

Mr DAVID SHOEBRIDGE: When you say your "best advice is", are you holding to that \$21.5 million budget?

Mr FITZSIMMONS: We have got a lot of people holding that budget to \$21.5 million—yes.

The CHAIR: Commissioner Fuller, in relation to the Firearms Registry—the new computer systems—and you may need to take this on notice, obviously, what is the current scheduled timetable for rollout of those systems?

Mr FULLER: From my perspective, at this stage we have brought in a new chief information officer or we are in the process. We have just hired a new chief information officer. With the process with the FLIMS, the acronym for that, there has been a review. That was due to be delivered sometime in December this year, I think, but meetings between New South Wales police and the Minister unfortunately have been delayed. But the Minister has made it clear that it has to be delivered around June-July next year at the latest.

The CHAIR: Is that the report or the operational systems?

Mr FULLER: The operational systems for 80 per cent of the key users of the registry. I am not happy with the delay, but technology is proving to be a challenge in terms of that. But it is funded, we have a new team in place and a deadline has been set for June-July next year to have it operational for users. Obviously the challenge for me is driving to that date.

The CHAIR: Thank you. Commissioner, I think I asked some questions back in August in relation to this. I have had a number of complaints—in fact, quite a lot of complaints—about issues around firearms licence and permit issues and timely delivery of service. I do not believe this is a problem coming out of the registry. I believe this is a problem in the registry trying to integrate with Service NSW. As recently as yesterday I had a constituent complain to me that they had renewed their licence on a timely basis with Service NSW. They were told that they would have their licence back within five days. It is more than a month since that licence should have been due for delivery and nothing has happened. They have not been able to make any inquiries that give them any comfort as to what the hell is going on.

Obviously the message is that if you do not have a licence, you cannot shoot. We have always worked on the basis, in the past, that while your licence is in the process of renewal you can continue to shoot. Would you be satisfied with that level of service? I call it non-Service NSW. I tried to get an amendment through the last legislative changes in September this year seeking to have firearms licences go back to the way they used to be delivered, and that is to go back to the source and pick them up. That amendment was knocked back by the Government. Are you satisfied with a service that is actually deteriorating?

Mr FULLER: Obviously Service NSW does not come under me, but I mentioned earlier that I have asked Mr Lyons, the commander of the Firearms Registry, to come and see me last week. We had a meeting about what service delivery looks like in that space. The computerised system must go to some point of fixing that for residential users, which make up around 80 per cent of all that service that goes through it. For mine, in terms of inefficiency somewhere in this process, there are too many unhappy customers.

The CHAIR: Clearly, since Service NSW got involved, the thing is frankly a mess. We have got permits going to the wrong addresses. I in fact got a permit to acquire [PTA] in the mail yesterday that had been sent to another person unknown to me, wrongly addressed to them. They, seeing my address on it, sent it to me. I can hand up to you a copy of the handwritten letter and the envelope that I got. I have never experienced such inefficiency. I do not believe that is the registry. I believe it is the integration problem with Service NSW. I think they are a disaster when it comes to dealing with firearms related matters.

Mr FULLER: I have to get to the bottom of it, because a disproportionate amount of my time is spent in this space, which means I have to fix it. For what is really a small issue, a disproportionate—

The CHAIR: Exactly. This should just operate smoothly. I also think our security is compromised as well, every step of the way. This should be handled from A-Z by the police registry, not palmed off to some service organisation that is pretending it is providing a service when in reality it is providing a bloody mess.

Mr FULLER: Well there is no suggestion from mine that any other part of the service will be moved to Service NSW and the Firearm Registry will remain with the NSW Police Force. But it is about getting to the bottom of where the efficiencies lie for mine, because again I spend an inordinate amount of time dealing with unhappy people in this space.

The CHAIR: I reiterate, when the registry was handling all of the service, the service was fine. Now that Service NSW is involved, we do not have an efficient service whatsoever and it does not make any sense. On another matter, Commissioner, are you aware that police officers at the Young police station are quoted in the *Young Witness* as saying that crime will rise under your re-engineering plan?

Mr FULLER: No, I am not. And I think that it would be unreasonable for police or anyone to be making a statement on re-engineering in rural New South Wales until I make the full announcement next week. The feedback I got from so many after we announced the metropolitan model was that this makes sense and looks like the right way forward. I honestly believe that, once people see the model we are rolling out for regional New South Wales, other than maybe a handful of officers who are affected, I guess they will potentially always be negative, but I want to be around for a long time. I have got control of re-engineering. I am not going to go down a road where I think it is going to negatively impact on crime. It is not about that, it is about coming up with a service delivery model that identifies that regional New South Wales needs a separate model.

The CHAIR: I hear what you are saying and I agree with you. I suppose the question also goes to what internal communication has been given to police officers in those areas to help them to go through the process of understanding where they are going to end up at the end of this re-engineering.

Mr FULLER: One of the greatest challenges has been in the Change Management Plan. I put out an enormous amount of information in terms of re-engineering but understandably, an individual officer at Young wants to know where he is going to sit, what car he is going to drive and what his shift is going to be. They want to know that because it is a personal issue. The next announcement from regional New South Wales is more of a high-level statement in terms of what the new boundaries will be, the command structure. And in a command like Young that is a growth area, we are not going to be taking staff out of Young police station because it is a growing area. I try to get to as many police stations as I can. Gary Worboys is consistently on the road communicating with police. But it just takes time to get to the granular about where will Mick Fuller be sitting at Young police station when re-engineering comes to regional New South Wales.

I am certainly keen to get moving on it because I understand that changes do cause angst in the workplace and I watch crime every day to make sure it is not having an impact on crime. But it is the biggest change we have had in the history of the organisation and it certainly comes with challenges. But I can assure the Committee, I put out an enormous amount of information but what some troops want is very granular, it is about me personally, where am I going to sit and where am I going to turn up for work tomorrow? I am sympathetic that they need to know that but it is very difficult to deliver that at such a high level. But, in terms of metropolitan Sydney, that information is only weeks away and we will make the announcement in only a week or two in terms of regional New South Wales. And once again, we will pick the commanders; they will pick the team. But again, an area such as Young is a no-brainer, it is a growth town. I cannot be taking resources out of Young.

The Hon. COURTNEY HOUSSOS: Commissioner Fuller, I have some questions about the Queanbeyan police station. I noted your comments in the media on 28 September about the different sites. When were you informed that the Government was going to move it from Farrar Place to Low Street?

Mr FULLER: It was at the meeting I think in August where it was raised and I took a keen interest after that in terms of trying to work out how we got to a point where government had funded us for a new police station. We needed a new police station but often the journey is not one of malice but it was simply that some other option was provided to police by local government which seemed like a good option. And that delays things and slows things unnecessarily. So for me it was simply that we needed a new police station, we owned the site, it is next to a courthouse, we have been given the money—build the police station.

The Hon. COURTNEY HOUSSOS: Which I think is exactly how the community feels about it.

Mr FULLER: I have said it in the media, obviously I did not say it last time I was here because I was not over the specifics. I am pushing forward with it. There are some minor complications in terms of the land and some underground water and things but I cannot believe that, in 2017, we do not have the technology to work around that. Could there be additional costs to overcome what we find when we dig? Maybe there will be but it is the right place to have a police station and I am pushing on with it.

The Hon. COURTNEY HOUSSOS: You are pushing on with the Farrar Place site, with the current location?

Mr FULLER: With the current location.

The Hon. COURTNEY HOUSSOS: The current location adjoining the courthouse?

Mr FULLER: The current location because we have learnt that when we build new police stations in justice precincts, if there is a courthouse we need to be next to the courthouse, otherwise it impacts on local police, it impacts on transportation and a whole range of things.

Mr DAVID SHOEBRIDGE: It kind of makes sense.

Mr FULLER: It kind of makes sense.

The Hon. COURTNEY HOUSSOS: It is somewhat logical. You are obviously aware that this is a commitment that was made some time ago, there has been significant delay and now there is talk of a new site. Did you just say that you were first aware of the move at the last budget estimates hearing?

Mr FULLER: Sorry, could you ask the question again?

The Hon. COURTNEY HOUSSOS: When were you actually made aware—

Mr FULLER: In terms of the actual delay?

The Hon. COURTNEY HOUSSOS: We all agree that there have been a lot of delays and there has been obviously an increase in the budget over that time. When were the local police informed—because there is, I think the term is a "non-binding heads of agreement" that has been signed, to move it to Low Street.

Mr FULLER: I have not seen that but from my perspective and the Minister's perspective, and I will put it on record here and I have said it in the media, we will build the police station next to the courthouse. Again, I have communicated that to Rod Smith, the commander. I know he is on secondment at the moment so if the troops have not been informed, I apologise for that. I know he is seconded at the moment to the Police Academy. It is just commonsense.

The Hon. COURTNEY HOUSSOS: Great. Do you have a date for when you are going to commence? I know there has been some recent stuff about geotechnical data and I think that is what you were talking about.

Mr FULLER: I have a new Deputy Commissioner, Corporate Services and we are in the process of employing someone who is trained in the procurement and building of properties, which is an exciting thing for me. But I want it done ASAP. So the only thing holding us back is—again I do not know the fancy technology—but there are some issues underground in terms of water movement that we just need to do some drilling because if it is going to cost slightly more money I would still rather go back to government and get the additional money to deal with what is under the ground, than put a police station somewhere where the police and the community do not want it. So that is happening. And the acid is on that, along with a handful of other properties, in terms of getting going with them.

The Hon. LYNDA VOLTZ: Commissioner Fitzsimmons, one more question that I said I would come back to. You will know about the presumptive council legislation that has been moved in other States and Territories. Do you have a view of whether that type of legislation should be enacted in New South Wales?

Mr FITZSIMMONS: We have worked with our volunteer association and our members and we have provided briefings to the Minister in that regard, yes. And, if I may, to save me having to write a report, if you are happy, the annual report will be tabled and published this month but it does show that the total hazard reduction works completed this year is 75.5 per cent and the total bushfire protection works, which includes hazard reduction, hazard complaints, private land works, development controls and other community engagement things, is around 83 per cent for the last year.

The Hon. LYNDA VOLTZ: And that is in lieu of the question on notice.

Mr FITZSIMMONS: Is that good, I do not need another question on notice?

The Hon. LYNDA VOLTZ: I think that is what you are getting at, yes.

Mr FITZSIMMONS: Thank you.

The Hon. COURTNEY HOUSSOS: Commissioner Fuller, you mentioned recently that you were at Wellington. You are obviously aware of the community calls for a 24-hour police station there. Are you considering that?

Mr FULLER: We will always look at it but it does come down to the evidence and again, if the evidence is there and we need to make it 24/7 then I will have to find additional resources for Wellington. I would never turn a blind eye to what the community wants and what they need but it has to be evidence based.

Otherwise I would have to double the police force to have a 24/7 response everywhere. It was not one of the issues they raised with me but it was a very positive workforce there, a reasonably good police station and they are all excited about the new prison in terms of the prospects it has for employment in the town. Some members of the Aboriginal Commission spoke about some of the good initiatives it is having there with employment for Aboriginal people and there is a lot of hum in the town. But as these towns grow, it is something I am going to have to continue to consider. This is why I need a buffer of vacant police numbers so I have the ability to make these changes, without having to come back through Cabinet and through government on every occasion where there is a reasonably expeditious growth in community areas.

The Hon. COURTNEY HOUSSOS: Do you take into account, with that consideration that might be part of a reengineering process, that policing resources are allocated to the Wellington police station but spent on investigating offences that are at the Wellington Correctional Centre?

Mr FULLER: Would we?

The Hon. COURTNEY HOUSSOS: Yes.

Mr FULLER: Yes. If there was a significant increase in relation to that. We do have a correctional investigation unit that is in Sydney. They do travel and do lots of work at jails. But if the workload is such that it is clear they need more troops, then future-proofing the organisation for whatever the future allocation is, that is where they need to go rather than in the past we just put a blanket number of police out spreading around—trying to spread happiness, in a sense—whereas we have to be more scientific about where police numbers go. There are some areas that do not need more police. They are well and truly resourced, whether that is through previous amalgamations and/or just a change in community. But one of the great challenges for me is how we get a flexible workforce so if the jail does increase the workforce quickly, I can move quickly and not have to put in a report and await the RC and go through that process. Of course 500s and 2500s are a much more complex proposal, I suppose.

The Hon. COURTNEY HOUSSOS: Thank you very much for your time. I really appreciate it.

Mr DAVID SHOEBRIDGE: Commissioner, I put a Government Information (Public Access) Act [GIPA] application into the NSW police seeking the number of people who had been killed by police firearms since the killing of Roni Levi on Bondi Beach. You would be aware that that is 20 years ago now.

Mr FULLER: Yes.

Mr DAVID SHOEBRIDGE: I was informed that the Professional Standards Command database goes back only to September 2012. Is that your understanding?

Mr FULLER: Yes. But it just means—it does not mean that we cannot find information; it just means that it takes time. It has to be a manual search back through records and verifications, et cetera, so it just takes more time because it is a manual search.

Mr DAVID SHOEBRIDGE: Commissioner, there is an External Advisory Unit in your office, is there not, that collates NSW police responses to all coronial matters?

Mr FULLER: That is correct.

Mr DAVID SHOEBRIDGE: That goes back at least to the time of Dianne Brimble's death so we are talking about back to at least 2002.

Mr FULLER: Yes, but they keep individual reports on the recommendations for coronial matters whether they are open or closed. I guess it gives us some sense of whether we have reconciled coronial outcomes or not. That is what it is there for.

Mr DAVID SHOEBRIDGE: Part of my request was response to coronial. Obviously, the intelligent spot to go for that is not out to the regions, as was suggested, but indeed to your own office and the External Advisory Unit.

Mr FULLER: We do not have a database there. We have individual offices that take responsibility for different coronial matters. You will get the information but there is not a single source. Often, not you, people feel as though we have this supercomputer that can just push out every request.

Mr DAVID SHOEBRIDGE: I have never had that, Commissioner—never.

Mr FULLER: No, but often people cannot understand why we cannot just push a button. We will get access to the information for you—that is my understanding—but it will just take time.

Mr DAVID SHOEBRIDGE: Commissioner, on that, would you not have thought that there would be an enormous amount of sense in having that in a central database so that you and other senior police could access it and see what trends and what lessons there are in relation to police shootings? Just having it dispersed around the regions is problematic because you are not collating the information and the knowledge.

Mr FULLER: There are a couple of things in that. One is that we debrief after shootings. Putting aside shootings, not coronial matters, we debrief after shootings. There are firearm committees. There is a whole range of things that we do to look at our practices and the way we train and can we make improvements, whether that is active armed offender or the introduction of tasers or oleoresin capsicum [OC] spray. All of these things come as a by-product of something that has happened. When it comes to shootings where there is a death, obviously, there are coronial matters and obviously independent counsel, and that is pulled apart in terms of recommendations. I feel as though there is an enormous amount of oversight and an expeditious as well as long-term review of each of those matters.

Mr DAVID SHOEBRIDGE: But how far back does the External Advisory Unit database go? Perhaps you could take that question on notice.

Mr FULLER: Again, I could be wrong, but there would be a total record information management [TRIM] system that will be just a very generic system that we have of tracking all of our bits of paper. But I can go back on notice and try to get to the bottom of that question.

Mr DAVID SHOEBRIDGE: I want to be clear: I am talking about the External Advisory Unit database in your office.

Mr FULLER: Yes.

Mr DAVID SHOEBRIDGE: Commissioner, I think it was Deputy Commissioner Dave Owen who set up the mental health intervention team about five or six years ago.

Mr FULLER: That is true, yes—probably a bit longer.

Mr DAVID SHOEBRIDGE: What, if anything, has been the result of that? What has been the expenditure on it?

Mr FULLER: There is still an inspector in charge of that and he has a team with him. I am not sure of the numbers. But one of it was to drive best practice, particularly training. The other was to improve relationships with Health and other agencies. I really feel that we have come a long way in terms of police better understanding mental health. The way we train, there is a short course and a longer version course, and they continue to drive compliance with that. I think from a training and education perspective, they provide information on best practice but they also continue to drive relationships with Health and other agencies.

Mr DAVID SHOEBRIDGE: Commissioner, external observers cannot see any actual achievements and there are no publicly listed achievements from the mental health intervention team. Perhaps they are publicly listed in a place that I could not find.

Mr FULLER: Right.

Mr DAVID SHOEBRIDGE: On notice, can you please give us some details about what the achievements are and what the challenges are, perhaps?

Mr FULLER: Yes, absolutely. We will try to do a time line. I think mental health will continue to be a huge challenge for police in that we are an end user of whatever the system is in government or non-government areas. We often see mental health raise its head in a number of crimes and we cannot always classify that because you are not an expert. But I am not underestimating the challenges that mental health provides to us. I guess going forward it is a future challenge.

Mr DAVID SHOEBRIDGE: Commissioner, the Mobile Drug Testing [MDT] program has been greatly expanded in the past few years.

Mr FULLER: Yes.

Mr DAVID SHOEBRIDGE: How many false positives have been detected by the MDT as a result of ritalin use?

Mr FULLER: I will take it on notice; my apologies.

Mr DAVID SHOEBRIDGE: Are you aware that the product information on ritalin, which is very commonly used in New South Wales, says in part that "Ritalin 10 may give a false positive result when testing for drug use. This includes testing in sport"?

Mr FULLER: Then again, I would have to take it on notice in terms of the manufacture of the equipment we purchased, but I will come back to you on that.

Mr DAVID SHOEBRIDGE: All right. If you could give us any advice you have on false positives and any numbers, including any advice you got from the Forensic and Analytical Science Service [FASS]?

Mr FULLER: There would be that, but I think the manufacturers of the equipment in terms of the standard they have set for testing they have done would be important.

Mr DAVID SHOEBRIDGE: Both the manufacture and the laboratory that does the testing.

Mr FULLER: Yes.

Mr DAVID SHOEBRIDGE: You said in response to a question by the Chair that you would be providing data on a postcode basis on an Excel spreadsheet.

Mr FULLER: That has been requested of me and I will prepare that. I understand that that is available and I will send it through the chain. Obviously, what happens between point A and point B is out of my hands.

Mr DAVID SHOEBRIDGE: I do not expect you to personally deliver it. But are you aware that the practice of the information unit for the police is not to provide table-based information, including often very lengthy tables, by Excel spreadsheet but rather often from a low quality PDF?

Mr FULLER: No, I was not.

Mr DAVID SHOEBRIDGE: When requests are made of the Information Access Unit there is a refusal, and a repeated refusal, to provide information in a usable format, which is an Excel spreadsheet format. Could I ask you to review that? The reason cited is apparently some sort of security issue.

Mr FULLER: Okay.

Mr DAVID SHOEBRIDGE: Of course that is a false reason because my office and I am sure others who access the police simply scan the data in and create their own electronic database. We simply say that it has been provided by the police.

Mr FULLER: I will ask the question.

Mr DAVID SHOEBRIDGE: If you could, could you give an undertaking to try to provide information, not just to myself but to our members of the community, in a usable form? Can that be a priority?

Mr FULLER: Yes. Can I say that outside of the Firearm Registry, the GIPA unit provides me the second-largest number of headaches in terms of the amount of work that is generated from the unit. I think we have 30 or 40 staff who work there, which is enormous. I know they are not their only problems but it is not without its challenges. I will find the answer to your question.

Mr DAVID SHOEBRIDGE: For the record, I have my challenges with your GIPA unit but by and large I find them a professional group of public servants who are trying to do the best thing. This is a policy determination which I think creates unnecessary difficulties.

Mr FULLER: I promise I will look at it.

The Hon. CATHERINE CUSACK: That is a compliment from a Greens.

Mr FULLER: Is it?

The Hon. CATHERINE CUSACK: Can we have that underlined in *Hansard*?

Mr DAVID SHOEBRIDGE: Yes, we can. But, are you aware that the Information and Privacy Commission has recently concluded, and I think the police conceded, that they have been inappropriately seeking 15-day extensions for the response to information on Government Information (Public Access) because they had been misreading section 57 (2) of the Government Information (Public Access) Act? The standard policy of getting a 15-day extension to respond to Government Information (Public Access) requests has been unlawful, are you aware of that?

Mr FULLER: No, I am not, I will take it on notice and get to the bottom of it.

Mr DAVID SHOEBRIDGE: I will provide you with the correspondence provided to a member of the public from the Information and Privacy Commissioner. I would appreciate your response. It is a huge volume going through the unit and by and large I find the unit professional.

Mr FULLER: I will review that versus our policy before I make any concessions.

Mr DAVID SHOEBRIDGE: In terms of the lack of information my complaint is not with the Information Access Unit it is with you, Commissioner. On the last occasion I asked questions about the cost of drug dog operations and I pointed out that the standard operating procedures of the NSW police provide that at music festivals a minimum 12 general duties police are to attend every drug dog. You have the handler, the drug dog, and the 12 general duties police.

Mr FULLER: Yes.

Mr DAVID SHOEBRIDGE: I asked you to provide the estimated cost of that and you undertook to do that, but on notice you did not.

Mr FULLER: In preparation for here I looked at the responses. I am happy to go back to that and work out where we went wrong. You are asking the same question, but you are looking for a more detailed response?

Mr DAVID SHOEBRIDGE: My office has done its own costing based upon the information that the NSW police provide about what the cost of providing police officers is per hour. You have a schedule.

Mr FULLER: In terms of user pays.

Mr DAVID SHOEBRIDGE: I assume the user pays reflects the actual cost?

Mr FULLER: In a sense, but it takes into account a residual cost around uniform and boots and petrol and other things, but it would be indicative of the cost.

Mr DAVID SHOEBRIDGE: On that basis a dog is \$23.70 an hour.

Mr FULLER: Sounds cheap.

Mr DAVID SHOEBRIDGE: Twelve general duties police, the handler and the \$23.70 per hour dog, comes out at \$2,002 per hour. That does not include the travel time and the travel allowance you alluded to in your answer. Would that be a best estimate for the public?

Mr FULLER: If you have used the user pays schedule it would be more because again we put in a residual cost, but it would not be 50 per cent more.

Mr DAVID SHOEBRIDGE: I ask you on notice to review those answers and provide further detail.

The CHAIR: Thank you for your attendance today. I note that there have been a number of questions taken on notice. Note that you only have 10 days to respond, not the normal 21 days.

Mr DAVID SHOEBRIDGE: You were trying to get back earlier?

Mr FITZSIMMONS: Yes, on the one the Chair passed me about the legislation.

(The witnesses withdrew)

The Committee proceeded to deliberate