

REPORT OF PROCEEDINGS BEFORE

STANDING COMMITTEE ON SOCIAL ISSUES

**INQUIRY INTO PUBLIC DISTURBANCES AT MACQUARIE
FIELDS**

At Sydney on Monday 5 December 2005

The Committee met at 9.30 a.m.

PRESENT

The Hon. J. C. Burnswoods (Chair)

The Hon. Dr A. Chesterfield-Evans

The Hon. K. F. Griffin

The Hon. C. J. S. Lynn

The Hon. R. M. Parker

The Hon. I. W. West

CHAIR: I have declared the hearing open.

COLIN GELLATLY, Director General, Premier's Department. Level 39, Governor Macquarie Tower, Farrer Place, Sydney, sworn and examined, and

HELEN BOYTON, Regional Co-ordinator, South Western Sydney, Strategic Projects Division, Premier's Department, affirmed and examined,

CHAIR: The Committee has received the whole-of-government submission in relation to our inquiry. Is there anything you would like to say briefly before we go into the questions that we sent you?

Dr GELLATLY: Yes. I would like to thank the Committee for providing me with the opportunity to make an opening statement to the inquiry and I would like to reaffirm the Government's full support for the work of the inquiry. The inquiry provides an opportunity for an independent reflection on the matters raised in the Committee's terms of reference and it also offers an opportunity for further insights into the views, needs and concerns of the Macquarie Fields community.

Therefore, I can assure the Committee that the New South Wales Government will look seriously at any recommendations that the Committee may make upon the completion of its deliberations. We understand that a number of submissions have been lodged with the Committee in relation to this inquiry and clearly those submissions will help inform the Committee's deliberations. We have not had time to examine these and in some cases we may need to take questions on notice to give you a considered response.

I am sure the Committee is aware that the events experienced in Macquarie Fields in February this year are a reflection of deep underlying social issues that do not have simple origins or quick fixes. They are a result of complex and deep-rooted issues, which cross over a variety of portfolios. So providing this whole-of-government submission is an acknowledgment of the complexity that requires not only one agency or even one level of government who has responsibility or capacity to address the issues of Macquarie Fields.

Campbelltown City Council, as the local council, is a significant and committed partner to the Government in working to build and strengthen the social environment and infrastructure needed to create a sustainable community. Equally, our non-government partners are valued for the major contribution they make to the whole community approach that is needed to ensure a long-term solution to the issues faced by the community. The Commonwealth Government also has a significant role to play if real and lasting solutions are to be found to the issues faced by the community.

The Commonwealth has a key role to play in relation to employment, housing, families, older people and people with disability. The New South Wales Government is committed to working with the Commonwealth Government to deliver real outcomes in each of these areas. The Commonwealth Government's role in relation to public housing remains critical and I would like to draw the Committee's attention to the New South Wales Government's Plan for Reshaping Public Housing, which was released on 27 April 2005.

The plan raises some of the dilemmas that the New South Wales Government currently faces in delivering a housing program where it is reliant on the Commonwealth Government for financial support. I would like to Committee's permission to table a copy of that plan for the Committee's information.

CHAIR: We might delay resolutions on the Committee's part until we finish in case there are other things as well.

Dr GELLATLY: The New South Wales Government's submission incorporates advice from a number of agencies that have involvement, and I think this just demonstrates the fact that it is not just one agency. The agencies that we have talked to in preparing this submission are the Aboriginal Housing Office, the Department of Ageing, Disability and Home Care, Attorney General's

Department, the Community Relations Commission, the Department of Community Services, the Department of Corrective Services, the Department of Education and Training, NSW Health, Department of Housing, the Department of Juvenile Justice, Department of Planning, NSW Police, Premier's Department, Department of Tourism, Sport and Recreation, and New South Wales Treasury.

The submission, as you see, is in six parts. Part one provides an introduction and background information. Part two outlines the demographic and socioeconomic profile of Macquarie Fields. Part three examines the key areas of New South Wales Government and non-government activity in Macquarie Fields and part four focuses on policing in Macquarie Fields, both in relation to the incidence of February 2005 and medium and long-term strategies. Part five describes New South Wales Government engagement in initiatives in Macquarie Fields and part six outlines the New South Wales Government's vision for the future of Macquarie Fields, including medium and long-term strategies identified by working with the community to what is called the Macquarie Fields Community Action Plan.

Our submission includes also information about existing programs and services relevant to Macquarie Fields in appendix one. The intention of providing a whole-of-government submission was to provide accurate and forthright information to assist you in your deliberations. As I said before, the whole-of-government approach to the submission is an effort by the Government to ensure that the complexity of the issues and the work undertaken were clearly presented.

The submission provides a picture of Macquarie Fields as a community characterised by high levels of public housing. Nearly one-third of housing in Macquarie Fields or 1,408 individual dwellings are public housing dwellings. This housing is spread over 2.2 square kilometres. That is nearly 33 per cent yet the Sydney metropolitan average is only 5 per cent. Current census details indicate Macquarie Fields has a total population of 13,750. Around 28 per cent of the people living in the area were born overseas and 4 per cent identify as indigenous. Children and young people make up 50 per cent of the population of Macquarie Fields and only 6 per cent of people living in Macquarie Fields are over 65 years old, which is half the Sydney percentage.

Around 21 per cent of people in Macquarie Fields did not complete schooling up to year 10 or an equivalent and only 28 per cent have obtained a year 12 qualification whereas in Sydney as a whole 44.4 per cent of people have completed year 12. Nearly 42 per cent of young people under 24 years of age in Macquarie Fields are unemployed or not working. This compares to a rate of 26.5 per cent for the whole of Sydney. The majority of individuals earn less than \$400 a week and almost one-quarter of people living in Macquarie Fields earn less than \$200 a week.

As I stated earlier the New South Wales Government and Campbelltown City Council have been working closely with the local community since the events of February 2005 to develop some solutions which have widespread community support. The Macquarie Fields Community and Government Action Plan builds on the work of agencies and brings together plans and community consultation undertaken by government and other organisations with the people of Macquarie Fields over the last three years.

What has been established is known as the Project Management Group, which was formed in April 2005 following the events of Macquarie Fields in February. The Project Management Group arose out of a meeting between a group of local residents and the then local member, Craig Knowles, in March 2005, which I attended with the local government chief executive. The membership of the Project Management Group includes myself as chair, the local member, two local residents, a representative of the local non-government organisations, the police local area commander, the regional directors of the Department of Education and Training, the Department of Housing and the Department of Community Services, the General Manager of Macquarie Health Centre and the General Manager of Campbelltown City Council.

In recent times a representative of the Commonwealth Department of Families and Communities has also been attending. There was an initial meeting in March in Parliament House here, and it was then agreed that we would set up this Project Management Group. We have met three times since then. Three meetings have been held out in Macquarie Fields. The last one was about two weeks ago where we met with the new local member taking the place of the previous local member. One of the things that was reported at our last meeting was the community forum held on 10 October.

This was attended by over 55 local residents and local non-government organisations. This forum was the basis for preparing this action plan. The broad themes discussed at the forum and which are characterised in the plan were actions relating to young people, families, community safety and employment.

The important thing about this group is that it has two local residents who were representative and also local non-government agencies. There was an attempt by those people to draw together the work that had been going on for a number of years by different agencies but, given the impact of an incident like those in late February had, there was a feeling amongst the community that they needed some more co-ordination and some more strengthening. It was not about a whole lot of new programs because, as you will see from the appendix, there are a lot of programs already happening. It was a genuine wish for some work between government, local government and the community about providing some strengthening and something to help the community overcome issues that are faced when an issue like this throws the spotlight on the community.

As part of this Project Management Group, there have been some achievements since we started in April and they have flown out of discussions that have been held at that group or by the individual agencies since but I will highlight just a couple: a recent camp for 11 young people of Pacific Islander and Aboriginal background who were known to police or who are at risk of becoming involved in criminal activity. This camp was held over a three-day period in September and attended by eight police from the Macquarie Fields local area command. Important role models included first grade rugby league players. Reports I have had from the local area commander, Stewart Wilkins, is that it was a great success in terms of working with those kids.

It is intended that those camps will be ongoing and held approximately three times a year. Arising from the group is a co-ordinated case management system to ensure that young people at risk of becoming involved in criminal and/or antisocial behaviour, and families with complex needs, are identified early and are provided with co-ordinated support and services. One issue raised early was the lack of a meeting place for people in the area. With the Department of Housing and Campbelltown local government we have finalised the establishment of a community centre on the public housing estate. It will provide a venue for resident activities and programs and a range of outreach services such as family support, Juvenile Justice counselling, employment services, Legal Aid and a range of other support services.

The centre is a former Department of Housing house in Mallee Place. It has been refurbished and adapted with funds from Campbelltown City Council. At our meeting a couple of weeks ago the indications were that that venue would be in use by the end of January 2006. In the report from the police, which no doubt gives more details, there has certainly been a change of approach out there. There has been a lot more visible policing, with police out on the streets and getting to work with young people. A police youth advisory council will be established. It will hold its first meeting in January 2006. Arising from the project management group the Macquarie Fields employment task force has been established. It held its first meeting on 25 November. The task force will look to improve residents' access to job network services, training and employment. TAFE New South Wales is conducting a number of outreach programs for residents to increase their skills and thus improve their employment opportunities.

The Government's submission provides further details of these achievements and other work being undertaken by agencies in Macquarie Fields. I am sure that the members of the Committee will avail themselves of the opportunity to further explore this submission with key government agencies which have been called to appear before this hearing. The ongoing priorities for the New South Wales Government in relation to Macquarie Fields are to continue to work with the community and Campbelltown City Council and the Commonwealth Government to further progress the longer-term work needed to be undertaken to create a strong, resilient and sustainable community.

In conclusion, there is no quick fix, and that is the clear message we got from the community. The people do not want a lot of people running in and out and saying that they have a new program that will fix everything. It will be a long haul, and already a lot of programs have been undertaken. As I said, this provides a focus and it has a lot of impact through schools and the community in general with the media attention that it brings. There was a strong wish from the community that we take our

time with this, to try to get a sustainable basis and concrete things such as the community meeting place.

CHAIR: You would be aware that in the questions sent to you by the Committee, the first multi-part question relates to the Government's community action plan. We were anxious to find out more about it and also to look at what is planned. The Committee would like more detail of some of the things you have mentioned in your opening statement, for instance, the makeup of the group that was set up in April. Could you provide that or take the question on notice?

Dr GELLATLY: Yes. As I mentioned before, the core group at the start with Minister Knowles met in March. We established a core group with two residents, a local representative, the non-government organisation [NGO], the local area commander, the regional directors of the Department of Community Services [DOCS], the Department of Housing, and Health NSW.

CHAIR: I think you said the Commonwealth Government?

Dr GELLATLY: Yes. At the first meeting we asked the Commonwealth Government, particularly, Family and Community Services, to send a representative, who turned up at the next couple of meetings and indicated he would be representing the other Commonwealth departments including workplace, employment and so on.

CHAIR: Could you provide the correct names and titles in writing afterwards?

Dr GELLATLY: Yes. The action plan was attached to the submission. At the last meeting we agreed at the implementation group that I chaired, we should also meet two or three times a year, just to make sure that things are on track in terms of refining the action plan if needed. Obviously, it may need some changes. A local reference group will be set up, which will have more people on it. The local residents, NGOs, State Government, Campbelltown council and the Commonwealth Government have agreed to hold the first meeting in 2006. As I said, the plan will continue to be developed and modified over the next year as discussions with the Macquarie Fields community continue.

Page 67 of the action plan covers policing in case management. It talks about residents concerns that young people are riding trail bikes dangerously close to homes and through parks. It was made clear by the residents that while that was an issue, a bigger issue in terms of infrastructure rather than trail rides was skateboards. Apparently a lot of the youth are concerned that the latest skateboard rink is a fair way away. It was agreed to refine the plan to include a skateboard park and the use of the trail bikes is not as important in terms of priorities for young people.

CHAIR: You have answered part of the first set of questions in describing the plan and giving some history. The Committee is particularly interested in knowing more details about the community forum that was held in October. Why was the forum held? Who was represented? What discussions occurred on the day? What was the set of objectives for that forum?

Dr GELLATLY: I will comment generally on the purpose of the forum and Helen can provide more detail of the actual day. Obviously the idea was to get feedback about the action plan. A draft was prepared and that was presented at the community forum and comments were taken on board. There was a facilitator from DOCS.

Ms BOYTON: The main purpose was to give an opportunity for any resident in Macquarie Fields to comment on the draft set of actions that had been developed to date, to provide ideas and suggestions about the key priorities for that community in the light of what happened in February.

The Hon. ROBYN PARKER: Was that before or after the Macquarie Fields by-election?

Dr GELLATLY: That was not in our thinking.

The Hon. ROBYN PARKER: Was it not?

Dr GELLATLY: No.

The Hon. ROBYN PARKER: Was it before or after?

CHAIR: Perhaps Ms Boyton could continue?

Ms BOYTON: It was 10 October, I cannot recall whether it was before or not.

CHAIR: You said any resident had the opportunity to comment.

Ms BOYTON: It was open to all residents in the local community groups and the NGOs to comment. The structure was that they divided into groups, but the planning was governed by a group of local residents together with a few of the agency people. They identified the key four cluster areas, being those in the headings in the action plan. The group broke up into small groups and not-so-small groups. They included policing, families and communities and community safety. Basically they had discussions about what they thought the key issues were and provided that information to us. We worked through that, consulted with agencies and NGOs in terms of whether there was anything new or whether it matched existing programs, what was extra, and have incorporated that into the action plan as part of the submission.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Why was that in October, when the riot was in February? Why was there such a long delay?

Dr GELLATLY: Because, as I said, the project management group, that included local residents and so on, first met out there in March or April. The view was that we had met a couple of times to come up with some ideas. They were concerned and asked us to not rush in, but to develop ideas and then consult. It was the efflux of time to work with the community.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Do you have a project management person on that job?

Dr GELLATLY: Yes. There was a person, who had that as one of their projects, and then Helen has recently taken over. Her role is regional co-ordinator.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: What is the name of the person who was co-ordinating the project?

Dr GELLATLY: Debbie Nelson.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Can the Committee speak to her?

Dr GELLATLY: She has been on leave since mid-November.

The Hon. CHARLIE LYNN: When will she come back?

Dr GELLATLY: She is on extended leave; I think it is to the end of January.

The Hon. CHARLIE LYNN: Is it long service leave?

Dr GELLATLY: She has just taken leave that she is entitled to.

CHAIR: I refer it my question—

The Hon. ROBYN PARKER: Dr Gellatly—

CHAIR: Just a minute, Ms Parker, we need a little bit of order here. My question was in terms of the people who went to the forum on 10 October. Were there residents from Macquarie Fields beyond representatives of the various government and non-government agencies?

Ms BOYTON: Absolutely.

CHAIR: How did you go about getting people there?

Ms BOYTON: We relied on the residents representatives, the ones that Dr Gellatly referred to, on the project management group who did a lot of work, and the non-government representatives spread the word in the local community, similarly the neighbourhood centre. While we prepare posters, it was mainly word of mouth that got people there. I personally do not know every individual but I am advised that about 35 of the 55 attendees were residents and the balance were mainly on the ground, non-government workers.

CHAIR: Had the residents representatives who put this together been on the team since the first meeting in April?

Ms BOYTON: Yes, I understand that is right.

CHAIR: So the local community has been involved since then.

The Hon. ROBYN PARKER: Dr Gellatly, this sounds like a ground hog day debate. We are back where we were some months ago after the Redfern inquiry. We have been presented with another lengthy report from the Government in the same language: There is no quick fix. There is another report, another delay after delay. This inquiry was in February. Have you learned anything at all from Redfern?

CHAIR: Perhaps you mean a disturbance in February?

The Hon. ROBYN PARKER: It was not a disturbance, it was a riot. Whatever have you learned from Redfern?

Dr GELLATLY: It is not that easy to answer.

CHAIR: I point out that that is actually question number 4. So we may as well go to that now, if that is the way you are going to proceed.

The Hon. ROBYN PARKER: Whatever. What did you learn from Redfern?

Dr GELLATLY: There is a whole lot of work going on with the Redfern-Waterloo Authority and the issues learned from those sorts of things are the need to engage the community, to not have quick fixes, to have sustainable programs put in place. Obviously there are very different areas with history, population, infrastructure and location in the city and so on. There is a lot of distinction between the two areas.

The Hon. ROBYN PARKER: You said in your opening statement that you would listen to the community's recommendations. How can this Committee and the community believe that? Our first recommendation on Redfern was to move the needle van and many many months have passed—

CHAIR: That is not correct. There were a large number of recommendations. You are misleading the witness. That was certainly not our first recommendation. It was a recommendation in another chapter. There is no point to be gained in misleading the witness.

The Hon. ROBYN PARKER: It certainly is ground hog day Madam Chair. You are trying to gag this inquiry, like you did with Redfern. Just let him answer.

CHAIR: I am not trying to gag. If your questions contain factual inaccuracies designed to ensnare the witness, you might be better off with a little more propriety and a great deal more accuracy.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Can I ask, did this project officer, Debbie Nelson, write the report?

CHAIR: Excuse me, Dr Gellatly may want to reply to Ms Parker.

Dr GELLATLY: No.

The Hon. IAN WEST: The second half of that question is in regard to the lessons learned from Redfern. How have they been applied to Macquarie Fields?

Dr GELLATLY: As I said, I think the important issues we have learned is about engaging with the community in making sure they are involved in the design of the programs. It was very clear from the first meeting out there that the residents representatives want to be involved, not just talked to, but actually having a say in the priorities and how the programs should be run.

CHAIR: For completeness, I guess the other part of the question relating to the lessons learned from Redfern would involve the various changes that have been made in police resources and management. Do you want to say anything about those, or do you want to leave it to the police representatives?

Dr GELLATLY: I think we have outlined in our submission that police documentation about their internal inquiry and then the adoption by the Government of the recommendations out of that. Obviously the police commissioner and others from the police service would be better placed to answer the details on that.

CHAIR: Okay, we will do that later this morning.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Did Debbie Nelson write this report or have any input into the report?

Dr GELLATLY: This report, as any whole-of-government submission, is co-ordinated through the Premier's Department and the Cabinet Office.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: If she was the co-ordinating person of the State Government's input into that area, why did she not write a report which was the co-ordinated response of the Government to that?

Dr GELLATLY: Debbie was involved with the project management group and worked very much on the community forum and was involved in drafting the action plan which is a key output from that. So she had a full involvement in it and she made a significant contribution to that. But as her own personal circumstances, she required leave so in that case Helen took over the co-ordination in the Premier's Department. She has that area of responsibility. There was nothing to hide or nothing—

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Did Helen write the report?

Dr GELLATLY: No. I explained. In any report, Helen has an involvement. It is not just one person. It is co-ordinated between Premiers and Cabinet so it is not just one person writing the report. You get contributions from various agencies and then it is put together.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: It looks very contributed and put together.

CHAIR: The agencies contributing are listed on page 7 of the submission.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Yes, I am well aware there are lots of agencies. It looks like a laundry list of government projects with minimal contact with what actually gets delivered in the field at Macquarie Fields. So why I am asking these questions is, yes, the State has all these fine projects but how many of them actually get to the people of Macquarie Fields and in what sort of co-ordinated way? Many of the submissions say that funding comes and goes with different projects with no continuity. So the submission, with respect, looks exactly consistent with that.

Dr GELLATLY: I disagree. There are issues about co-ordination and sustainability. In terms of the co-ordination, there are a number of groups. There is, as I mentioned, the Macquarie

Fields interagency group but that is a non-government organisation based locally at Macquarie Fields. Housing has a neighbourhood advisory board in Macquarie Fields, like it does in most places around the State. In the LGA, there is a Campbelltown co-ordination group, which is run by the council, and then there is a senior officers human services group in south-west Sydney. So there are a number of mechanisms. I think one of the problems identified, and why we set up this project management group I am talking about, was to overcome some of those problems and a couple of the non-government organisations I visited out there, apart from the meetings, indicated that as well that there are some issues in co-ordination, and that is what we are trying to fix.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: This project has been beavering away, co-ordinating since February, presumably. We are now in December. Where is the evidence of co-ordination?

Dr GELLATLY: We have come up with an action plan that has identified there which reflects the priorities of the community representatives and the agencies, and that points out that area and the specific issues to be addressed by government, non-government and local government in the area. I think that is a fair outcome.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: That is a whiteboard plan. The point is you have all the stuff about Families First in here but there is nothing about how Families First actually relates—there are 117 million in the State. There is nothing about how much actually relates to Macquarie Fields.

Dr GELLATLY: We can always get that detail. But I think some of the highlights I mentioned about things that have happened on the ground out there since this project management group highlight that there has been some on-the-ground activity and going out there and talking—

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: But there is nothing in this report. There is a 63-page report --

CHAIR: There is a section and appendix 1 details the family first program and the auspicing body and the funding, if you go to appendix 1.

Dr GELLATLY: We tried to outlined all the projects by the different categories that are there and who is the NGO and in a lot of the cases its auspicing.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The question in the child care, I note you have child care with the child support program. The funding levels of that are about 10 per cent of what would be needed to deliver the programs as listed. Can you comment on that? For example, the Aboriginal care says it is for 36 kids for 48 weeks. If child care costs about \$200 a week, which is what it costs in the market, for 48 weeks a year that would be \$345,000. You are putting in \$36,000. Is there a nought missing or are you funding it at 10 per cent of the total?

CHAIR: Can you tell us what page you are on?

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: It is page 21.

Dr GELLATLY: In terms of the details of that specific program, we can either take it on notice or you will be talking to that agency when they get called before the inquiry.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Perhaps you could take it on notice. I mean, all of those funding things, if you actually multiply the cost per child with the funding level, you are only funding a very small fraction of them. Is that the bottom line?

Dr GELLATLY: I would have to take that on notice.

CHAIR: It might be worth making clear whether the money is for the bus pick-up and drop-down service because it refers to education programs, so if we can have some clarity on that. The Hon. Dr Arthur Chesterfield-Evans has touched on question 2 about the issue of co-ordination which several of the submissions we have received referred to, co-ordination both among the government

agencies and also with community groups and NGOs. I would add that that was also a common theme in the submissions and hearings we did in our Redfern inquiry as well. Can you say a little more about this problem and what the Government is doing to try to address it?

Dr GELLATLY: As I mentioned before, I think we acknowledge that there has been an issue about co-ordination. Clearly we were made aware of that by the local residents representatives and by some of the NGOs I talked to. So we have set in place this local reference group that will work under the project management group that I am chairing, and part of that and the community forum was about trying to improve co-ordination. So I think we have set in motion some steps that will improve that co-ordination. There are a number of community forums that happen now. It is a matter of ensuring that the results are put into action.

The Hon. ROBYN PARKER: Do you think it is good enough that there had to be a riot before you decided to get take this sort of action?

Dr GELLATLY: Clearly when incidents like this happen they draw attention to a specific area. There are already a number of co-ordination mechanisms and programs in place and the people on the ground, both in government and non-government, are working very hard and are very dedicated to it. What happens when an incident like this happens is that the attention has other impacts other than just the social disadvantage there but the feelings of the community when they are portrayed in the media in a very negative way, when they know that there are good things happening in that community, when you talk to the principals and some of the teachers at the schools there, the impact it has in an underlying way about how kids are going at school, and how it impacts them through things like domestic violence and so on. That requires an extra effort after something like this has happened. So that is why this extra effort was put into that area, but across the board you can always try to improve co-ordination.

The Hon. CHARLIE LYNN: In the whole-of-government response to the riots there is no mention at all of law enforcement. Is that a deliberate omission or is the Government unaware that the riots were caused by police who were trying to enforce the law?

Dr GELLATLY: There is a section in the submission—

The Hon. CHARLIE LYNN: Crime prevention and public safety but nothing about law enforcement at all. The whole of the Macquarie Fields riots were caused by police trying to enforce the law.

Dr GELLATLY: I know you are meeting the police commissioner later today and also in your hearings out at Macquarie Fields you are meeting Stewart Wilkins, the local commander. I can just report from discussions, he has reported to us that the project management group that he has strong, my impression, just voicing what he is doing—obviously you will be talking to him yourselves but he wants to make it clear that the police are there to work with the community but they are also there to enforce the law. If someone is breaking the law they will enforce it. The specific issues revolving around the incident that night and what happened on the subsequent night are contained in that report and they can better discuss that. But in any local area command there are a number of measures in terms of the activities, in terms of crime and arrests that happen and their visibility and so on and he gives the details but obviously that is our key issue out there.

The Hon. CHARLIE LYNN: Have you read the police report?

Dr GELLATLY: No.

The Hon. CHARLIE LYNN: You have not read it?

Dr GELLATLY: No.

The Hon. CHARLIE LYNN: Would you not think that if you were putting a whole-of-government approach to it that you would read the report?

CHAIR: The police report is summarised in huge detail, starting on page 46.

The Hon. CHARLIE LYNN: I am just asking Dr Gellatly whether he has read the report.

Dr GELLATLY: I have read the summary. I have read the Government's response and I have talked to the police about it at all levels and I did not feel there was any need for me to read in detail the original report.

The Hon. CHARLIE LYNN: Have you read that report, Helen?

Ms BOYTON: Are you referring to the—

The Hon. CHARLIE LYNN: The police report.

Ms BOYTON: The inquiry into the disturbances.

The Hon. CHARLIE LYNN: Yes, the final report of the Macquarie Fields public order management incidents.

Ms BOYTON: I have not read the entire report, no.

The Hon. CHARLIE LYNN: Yet this whole-of-government response, I would have thought this would have been the essence of any whole-of-government response because it was caused by riots as a failure of law enforcement. In fact, if you read the report, my next question was going to be: Can you find anything in that report that went right by the police? Surely law enforcement is the key issue with regard to the riots in Macquarie Fields. It was the failure of the police to be able to enforce the law that caused the riots which led to all the other social difficulties. This whole-of-government report seems to be like a lot of chaff that is being thrown out to sort of hides the issue, to deflect people's attention from the issue.

Dr GELLATLY: I think that is very insulting to all the people who are working in the field out there trying hard to do the work on the social issues that followed. Clearly the police incident and what happened that night is an issue that was dealt with by police and they can talk to you in detail about that.

The Hon. CHARLIE LYNN: Surely that is the issue.

Dr GELLATLY: But the Government and its agencies are more about the broader social issues and the issues of community building and strengthening out there, rather than just focusing on the police issue.

The Hon. CHARLIE LYNN: But surely this is an not just an instinctive reaction to law enforcement. In the police report, in fact in your summary that is in your whole-of-government report it says, "The confrontations were characterised by well-planned, sporadic violence involving police being pelted with missiles that the offenders had to pre-positioned for that purpose". I understand that these people had been involved in a major vehicle thieving and house breaking racket that the police had intelligence on them. When they went to arrest them these people had—in fact, their operation against the police, from what I can read in the report, was better planned than the police operation to enforce the law. So do you not think that law enforcement should be addressed as a primary issue in any whole-of-government response to it, and then the other social issues appended to that?

Dr GELLATLY: In the way we are dealing with the broader social impacts, I have to say that law enforcement is one part of it but we are dealing with a lot broader issues in terms of impacts within the schools, within the community and other longer-term issues. Clearly, there are issues that the police are doing to fix up what happened in regard to that incident and you will be talking to them about that. But our concentration across the number of agencies that I have mentioned there is about the future and about getting on with strengthening the community.

The Hon. CHARLIE LYNN: I appreciate that, and I have been in contact with a lot of those agencies over the years. What is the impact of drug abuse and alcohol abuse and drug dealing in the Macquarie Fields area?

Dr GELLATLY: Clearly, in the parts of the submission, without me going through them and detailing them, they have significant impacts, whether you look at the health side and the presentations at health facilities, you look at the domestic violence statistics, which are high, and just the number of reports that are received there in terms of the behaviour of some people and the impacts of drugs and alcohol. Clearly that has had, and is having, a major impact there.

The Hon. KAYEE GRIFFIN: Dr Gellatly, could you give the Committee details about other inquiries or investigations that have arisen as a result of the Macquarie Fields disturbances? If those inquiries have taken place, what conclusions or recommendations have been made and to what extent have those recommendations been implemented?

Dr GELLATLY: I will take that question on notice. Obviously, the police made inquiries and there are recommendations as a result of that. I cannot remember any other formal inquiries.

CHAIR: With the exception of the things leading up to the action plan.

Dr GELLATLY: The process that we have undertaken through the project management group.

The Hon. KAYEE GRIFFIN: Referring to the work that has been done by that group, what were the underlying causes or problems that contributed to the disturbances?

Dr GELLATLY: I think in one way it is very easy to say. It is just the socioeconomic characteristics of the area: the fact that there is a large percentage of public housing, low income people and a significant number of young people who are unemployed or who have not attained a reasonable level of education that affords them the opportunities. That creates underlying circumstances. If an incident happens that sparks people obviously it is more likely to result in a bigger social disturbance than it would have in other areas that are not characterised by those socioeconomic statistics.

The Hon. KAYEE GRIFFIN: In your opening statement you spoke about Macquarie Fields having 50 per cent of children and young people.

Dr GELLATLY: Yes.

The Hon. KAYEE GRIFFIN: You mentioned things like skating parks and so on. At the moment the reference group and other groups are working in Macquarie Fields. How are you obtaining information from young people? Are young people being involved in those forums, or is some of this information coming from non-government organisations and other people on the ground?

Dr GELLATLY: It is coming from all those sources. We are trying to engage with younger people. We have another program that is going on across the State—the Pacific Island Youth Implementation Partnership. We have a couple of programs out there. I chair that group as well. We have a number of young people on that. They feed in their ideas directly through that broader Pacific Islander youth implementation group. Obviously the teachers and the principal at the high school have a significant input into the young people and have provided us with feedback. If you look at the list of programs you will see that there are a number of programs, on the school side in particular, that have received extra funding to engage in and help with things like homework, job preparation and those sorts of things.

We have had a number of discussions with sporting groups. The Australian Football League has been pushing the idea of an academy-type approach out there. There are ongoing discussions in relation to that. We have had discussions with the Razorbacks about engaging younger people. They have been talking to some of the basketball teams out there. That applies similarly to rugby league and to other sports. So there have been a number of interactions. As I said earlier, the principal of James Meehan High School has been active in the group and in giving us feedback from the youth.

The Hon. KAYEE GRIFFIN: You might need to take my next question on notice, but could the Committee have further information relating to homework programs, the number of programs, where they are located and how many children and young people are involved in them?

Dr GELLATLY: Yes. I will take that question on notice.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: You referred earlier to mental health services. It has been suggested that young people go to other places to access those services. How much is delivered at a community level? How many people comprise the community health team, how many people does it cover, and for what hours is it available?

Dr GELLATLY: I will take that question on notice.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The report, which contains a lot about police, sounds like a description of a well-equipped army. What is happening in the area of restorative justice?

Dr GELLATLY: It would be better for attorneys general to give you more detailed information about that. A community conferencing program is being undertaken, there is the Drug Court and there is also a domestic violence program. As reflected across government, a number of programs are looking at the restorative justice process in the area but it would be better for individual agencies to give you the details on that.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: We have received submissions to the effect that police were very aggressive and alienating in their approach. Has anything been done to address that issue?

Dr GELLATLY: I know from the reports that I have received from the local area commander and from our project management group that the local area commander has taken an active role in engaging the police, in being seen and in engaging with the community in a proactive way rather than just waiting to be there to arrest people or to caution them about their behaviour. He certainly has made an effort in the last few months. The feedback we are getting from the community people is that that has changed. There is a different mood in the community about police. They are doing things like taking young kids on camps. Eight police went along to it. From my observations and from the reports I am getting, the relationship between police and some members of the community has improved significantly.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: You are talking about 11 kids 10 months later, are you not?

Dr GELLATLY: A number of activities have taken place along the way. That is just one activity that has highlighted a specific program. Obviously, that is what is happening day to day on the streets out there.

The Hon. ROBYN PARKER: Dr Gellatly, obviously some good things are going on in Macquarie Fields, as there are in Redfern. However, so far the Government's response has been reactive. What proactive initiatives do you have in place to ensure that in other communities where social disadvantage occurs at those sorts of levels we do not have another riot this summer?

Dr GELLATLY: It is not something that just happened overnight. I think you are aware of the community solutions program that has been running for a number of years. Four or five years ago the whole focus of the community solutions program was to ensure that we spent a bit of time identifying 30 areas around the State that have low socioeconomic problems, such as high levels of child abuse, domestic violence, heroin usage and so on. So we are working with data, for example, Tony Vincent's data, and we are using things such as police information. We are working with hospital admissions-type information, and information from non-government organisations.

As a result of that community solutions program we have identified about 30 communities around the State with whom we have been working intensively. That includes Mount Druitt, Kempsey, Walgett, Brewarrina and so on. It is a matter of trying to work with all those areas that are

more socially disadvantaged than others. We are talking about an incident that happened with the police that night and about a fatal accident that led to this event. We just hope that those incidents do not happen again and we are addressing the precursors to social tensions. The Government and agencies across the board have been trying to work fairly comprehensively with people in these socially disadvantaged areas.

The Hon. ROBYN PARKER: Surely we need more than just a hope that it does not happen again? Surely the Government has some strategies in place, knowing the triggers for both those riots in those communities? Surely we need more than a hope that it does not happen somewhere else?

Dr GELLATLY: No. There has been a concentrated effort across a number of communities to try to strengthen those communities and to provide them with resilience and strength so that incidents like this do not happen. There are things across different parts of the State, such as night patrols, that have been demonstrably successful at night time in looking at youth on the streets, seeing what they are doing, taking them home, or taking them somewhere and those sorts of things. That is something that has been tried and it is continuing to be used.

The Hon. CHARLIE LYNN: I refer to the section on youth conferencing on page 42 of your submission, which states:

The first referrals to the pilot program for the Liverpool Local Court included offenders who were charged with riot offences as a result of their involvement in public disturbances at Macquarie Fields in February 2005.

With whom did they attend youth conferences? Your submission states that offenders who were charged with riot offences attended youth conferencing. With whom did they attend youth conferences? Was it with the police who arrested them?

Dr GELLATLY: The information I have is that police and community members attended the conference and discussed with offenders the impact of the offence on them and their families. They also discussed what offenders could do to redress the harm that they had caused. The outcomes of the conferences for two of the offenders were put before the magistrate on 9 November for sentencing. These two offenders were sentenced to 12 months imprisonment with a three-month non-parole period. The outcomes of the conferences for a further four offenders were put before the magistrate on 23 November 2005. Three of these offenders were sentenced to 12 months imprisonment with a three-month non-parole period and one was sentenced to nine months sentence under a section 12 bond. I understand that the five offenders who were sent to prison have now lodged appeals and have been released on bail. As the matter is before the courts it would not be appropriate for me to comment any further.

The Hon. CHARLIE LYNN: I understand and support youth conferencing between victim and perpetrator in certain circumstances, but I have great reservations about the police being involved in this sort of thing. They are about arresting people and presenting evidence in court. But to have to sit through a conference with them does not seem to be in line with their role.

Dr GELLATLY: I will take that question on notice. I think there was a change. If you remember, there was a public discussion about the concerns of police in relation to this issue. I will take that question on notice and get back to you with a detailed answer.

CHAIR: I think we passed legislation in the middle of this year relating to the trial of the young adult conferencing.

Dr GELLATLY: Yes.

The Hon. IAN WEST: I refer to the resources that were used or that were allocated to police in Macquarie Fields. What was the level of those police resources prior to the incident in February and after the public disturbance in February this year? Would you give us some indication of the level of police resources?

Dr GELLATLY: I could not right now. I could take that question on notice. You will be speaking to the Commissioner of Police later. I am sure he will be able to answer that question.

CHAIR: What about the question relating to police and the changes that have occurred, which are dealt with in section four of your submission?

Dr GELLATLY: There are changes to overall police administration and structure. I have commented on what I have seen at a local level of the community's reaction. Again, it would be better to ask police representatives.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: I refer again to co-ordination at a local level. Debbie Nelson, the project officer, seems to have disappeared for the time being. Have you taken over from her?

Ms BOYTON: Yes, that is right.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: What can you tell us about co-ordination between different services? What effect will it have on morale, relations with police and the social problems in Macquarie Fields?

Ms BOYTON: As Dr Gellatly as mentioned, just strengthen the co-ordination particularly between the levels of government as well as within State government and also between government and the non-government sector. It is a fairly complex picture. We have formed a local reference group: six resident reps, six State government agencies, six NGOs, two from council—and council will convene and chair it—and two reps from the Commonwealth, DEWR and FACS. That group will meet monthly or bi-monthly as the need arises to try to ensure that there is very strong communication and co-ordination between all the players in relation to service delivery and that the residents, who are the consumers of those services, are able to provide direct advice and input.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Do you personally visit all these agencies?

Ms BOYTON: I do not personally visit all the agencies. My role is to ensure that the key State government agencies are working with each other and with the non-government sector. There is a significant number of people with a great deal more knowledge and expertise than I have about the individual programs. They, of course, have close contact with all those service deliverers. But I personally do not need to do that.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: But if you have all these service deliverers getting their funding from many different sources—any of which might slightly capriciously take away their money and render them non-viable—is it any use that there is just another co-ordinating body? Do they go through each individual body and say, "Well, we are all paying for a quarter of this, can we rationalise or are we committed to this body or that body?" What is the ongoing picture? How do they fit together? Does anybody look at that systematically? If so, what can the New South Wales Government say about it?

Dr GELLATLY: I think they do. That is the reason there is the mention of South-west Sydney Senior Officers Group in the human services area. There is a structured process through Government. There is a Chief Executives Committee on Human Services, so issues of funding about who is funding what, what the priorities are, what programs are working, Families First or programs in the different areas—community solutions and so on—that is where that is considered. That goes up to the Cabinet committee level to the Human Services Cabinet Committee. We have been conscious of the issue of the different range of services—who is funding what and what the need for co-ordination is—so that you are not replicating your funding and only funding the ones that are providing the outcomes that are required and so on. That has been a key focus.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: But you are giving global platitudes. I am asking: What is actually happening on the ground? Who delivers the services for the people on the ground? I notice there is mention in your submission of a breakfast program. What is the demand for the breakfast program? How many breakfasts are delivered and how many people want the breakfast program? Does everybody have the breakfast program? Do kids from disadvantaged areas need breakfast? What surveys are there of who does that? What ongoing commitment is there to that?

Dr GELLATLY: I have some detailed information here on the evaluation procedures of different agencies. Clearly, if you want to find out information about the breakfast program you should speak to the person on the ground at Curran Public School. We can get that information for you—the name of the person who is organising it.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: You have given us a global picture from the ABS, Department of Housing figures or whatever but it is all very global. There are not that many people in Macquarie Fields are there?

Dr GELLATLY: No.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So surely we can have somebody on the ground, who says, "Look, there are some problems in the suburb. There are some areas here or there and they are being looked after by this, this or this service". We need a micro picture as well as macro platitudes.

Dr GELLATLY: I would not call them platitudes. You would be critical of us if we did not have an overall, whole-of-government framework for dealing with this. If there is anything we have learned from Redfern it is that you need to have that whole-of-government stuff as much as you need the detail and people working on the ground. Presumably, the purpose of your going out there to Macquarie Fields is to talk to people who are working on the ground, day to day, in the community. We are not pretending to provide you with that sort of information. We are saying: Here is a broad picture right across government. Then down on the ground and at the regional level there are programs happening and individuals working hard to deliver outcomes on the ground. They are the ones you should be talking to to find out the details.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: But none of the submissions say, "Gee whiz, there's been much better co-ordination since the riots and we are really delighted with Debbie Nelson or some government person who has whipped along and got us co-ordinated; we've got more funds and we're co-operating much better with everybody". No-one has said that in their submissions.

Dr GELLATLY: It is not often you get positive comments about doing these sorts of things. It is only short term; it is only early days in this co-ordination. I am sure that some of the people are cynical about it because they might have heard it all before. They want to see it happen and are awaiting judgment for 12 to 18 months to see whether a difference has been made. As I said, it is not a short-term thing.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Management loves having workshops, putting up whiteboards and having lots of laudable aims, but it is long way between that and it actually happening, is it not?

Dr GELLATLY: As I said, it is happening on a number of levels. The groups we are having are interacting with the people delivering on the ground. I think it is working, but the proof will be in another 12 months or so.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Is there a person we can talk to about this or do we wait for Debbie Nelson to come back from her leave?

Dr GELLATLY: Obviously we have a structure in place for dealing with this and it is not dependent on just one person being around. There are some people working on it. At the local level Helen is doing it from a co-ordination point of view. As I said, you will be meeting people out there who are working on it. Of course there are people you can talk to about it.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Structures are made of people. If there is an area with problems—the Tony Vinson model of this is an area with problems—is there somebody who looks after that area and who can speak authoritatively from that perspective? When I asked Ms Boyton she flick-passed the question back to you.

Dr GELLATLY: The issue—and it is one that we have had to wrestle with over the years; the issue of local government place management—is do you go out and appoint a place manager for 30 or 40 places across New South Wales?

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: It sounds like a good idea. Why do you not?

Dr GELLATLY: It works in some places. We have tried that in a number of places. There are other mechanisms for ensuring that co-ordination happens. We are trying this approach with local groups to see how that works. Obviously in Redfern-Waterloo we have gone to the other extreme with the formal structure of the Redfern-Waterloo Authority, which is legislative—

The Hon. ROBYN PARKER: Do you have plans—

Dr GELLATLY: No.

The Hon. ROBYN PARKER: Do you have plans for an authority like the Redfern-Waterloo Authority in Macquarie Fields?

Dr GELLATLY: That is clearly a matter for government but my opinion is that it is a totally different circumstance.

The Hon. ROBYN PARKER: So you will not undertake a planning response out there.

Dr GELLATLY: No. There are issues identified in the submission about housing and what Housing is doing about changing the nature of the estate and that sort of thing. But, no, there are many different issues.

The Hon. ROBYN PARKER: There is a difference in the value of the real estate as well, is there not?

Dr GELLATLY: Yes. That is a reality.

CHAIR: I have a question about the breakfast program. I will use that as an example. Two points have been raised. One relates to whether there is a need for a lunch as well as a breakfast program. Someone has mentioned that to me. The other point is whether the two primary schools providing those programs are sufficient or whether the high school should be better involved. Using that as an example, if the Committee wants more specific information—you have named the schools and the program in your submission—who should our point of contact be? Should we deal with you or with Ms Boyton? Should we deal with the local people on the ground?

Dr GELLATLY: I think it would be better to hear from the local people involved: the principals.

CHAIR: In terms of funding and the general program, perhaps Ms Boyton would be our contact.

Dr GELLATLY: Yes.

The Hon. CHARLIE LYNN: The section on family violence and drug and alcohol issues on page 18 of your submission says that about half of the reported assaults in the area have a domestic violence background and many are fuelled by drugs and alcohol. NSW Police attend almost 200 domestic disputes per month in Macquarie Fields. There are 3,618 households in Macquarie Fields, which means that there are six per day—which, as you indicate in your submission, is twice the recorded average for New South Wales. Given particularly that most of the problems in Macquarie Fields, I believe, are caused by drugs and alcohol, is there a need for a special authority just to focus on Macquarie Fields because of the longstanding nature of these problems and the inability of government to be able to address the problems over a long period of time?

Dr GELLATLY: What type of authority?

The Hon. CHARLIE LYNN: I will give an example of the problem. Back in 1995 before I ran for Parliament I made a comment after a day's doorknocking in Macquarie Fields—in fact, I went out there to meet a bloke who could not get any access to his local member of Parliament. This bloke had a job and everybody called him a dog. His kid was attacked at school because her parents had jobs. I referred to the area as "a bit of a ghetto", and every do-gooder in the State climbed all over me, including the State Government. Those problems could have been addressed in 1995, when the kids who were out there in February throwing rocks at the police would have been about four or five years old. The programs clearly are not working. There are a lot of good non-government agencies out there doing great work. But until you address the issue of drugs, alcohol and abuse, I think you are whistling Dixie. I ask you: because these social problems are so endemic in Macquarie Fields, would it be best to establish some sort of authority, such as the Redfern-Waterloo Authority, to focus on the issues and come up with co-ordinated solutions?

Dr GELLATLY: I think the situation is a lot different. We are trying to provide better co-ordinated local services. I do not think the preconditions are there that would justify the creation of a separate authority in the area.

The Hon. CHARLIE LYNN: It is clearly not working. I have been out there a lot. Some of the local shopkeepers and the people who live there regard it as a bit of a war zone. It is because of the crime, the drugs, the alcohol and the inability of the police to do anything about it. I was at a police station in Macquarie Fields in the days not long after I got out of the army—

CHAIR: Mr Lynn, I think your role is to ask questions rather than make speeches about your political past.

The Hon. CHARLIE LYNN: Yes. The police had a young bloke there. They said, "Look, we can't do anything about him. He's knocked off five cars but we can't touch him". So the hands of the police are tied. The issues of drugs, alcohol and crime fuel the problems in Macquarie Fields. Until they are addressed in a dinkum way all we are going to do with these inquiries is add another heap of chaff, another great thick folder, and we will be having another one in two or three years.

The Hon. IAN WEST: Written and authorised by—

The Hon. CHARLIE LYNN: Just cut and paste.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Following on from Charlie's question—

CHAIR: Dr Gellatly may want to comment on that.

Dr GELLATLY: I just think we need to recognise that there are a lot of hard-working people out there in various services—the police, drug services, and the alcohol and domestic violence areas in government and non-government agencies—who are trying hard to work with the community. The message I have got from a lot of the community is that they are sick of the portrayal of the area in a bad way and the lack of recognition of some of the positive things. A significant number of residents are working hard to strengthen the community.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Does the Government accept the Tony Vinson model from 20 or 30 years ago, whereby if you identify areas of social disadvantage that is where crime and problems will come from and that is where you should concentrate?

Dr GELLATLY: We have obviously realised that there are complex social interactions in any community and the socio-economic area, the drug taking and domestic violence are indicators of the difficulties that are occurring in that place. You need to try to get to the causes of those problems, particularly with younger people.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So you do accept that there are areas, as Tony Vinson said, of disadvantage that need to be addressed specifically?

Dr GELLATLY: Yes.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So why are there not individual people co-ordinating those areas? It does not have to be an authority but at least a person who says, "I am looking after this area", or a team that looks after the area. Why can we not then speak to that team here about the half a dozen schools or community centres or the geographical areas that have the problems? That would give us a global view of which schools are doing what. You are talking at a very high level and saying, "There are lots of good people having lots of meetings, making plans on whiteboards and so on", but what about at a more on-the-ground level? Can you tell us the name of a person who can come here and tell us about these things? If you cannot do that it just dissolves into waffle.

Dr GELLATLY: With respect, if you read the submission you will see that it goes through in detail—it is in the appendix—specific programs that are happening at individual sites. I know that for one the co-ordinator is working at Curran Public School—Jan Watson. She is on our project management group and I am sure that she will give evidence to you.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Will you provide the committee with details of three people, if it is not one person?

Dr GELLATLY: I have just mentioned one, and there is the principal of James Meehan High School, and a number of people are lined up. A number of people are meeting out there, which is the correct way. As I said before, if you want details of what is happening day to day on the ground, they are the people you should talk to, and I understand you are, and that is the sensible thing to do.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: If you are trying to fix it up the submissions say that NGOs believe you need better co-ordination between the authorities. You do not have a person in that role and you do not have a person for that or other problem areas in terms of the Vinson model of areas of disadvantage.

CHAIR: We have already made arrangements to speak to a number of those people. We have already made arrangements

Dr GELLATLY: I have tried to say the specific reason we set up this project management group was to address that problem. Also we have the community solutions group that is now in the Department of Community Services—it was in the Premier's Department—a communities division and its whole rationale is to deal with these types of communities. That is why we have brought together the various programs, the Office of Children and Young People and the Families First program, that are now co-ordinated together in the communities division in DOCS. That was an attempt to say that programs such as Families First that are addressing early intervention, to try to address the problems early, should be part of the communities approach. So they are in the communities division in DOCS. We are working on the logic you have been talking about.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The essence is you have not got a whole of government co-ordinator for these problems areas? You cannot name a person to whom I can talk?

Dr GELLATLY: I can tell you plenty of people to whom you can talk.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: But that is not the same thing. If you are talking about a co-ordinated response you need a very small group.

Dr GELLATLY: That is why we have set up a project management group, a small group that I am chairing that is project managing this effort out at Macquarie Fields.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Where is the small group? Who is it?

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: I have already mentioned it three times and it is in the submission.

CHAIR: We have been through that. You mentioned in the submission in relation to public housing that since 1995 the department spent \$52 million on the upgrading of the physical structures of houses, roads, laneways et cetera on a number of estates. You mentioned that 945 dwellings were completed. Elsewhere in the submission you mentioned 1,408 dwellings. What is the program? From where is the funding coming if there is a plan to upgrade the remaining approximately 450 dwellings?

Dr GELLATLY: I will take that on notice. I think you are meeting with the director general of housing and he could come ready to answer that question.

CHAIR: I notice that a similar program in relation to the Aboriginal Housing Office is just about completed and work is under way at the moment. How much more is being done and is the difference in the figures related to demolitions to restructure housing, roadways and pathways?

Dr GELLATLY: Yes.

The Hon. CHARLIE LYNN: I refer to the separation of powers between the Police Department and NSW Police and the authority of the commissioner in regard to the execution of the budget in relation to training, recruitment and operations.

Dr GELLATLY: It would be better to ask the commissioner about that matter later this morning.

The Hon. CHARLIE LYNN: I just want the viewpoint of the Government and the commissioner.

CHAIR: Dr. Gellatly is the director general of the Premier's Department and that question should be addressed elsewhere.

The Hon. IAN WEST: Would you comment on part 4 of the report in relation to police resources and strategies in Macquarie Fields?

Dr GELLATLY: I would not like to add to what is in the submission. I understand you are talking to the Police Commissioner shortly and it is more appropriate to ask him about the details.

CHAIR: What would you like to come out of this inquiry?

Dr GELLATLY: We would be looking for any useful suggestions that can help us on the path. It is a long haul and clearly you will have the opportunity to hear directly from the people out in the community and the people on the ground, and we look forward to seeing the results of that.

(The witnesses withdrew)

(Short adjournment)

KENNETH EDWARD MORONEY, Commissioner, NSW Police,

ANDREW PHILLIP SCIPIONE, Deputy Commissioner, Field Operations, NSW Police,

DENIS JOHN CLIFFORD, Assistant Commissioner of Police, Regional Commander, Greater Metropolitan Region, NSW Police,

JOHN TREVOR SWEENEY, Superintendent, Local Area Commander, NSW Police,

GREGORY EDWIN ROLPH, Superintendent, Hawkesbury Local Area Command, NSW Police,

MARK RAYMOND NOAKES, Acting Commander, Operation Vikings, NSW Police sworn and examined:

CHAIR: Commissioner, you have received the questions we sent you. We have been talking, as you probably know, to Dr Gellatly this morning about the Government's response, which, of course, contains quite a lot about police matters as well. Would you like to make an opening statement before we go onto our questions?

Mr MORONEY: Madam Chair and members of the Committee, firstly, thank you for the invitation that has been extended to both me and my colleagues to attend and address this Committee today. By way of reintroduction, I indicate that I am accompanied by, on my immediate left, Deputy Commissioner Andrew Scipione, who was in charge of Field Operations; the Commander of the Greater Metropolitan Region on my immediate right, Assistant Commissioner Denis Clifford; Superintendent John Sweeney, the then Local Area Commander, Macquarie Fields, in February 2005; Superintendent Gregory Rolph, who, as he has already indicated, is currently the Commander of the Hawkesbury Local Area Command, but who was, at the material time, the Commander of Task Force Vikings; and Chief Inspector Mark Noakes, the current Acting Commander of Vikings. Madam Chair and members, the fact that this matter is before the Social Issues Committee has not escaped me. For reasons that we, the police, seek to raise here today and, I believe, for reasons that have, and will become even more, apparent to your inquiry the issues impacting on the community of Macquarie Fields are not solely nor simply matters of law and order, important as those issues are.

It is important in examining the events of February 2005 and, perhaps, even more importantly, identifying the solutions and the way ahead there must be an address to the totality of the social issues impacting on the Macquarie Fields community for enhanced community and individual living, of which law and order is an important aspect. Coupled with the importance of identifying and monitoring a range of holistic solutions comes the equally compelling point of the acceptance of individual and community responsibility. I am sure that this Committee has already received evidence, and will receive evidence, of much good work that was being done in Macquarie Fields before February 2005. Equally, since the disturbance of that period, that body of good works has been built upon by both the community and its individual members and, equally, by the agencies of government at all levels including the local police.

Today my colleagues will speak of the issues that were the catalyst for the events of February 2005. Equally important, we will discuss our response to those events. We do so from a position of acknowledging a wide range of issues that occurred during this immediate period. We are here in the spirit of co-operation. I have said publicly that my organisation must grow and learn from the disturbance and our response to it. The terms of reference are specifically related to the events of 25 to 28 February 2005. Whilst we are here to provide responses to those events, I am cognisant that there are a range of judicial proceedings pending before the Coroners Court and other superior courts. For this reason it may be appropriate that, at times during this inquiry, some matters may be heard in camera. Finally, Madam Chair and members, I hope that at the conclusion of this hearing today I might be given an opportunity to provide a closing comment.

CHAIR: You have received the questions we thought we wanted to take up with you. Some of them deal with the background that is particularly related to questions of police resources, staffing and so on. Then we want to go into the incident that you have referred to. Can we start by getting from you some idea of the level of police resources that existed in the Macquarie Fields Local Area

Command [LAC] prior to 25 February and what changes have occurred since then from you or from any of the officers that you think are appropriate to answer?

Mr MORONEY: Thank you, Chair. Indeed, that was going to be my first query. If I could, by way of answering your question, indicate that the Macquarie Fields Local Area Command, both at the material time and at this point of time, rests within the Greater Metropolitan police region. That will change as and from 1 January next. For the purposes of human resource management, tasking and deployment, that tasking, deployment and allocation of human resources, both sworn and unsworn, is the primary responsibility of the Region Commander who reports to the Deputy Commissioner, Operations. To give effect, then, to your answer I would ask, with your agreement and that of the Committee, that the Regional Commander be able to provide the specifics of that question.

CHAIR: Mr Clifford?

Mr CLIFFORD: In February 2005 Macquarie Fields had 156 authorised positions with 159 sworn officers actually attached to the command. Of these, 18 per cent were probationary constables while the region average was 14 per cent. Of the general duties and staff attached to Macquarie Fields LAC, 76 per cent has less than five years of service for the region. The average was 70 per cent. Notwithstanding these figures, Macquarie Fields is typical of many commands within the Greater Metropolitan Region in relation to staffing numbers.

The Hon. CHARLIE LYNN: Could I just ask a question on those numbers?

CHAIR: Yes. Do you want to go into the current ones first, or do you want to stick to the past want?

The Hon. CHARLIE LYNN: Continue it and I will come back to it.

Mr CLIFFORD: As at the end of October 2005 Macquarie Fields had an authorised strength of 156 with an actual strength of 156, but I can indicate of those general duty police authorised numbers were 104 and the actual numbers were 108. It is actually four over strength there. The highway patrol, there are 32 positions authorised and 30 positions actually filled. They have two target action group positions, both of those are filled; and of the criminal investigation and authorised positions, 15 out of the 16 are currently filled. That is the status of the authorised and actual strength of the command.

CHAIR: Has there been any change in the level of probationary police with less than five years experience?

Mr CLIFFORD: I do not have the actual figures for that, but that would fluctuate with new classes coming out of the academy and, in turn, with probationary constables confirmed as constables. It is an actual fluctuating percentage of probationary constables in any police command.

CHAIR: I ask because, as you probably know, this Committee was given the inquiry because, I think, we did the Redfern inquiry and the high numbers of probationary and other less experienced police were an issue that we drew quite a bit of attention to in our report, and some of our questions about the lessons that have been learned will come back to some of these issues later. But we can always ask you, and I think it would be sensible to ask you, to take that question on notice and give us those figures.

The Hon. CHARLIE LYNN: A point of clarification: According to the report on page 15 there are 45 per cent of police with less than five years experience. Was that the same figure that you just gave?

Mr CLIFFORD: Sorry, what report was that?

The Hon. CHARLIE LYNN: This is the police report into the Macquarie Fields riots.

Mr CLIFFORD: Sorry, this is the debrief report or what is commonly called the Madden report?

The Hon. CHARLIE LYNN: The final report into the Macquarie Fields Public Disorder Management Incidents, Office of the Deputy Commissioner of Police.

Mr CLIFFORD: I missed the page, sorry?

The Hon. CHARLIE LYNN: Page 15, and on that page there is a breakdown of the human resource data. At the top of that you say that 55 per cent of all police within Macquarie Fields have more than five years of policing experience, which obviously means that 45 per cent have less. I just want to know if they are the same figures that you just quoted. You quoted 76 per cent. I was not quite sure. I did not quite pick up where that figure came from.

Mr CLIFFORD: I think those figures might have been taken at a different point in time. The numbers of less experienced tend to fluctuate throughout the year.

CHAIR: I think you also gave us some figures relating to general duties police, and then later on you mentioned highway patrol and so on.

Mr CLIFFORD: That is right, yes.

CHAIR: We need to be clear, which we can take on notice, if necessary.

The Hon. CHARLIE LYNN: In regard to that data that is in the report, the current operational strength is 81 per cent, rather than at the top of where you say it is over strength by seven officers with a total of 163 police officers within the command. When you take the operational strength that would equate to 17 constables, which would mean it would be 13 under strength if you take into account the permanent restricted duties, temporary restricted duties, long-term sick, secondments, external loan, extended leave and full-time without pay. It leaves you with an operational strength of 81 per cent.

Mr CLIFFORD: I might point out that the report that you referred to provides HR data that was gathered in January of this year, January 2005.

The Hon. CHARLIE LYNN: Just before the riots?

Mr CLIFFORD: Just before and, as I said, the numbers of operational police when you look at people on maternity leave and other temporary or permanent restricted duties and that sort of thing, it fluctuates throughout the year.

The Hon. CHARLIE LYNN: As at January you were really 13 under strength for your operational policing?

Mr CLIFFORD: Looking at those figures, yes, from January, I would agree with that.

Mr MORONEY: If I could, by way of a further comment relevant to a question you asked of the Assistant Commissioner, I think it is important to firstly understand and, by way of factual comparison, the authorised strength to which Mr Clifford referred of 156 does, when compared to the period of 1995, represent more than a 100 per cent increase in the staffing figure at Macquarie Fields. I think the other issue relevant to the numbers of probationary constables, important as that issue is, in the context of their learning experience the average age of recruits coming from the academy at Goulburn now is 28.5 years, so they bring with them a whole range of life skills that, perhaps, was not the case in previous period.

CHAIR: Is there anything else that we should go into in terms of policing resources? It obviously goes beyond simply staffing. Is there anything else at this stage that you should go over? Some of those issues about equipment and specialist squads and so on will come up later.

Mr CLIFFORD: Yes, I would like to leave any comment in relation to the equipment until later, if that is the case, Madam Chair.

CHAIR: Okay. What about turnover and the average length of stay? Does the Macquarie Fields command have more turnover than the typical command in New South Wales?

Mr CLIFFORD: Not that I am aware of. As I said, I think it is probably typical of level one commands in the greater metropolitan and, indeed, the metropolitan region.

CHAIR: And that is true of the average length of time that officers stay?

Mr CLIFFORD: I do not have any statistical breakdown of that, but I am not aware of anything that sets Macquarie Fields apart from any other command.

CHAIR: Can you tell us something about the nature and level of crime in the area?

Mr CLIFFORD: As I said a moment ago, Macquarie Fields is typical of a level one command in terms of incidents and nature of crime. While the local area command's performance in some crime areas has been better than the region and the State, the 26 per cent increase in assaults for the first quarter of 2005 is not indicative of surrounding commands. Notwithstanding this fact, there has been a recent control reduction for assaults in the Macquarie Fields command. I can provide specific figures if required, but as I said it is typical of a level one commands in that part of the western suburbs.

The Hon. ROBYN PARKER: Is domestic violence included in that assault reduction?

Mr CLIFFORD: I do not have the chart in front of me for domestic violence. If I could have a look to see if I have those figures?

Mr MORONEY: We can provide the specifics and breakdown of the various categories of assault, but certainly domestic violence within the overall category of assault is of major concern. Within the parameters of domestic violence, alcohol and the abuse of illicit drugs plays a prominent role within this particular command.

The Hon. CHARLIE LYNN: In the previous whole-of-government report I think it said that police attend 200 domestic violence incidents per month, which must be a great strain on your resources?

Mr SCIPIONE: Certainly the statistics tell us that we are attending about 200 per month. I think since November last year through to about April there were over 800 events that we attended and that is about twice the recorded average for New South Wales in terms of domestic violence and we know that almost half of all of the reported assaults within the Macquarie Fields area have a domestic violence background, many of them fuelled by alcohol and drugs.

CHAIR: I think the assault percentage you gave us related to the first quarter of this year. Would that be skewed by the events involved in the riots themselves, so that the level of assaults would be higher because of what happened over those three or four days?

Mr CLIFFORD: That it is true, Madam Chair. That would be included in that quarter.

CHAIR: So to look more generally in relation to Ms Parker's question about domestic violence, for instance, you would need to look at the quarters before that and after it, if you were trying to get an idea of the usual percentage in relation to the total number of assault?

Mr CLIFFORD: That is correct.

The Hon. ROBYN PARKER: Do you have the data on the numbers of perpetrators of domestic violence who have also been victims historically of domestic violence?

Mr CLIFFORD: I do not particularly have that with me today. Can I say that in relation to domestic violence, it was acknowledged that domestic violence is an issue in Macquarie Fields and surrounding areas. The command at Macquarie Fields and also at Campbelltown are taking part in a trial involving police and the Attorney General's courts, magistrates and so forth, in relation to dealing

with domestic violence right through the system, from contact with the police through the courts system.

The Hon. ROBYN PARKER: Just while we are on domestic violence, although it is a little out of context—given the level of domestic violence—can you tell me your view of the State Government's action in taking the violence against women co-ordinator out of the Attorney General's Department and into the Department of Community Service, that is, taking it from the criminal perspective and into the welfare perspective.

CHAIR: I am glad you mentioned it was a little outside our terms of reference.

Mr MORONEY: The focus and direction of the police in responding to matters of domestic violence are dictated to not only by the criminal laws of this State but indeed by our organisation's policy and protocols. In that sense then we will provide a level of co-operation with whichever agency it happens to be, whether it is formally the Attorney General or the Department of Community Services. So that level of response will be provided to that particular agency because it is important in the context of how we seek to resolve matters of domestic violence.

In some particular communities—and I mean not only in terms of their geography but in terms of their culture or other backgrounds—we continue to work through and devise methods of addressing this in a holistic way, which was a very important part of my introduction.

The Hon. ROBYN PARKER: You would agree, though, that domestic violence is a crime?

Mr MORONEY: Yes.

The Hon. ROBYN PARKER: And, therefore, it is important to be aware that we, and those regional co-ordinators, being in the Attorney General's Department, were addressing it as a criminal issue?

Mr MORONEY: Look, I think it is important how we, the police, address the issue. I do not, in one sense—and no pun intended—get caught in the politics of all of this and I do not mean in the traditional sense of that word. But we will provide the level of focus and attention to the matter and if it rests with another agency, that level of high co-operation will continue. There has been much good work done across the whole of this State with the regional domestic violence co-ordinators and that will continue.

The Hon. KAYEE GRIFFIN: Given that domestic violence is not necessarily the main issue but one with very high statistics, do the police stationed at Macquarie Fields receive any special training, be it domestic violence or any other crime encountered out there? Is there any special training about specific areas?

Mr MORONEY: Might I defer both to the regional commander and the former local area commander in providing a response, but in each of our 80 local area commands there are now in place a number of specialist police officers. One of those key appointments is the domestic violence liaison officer. Depending upon the demography of the command and the makeup of the command, particularly as it relates to the crime of domestic violence, there may well be more than one officer allocated to that particular phase of police duty, so it is not germane to this one command. It applies variously across the whole 80 commands.

CHAIR: More broadly our question 4 relates to special training to deal with the whole gamut?

Mr CLIFFORD: As the commissioners said, that is training from the academy right through. As the commissioner said, the domestic violence liaison officer forms a crucial part of the crime management unit of each of our local area commands. They are part of the team, they are part of forming a response and forming strategies to crime. As I mentioned a short time ago, particularly in Macquarie Fields and Campbelltown, we have the project underway to acknowledge the issues of domestic violence in those areas of Macquarie Fields and Campbelltown.

One of the problems in Macquarie Fields is the higher rate of withdrawal of complaints by victims and the project set up out there is about trying to work and case manage victims, particularly repeat victims of domestic violence to try to encourage them to follow these matters right through the courts system.

The Hon. KAYEE GRIFFIN: What about the work that is done with young people in the area?

Mr CLIFFORD: If I might add in relation to domestic violence, in particular training involved with that project that I mentioned, the training is largely completed across both commands at Campbelltown and Macquarie Fields.

Mr SWEENEY: The Macquarie Fields command has been selected by the Attorney General for this domestic violence innovation model and a fair bit of money has been set aside for it. It is because of the way that we deal with domestic violence, which, over a number of years, has escalated, that we have supported domestic violence intervention. One of the trials we were doing is getting the domestic violence team to follow up and the crews actually did the work. All I did was some statements. The new program has a number of issues that we are trialling with Campbelltown, and I think Wagga Wagga is the other trial site, to ensure that the concerns of domestic violence, which the commissioner has alluded to, are worked through in a major way.

Part of the domestic violence comes about through social problems with families. There are single parents and people who are disadvantaged in some areas. Quite often the victims one day are persons of interest the next day and that, unfortunately, is in the demographics of the command, which we have been addressing quite vigorously. The domestic violence officer attached to Campbelltown is a former detective and has strength in dealing with that, and that is possibly the reason why Macquarie Fields is one of the commands selected as a trial site. It is not taken lightly, as you can see from the figures and the number of assaults there. The command tends to be working vigorously in the early hours of the morning when these domestics tend to come to a head.

The Hon. KAYEE GRIFFIN: Can you give the Committee an idea of other types of crime and working with young people?

Mr CLIFFORD: Macquarie Fields, like our other local area commands, has a youth liaison officer and their primary focus is on dealing with youth and young people in the community. In the case of Macquarie Fields, some of the work that is undertaken out there by the youth liaison officer and others—and I might add that the youth liaison officer, like the domestic violence liaison officer—is part of the crime management unit, so it is a whole-of-command approach to issues like domestic violence and youth issues and where they particularly crossover. Some of the work that is being undertaken out there is working directly with the Pacifica Support Service, Mission Australia regarding Pacific Islander youth who are engaging in criminal activity. Police act as a referral agency under that program.

The Salvation Army Macquarie Fields assists with young children at risk and referral to police and visits by police to the Salvation Army Centre at Macquarie Fields. There is an association with the Seventh Day Adventist School at Macquarie Fields through referrals and educational visits by police. The Macquarie Fields youth centre visits and attendance at their meetings and youth functions; assistance to and support for funding programs associated with Father Chris Riley's Youth Off the Streets and the James Meehan High School, a Salvation Army proposal for a suspension centre for students at risk; the You Turn the Wheel Program, a program developed prior to the riots working with non-government organisations and volunteer groups such as police, Rotary, council and volunteers working together addressing driver education, drug, and alcohol, and safe partying issues, addressing youth in the school environment and positive choice programs based on the young offenders conference model, a program targeting juvenile offenders behaviour.

Police accept referrals from schools or community groups about young person displaying offensive type behaviour. These youth are targeted and assisted by police. There is a PCYC in the area at Minto, which conducts blue light discotheques and attendance of police community fairs, school celebrations and lectures, including the current public school community expo conducted in November 2005.

In 2006 there will be involvement by police in sporting programs at James Meehan High School and next January a youth advisory council will be set up, which will be a reference group to consult with police on issues affecting youth in the Macquarie Fields area, particularly in the Department of Housing areas there. Police conduct truancy operations in conjunction with the Department of Education and Training. They are directly involved in the Campbelltown local government area youth strategy. Newly developed in August 2005 was an induction package for probationary constables training them in youth issues and cultural awareness issues in the area. Also there was attendance at community barbecues and lunches with non-government organisations in the North Campbelltown action group area and eucalyptus cottage work ventures. The youth liaison officer, as is the case in all commands, attends many schools and has a close liaison with the schools in the area.

The Hon. IAN WEST: You mentioned a document that had been developed. Is there any chance of us getting a copy of that?

Mr CLIFFORD: We could make it available—

The Hon. IAN WEST: I am sorry, I forget what you called it.

Mr CLIFFORD: Can you take me back to that document?

The Hon. IAN WEST: A document for staff—

Mr SWEENEY: The induction package.

The Hon. IAN WEST: The induction package, certainly.

CHAIR: You can take that on notice.

The Hon. KAYEE GRIFFIN: Perhaps I can mention one thing to be taken on notice in relation to the PCYC. Can the Committee get some information about the programs that that PCYC does in the area and also how many young people attend the programs through PCYC?

Mr CLIFFORD: Thank you, we can take that on notice as well.

CHAIR: The staff will be able to contact you afterwards with the aid of the transcript and specify the things that we would like more from you. Obviously you do not have to worry about getting it absolutely straight now.

The Hon. ROBYN PARKER: Can someone from a policing point of view explain the difference to me between an incident, a public disturbance and a riot? I am interested to know how you determine those terminologies.

Mr MORONEY: If I could begin with the latter issue, riot vis-a-vis disturbance, it is important to note the comments of the known and respected senior leader of law enforcement, Commissioner Bill Bratton, who is currently the commissioner of the Los Angeles Police Department, formerly the Commissioner of the New York Police Department. I think he is accepted inside and outside law enforcement circles as somebody whose views on a range of issues are pertinent, relevant and qualified. Indeed, in his own observations while here in Australia at about this time of February 2005 he noted that the issues at Macquarie Fields were not by his standard, by his observation and by his experience a riot as such.

I think the events that we have seen lamentably in other countries such as Los Angeles, more recently throughout France but in particular in Paris, by any reasoned definition of a layman's interpretation of that would classify those matters as riots—issues almost, if not totally, out of control. I think the matters indeed as Mr Bratton referred to in Macquarie Fields were a disturbance. They were confined geographically to a number of streets, as indeed was the incident at Redfern some 12 months before that. It was confined to a small geography. I think by any reasoned interpretation there

is a very distinct difference between the two both in terms of the intensity of the activity and the response arrangements required.

The Hon. CHARLIE LYNN: Is Bratton an advocate of zero tolerance?

Mr MORONEY: Yes, he certainly was in New York.

The Hon. CHARLIE LYNN: Would he have handled the riot at Macquarie Fields in the same way as it was handled?

Mr MORONEY: No. In his conversations with me he more than once referred to it as a disturbance and certainly commented that the arrangements that he viewed, the police response arrangements, seemed from his perspective to be appropriate in all the circumstances.

The Hon. CHARLIE LYNN: Yet it seems in the report here that the police had great difficulty with the resources they had and the strategy and tactics they used in handling the disturbance. Are you confident that they could handle a riot?

Mr MORONEY: If one were to occur, yes, I am. As you would be well aware, we have moved to create a public order and riot squad. The terms of reference or the charter for the squad has now been formalised by the commissioner's executive team and the deployment and tactics and operational requirements of that squad has now been finalised. Yes, I am confident that the squad could respond. I am equally as confident that the level of training that has been provided, particularly in light of Macquarie Fields, to our commanders and other subordinate staff is appropriate now in all the circumstances.

The Hon. ROBYN PARKER: That riot squad was a recommendation from the Coburn report after the Redfern riot, was it not?

Mr MORONEY: Yes, it was a suggestion certainly of the Police Association of New South Wales.

CHAIR: It was not a recommendation of the Coburn report.

The Hon. ROBYN PARKER: It was a suggestion from the Police Association to the Coburn inquiry, is that correct?

Mr MORONEY: Correct.

The Hon. ROBYN PARKER: Why is it then that you feel so confident, considering that the riot squad will not be in place until 1 January 2006?

Mr MORONEY: The recruitment, selection, training, equipping and accommodation associated with the creation of a squad takes, understandably, some logistical preparation. That preparation is now finalised and those processes of appointment from the commander down are now in place and I would expect them to be in situ certainly by the end of this calendar month.

The Hon. ROBYN PARKER: So you have your fingers crossed that there is no riot between now and January then?

Mr MORONEY: I do not think it is a case that our total response relies simply or solely on one squad, important as that squad is to our response arrangements. The level of training provided to commanders and subordinate staff regarding our response arrangements, both the initial response to a particular incident and if it escalates to the level of a Macquarie Fields type incident, I am satisfied that we are able to respond accordingly.

The Hon. ROBYN PARKER: Have you apologised to your front-line officers for letting them down so badly in Macquarie Fields?

Mr MORONEY: I do not know that that is a particularly appropriate question because it is not a case of giving them an apology. It is a case of working with our officers, listening to them and providing the level of resources, both human and physical, that are appropriate to dealing with those circumstances in the future.

The Hon. ROBYN PARKER: But after the Redfern riot there were all sorts of recommendations in terms of riot equipment, the appropriate helmets, shields, camelback hydration systems and yet when we look at the report from Macquarie Fields it is like the Keystone cops. The riot equipment was not supplied to your front-line police.

CHAIR: I am not sure that that is an appropriate comment about the police.

The Hon. ROBYN PARKER: There was not the right sort of backup, they did not know who was running the show., one chap went in with a helmet from a building site, they were swapping sweaty helmets, and they were dehydrated. Surely they deserve an apology for months and months after Redfern not having the right equipment?

Mr MORONEY: Let me indicate in so far as each of the recommendations arising out of the Coburn report in relation to Redfern, each and every one of those recommendations relevant to Redfern has been implemented and was implemented. The issue of the particular response to Macquarie Fields was, I regard, appropriate in the circumstances. I believe with the benefit of hindsight some things could have been done differently. In terms of the specifics of the particular operation I am happy to discuss those.

CHAIR: We have a question specifically asking you to do that.

The Hon. ROBYN PARKER: Why did it take so long—

CHAIR: The Hon. Robyn Parker is anticipating several of the questions we have sent.

The Hon. ROBYN PARKER: That is good.

CHAIR: It sort of is except that you are doing it in a rather tendentious sort of way.

The Hon. ROBYN PARKER: If I ask the questions—

CHAIR: I think you might be making more allegations than asking questions.

The Hon. ROBYN PARKER: Why did it take so long from 11.00 p.m. on 25 February when bricks and bottles were thrown at the police until 4:30 a.m. before the OSG was called out?

Mr CLIFFORD: Firstly in relation to the equipment, I dispute the fact that there was not sufficient equipment. On each of the nights that the OSG was deployed to Macquarie Fields there was sufficient equipment available for the officers out there. There were some breakages of equipment, breakages of shields, and those issues were raised in the debrief for officers who were concerned that the shields were breaking. But the shields did their job. It may be something that may be best discussed in camera as far as the tactical use of the equipment and the options that were available as far as the equipment was concerned by the tactical offices who are here today. But as I say, the number of kits available was sufficient for the numbers of OSG on the ground.

The Hon. ROBYN PARKER: Have you seen the Police Association's submission to this inquiry?

Mr CLIFFORD: I have.

The Hon. ROBYN PARKER: That is in complete contrast to what they are saying.

Mr CLIFFORD: As I say, my understanding is that the equipment that was available was the best available at the time and it is equipment that is manufactured overseas. Again, it may be

something that may be discussed in camera so far as the actual equipment that is available and used by the police.

CHAIR: If there is a need to have an in-camera section it would be best if we do it at the end of the period we have set aside. So if you do want to do that we should flag the items perhaps and then finish the public section a bit earlier.

Mr CLIFFORD: Yes, but I think the issues of—

CHAIR: Otherwise, if you are going in and out it is very disruptive.

The Hon. ROBYN PARKER: The Police Association's submission is a public submission. So you are saying that their comments in terms of inadequacy of equipment are incorrect.

Mr CLIFFORD: No, I am talking about the numbers of equipment that are available. As far as the standard of equipment that is used and so on, I said that may be a matter that might be best discussed in camera because it does impinge on operational issues and the equipment that is available to OSG officers.

CHAIR: At this stage they should make it clear that in the questions we sent you we raised four specific concerns that were in the Police Association's submission: The adequacy of equipment provided to officers, which I guess relates to numbers as well as type of equipment; the meeting of basic logistical requirements, such as the supply of food and water, and contact between the command post and officers; difficulties in co-ordinating the various regional police response groups; and whether there was a sufficient number of OSG trained officers attending. We raised those questions with you because they were in the Police Association's submission.

Mr CLIFFORD: Yes. Generally If I can just say in relation to the equipment that all the equipment provided and utilised during that operation was of operational standard. The equipment that was available at the time is regularly maintained and inspected by senior OSG operatives.

CHAIR: Do you want to comment on the other aspects of the Police Association's concerns? I know that the Hon. Dr Arthur Chesterfield-Evans is waiting to ask some questions, but it might be easier to deal with the other parts of those now.

Mr CLIFFORD: In relation to the numbers and deployment of OSG, the requests that came from the field from the command for OSG offices were met. In my role as the regional commander, indeed my regional planning team, was to liaise with the local command and the tactical police on the ground and to provide them with the numbers and the equipment that they requested. As far as the timings of deployment and requests and so forth, it may be a matter for the local area commander and the tactical offices present to comment on that but any requests for equipment or numbers of OSG were met.

CHAIR: Would anyone else like to make a comment?

Mr ROLPH: In terms of the equipment, certainly going through them like shields, the shields are of international standard. They are bought from the United States. From a tactical or OSG perspective, there is no single shield that will meet every need. The shield we are currently using meets out needs in that it is portable, it is mobile and it allows the officers to carry out their role. In terms of the helmet, again the helmet is out of the United Kingdom and the brand of helmet is commonly used by police forces within Australia and internationally. Certainly, from my perspective, on the nights that I was there, there was sufficient equipment available which had been forwarded by the greater metropolitan region. This had come from their strategic stores. From my perspective in terms of the OSG police, I felt that there were enough OSG police to manage what we had to do.

CHAIR: What about those two other issues we took up from the Police Association's submission like the supply of food and water and the adequacy of the contact between the command post and the officers in the field?

Mr ROLPH: In terms of the food and water, that is always an issue with any operation. There was water available at the command post. Perhaps we could have got the water out to the troops in the field a bit better but fundamentally they were not out in the field for a lengthy period of time and it was something which I felt we could manage locally.

CHAIR: How long were they out there?

Mr ROLPH: On the Saturday night, for example, an hour and a half.

CHAIR: And then relieved and replaced so there was a continual—

Mr ROLPH: Yes.

The Hon. CHARLIE LYNN: Can I just—

CHAIR: I want to finish going through the Police Association points. The other point that was specifically raised related to difficulties in co-ordinating the range of regional and response groups that were there.

Mr ROLPH: That was an issue. We did have officers, as they were called out, arriving from their local area commands. One of the duty officers from Macquarie Fields was tasked with managing the arrival of those officers as they turned up. Equally, one of the officers from my unit was given the task of managing the arrival of OSG police.

CHAIR: Your unit being the Vikings?

Mr ROLPH: The Viking street crime unit, that is correct.

CHAIR: So it was not all perfect. In hindsight, things could have been done better?

Mr ROLPH: There always will be. We are operating in a dynamic and fluid environment. We try to utilise our training and our SAPs but we have to be fluid in our tactics and in our deployment. We managed it with the resources that we had.

The Hon. CHARLIE LYNN: You said you made an assessment that the equipment at the scene was adequate and that you utilised your training. The report states that you are not trained as an operation support group commander. It states:

This created confusion and Acting Assistant Commissioner Clifford was mistakenly under the impression that I was an operational group commander and due to this misunderstanding there was no operations commander deployed to the scene.

Are you trained in that area? If you were not trained, should you not have had an obligation to tell Acting Assistant Commissioner Clifford that you were not trained to handle that situation?

Mr ROLPH: Let me go back. The Viking street crime unit was originally set up in October 2003. Post Redfern, the staffing of the unit moved from general duties based police to operations support based police. So all 47 officers attached to the unit were able to be trained. When I originally took up that command it was not a requirement to be an OSG commander. That is something that changed midstream.

The Hon. CHARLIE LYNN: But it was a requirement in February 2005?

Mr ROLPH: It was a requirement that the commander come up to speed on operational support group tactics. That is something I was undertaking through attending OSG-based—

The Hon. CHARLIE LYNN: So at that stage you were not qualified?

Mr ROLPH: I would say that I was midstream in my training. I had not done formal training but I had embarked on a program of self-learning, learning the tactics and the philosophy of the operations support group. On the evening I was provided with a very experienced operations support

group tactical adviser. I was able to rely upon his expertise and my experience within the police generally in developing the tactics.

The Hon. CHARLIE LYNN: Was this the fellow who did the informal risk assessment with you and who said it had been determined that rioting on the evening of the 26th was unlikely?

Mr ROLPH: No, it was a different person.

The Hon. CHARLIE LYNN: You would want it to be.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: I noticed in your report that there has been a fall in crime since February 2005 but a big increase in searches and move on orders. Is that right?

Mr SWEENEY: The incident had a flow-on effect. Those figures we are talking about are tactical figures that are done on daily basis and the move on orders and searches would have grown out of that operation. I think you are referring to the first quarter of 2005?

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Yes. You have a number of graphs?

Mr SWEENEY: Yes. Those figures would have been affected because at the time there were other issues surrounding the area while the operation was being carried out. We were still maintaining our response at Macquarie Fields, which was separate to the operation that was running.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: But those figures are for several years, are they not? We are talking about one incident in that period. Subsequent to that there seems to have been a drop in all the crimes and there are a lot more searches and move on orders in these statistics?

Mr SWEENEY: That is correct.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Obviously there has been a major change in the approach of police, with more searches and move on orders?

Mr SWEENEY: Additional operations have been encouraged in the area—Vikings operations, targeted operations and antisocial operations—that naturally would increase that figure. That is an outcome of police operations.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The police have been criticised from two different perspectives—first, the shortage of experienced police, and it could be said that they are too tied up with political imperatives to solve the problems; and, second, there is alienation from the community because they are too authoritarian. Those two criticisms seem to have come from opposite poles. What would you say about that?

Mr MORONEY: I think we would all be happy to mention that in the sense that there is obviously a PhD thesis in all of that for somebody. I do not state that flippantly because such is the polarisation of views. Certainly, during the incident at Macquarie Fields that polarisation was identified by the views in some quarters that we needed to be stronger, harder and tougher with the promotion of the use of water canons, mace, spray and the charge of police on a number of people gathered in assembly at Macquarie Fields, ranging through to the other polarised views that we were perhaps even being too hard. It is necessary then for operational commanders to make decisions based on the intelligence and the tactics they need to resolve a particular situation at a given point in time. What we saw at Macquarie Fields at that point in time was information gleaned from the intelligence they had as to how they deployed and applied the tactics that were used.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So far as the intelligence is concerned, you made a number of deletions in your report. On page 21 something has been deleted and the document then states, "The arrest did not occur." I gather that was the night before the police chase in which two passengers were killed?

Mr MORONEY: Could you just direct me to the document to which you are referring?

CHAIR: We are referring to the final report into the Macquarie Fields public order management incidence—the report that was given to the Committee.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: I am referring to the bottom of page 21 of that report which states:

That evening significant police resources were deployed in the field—

and then there are deletions which are referred to as deletion 5—

and the arrest did not occur.

Does that mean that he shot through?

Mr MORONEY: I have a clean copy of that document.

Mr SWEENEY: I might be able to assist. That goes into probably what we would like to talk about in camera. There was an operation the previous evening of which I am conscious.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So the fact that that did not succeed presumably meant that the person was at large and that led to the accident?

Mr SWEENEY: I am quite happy to answer that question in camera. It is an operational tactic, which I think is appropriate.

CHAIR: Let us now decide to have a short in-camera session. We will try to deal with everything we need to deal with in public before we do so in order to save having to clear the room.

Mr MORONEY: I indicate that the deletions relate to individual names and specific addresses. A number of these persons are currently before the courts.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So far as the conclusions of this report are concerned they are all very operational. There is no preventive strategy in your final report. Would you care to comment on that?

Mr MORONEY: Yes. I think that was necessarily so because the review conducted by the former Deputy Commissioner, Field Operations, specifically related to the events of February 2005. Assistant Commissioner Clifford has also in part outlined a number of the activities being undertaken by the police, particularly in the post-February 2005 environment—not only by the police but in collaboration with other government agencies and, equally importantly, with the community itself. So much proactive work is being done. I think that also in part has accounted for why crime in some quarters has also been reduced.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: You make reference to a number of searches and move on orders, which must be fairly alienating to people. Your submission states that there is alienation between police and citizens. Obviously, as somebody put it, if that had happened at Mosman there would not have been a riot. So there must have been a level of alienation prior to the riot?

Mr MORONEY: I am sure that Superintendent Sweeney will talk about the intelligence leading up to 25 February 2005 that may or may not have existed. I refer to the issues relating to the application of the move on legislation and to the knife search legislation. Clearly, I expect my officers to discharge those duties and responsibilities with an appropriate degree of probity or, if that is not the case, what is open to the person aggrieved is an appropriate complaint process. But the proliferation of knives in the community, which is a subject or topic as well to date because of other events in the last 24 hours, is an issue that confronts every community in this State, irrespective of where it is.

So we have police officers out there utilising the powers that they have been given. But what is important in the context of how we are driving down crime is not only the application of existing

laws and these laws in particular, but also the visibility of police based on intelligence in the right places and at the right hours of the day when those intelligence systems tell us clearly that crime occurs at a particular time, date, place, location, or group.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: There is nothing in the report about conferencing or restorative justice and it has not been mentioned to date. So when we talk about alienation what steps are you taking to lessen alienation and to get restorative justice? I gather an expert on restorative justice, whose name escapes me at the moment, went to Yorkshire and won an award for his restorative justice work. He was a former member of the NSW Police. Has any of that work been done?

Mr MORONEY: I think you are referring to former Senior Sergeant Terry O'Connell who left the NSW Police some time ago. He was doing a particular body of work as it related to juveniles in the criminal justice system and their entry into it. That has now been overtaken by a whole range of policies and laws relating to the handling of juveniles in particular. More lately, we have seen a trial period relevant to adult offenders being trialled, in particular, in the Liverpool area.

CHAIR: I think this report was prepared by the Office of the Deputy Commissioner, Operations. So some of those other issues, such as the Attorney General's Department and related issues, are in the whole-of-government submission that we were talking about this morning.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: There is not a lot about restorative justice in the whole-of-government report.

CHAIR: Some sections dealt with the trial. What I am getting at is that the questions you are asking are not within the purview of the NSW Police.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: In respect of their relationship with the community I would argue that they are.

CHAIR: Yes, that is but doing trials of restorative justice, for instance, is not. We need to go back to the relationship with the community. The questions that you are asking now are not part of their job.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The question is whether restorative justice might be their job, which might result in fewer criminals and fewer riots. I am talking about crime prevention, which has not been mentioned very much.

CHAIR: Yes, I know, but you are going into an area that is under the authority of the Attorney General and not the authority of the police. That is what I am getting at.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: The restorative justice work of Terry O'Connell did state that it should permeate all aspects of policing and community work did it not?

Mr MORONEY: Yes, it did. I believe that police officers, well in advance of former Senior Sergeant O'Connell, with due respect to him, have been exercising the common law right of police officers to use their discretion since this organisation was established in 1862. So, variously, through the application of discretion, through the application of the laws, it is always our intention, where possible, to deal particularly with young people, to divert them out of the criminal justice system. Much good work has been done in that regard in a range of communities. If I could cite but one example of the work being done by this particular command in the post-February 2005 environment that does have, I believe, some comparisons to the events in February 2005.

You might be aware, but I will avoid the use of names in this public environment, of a murder that occurred in Minto in recent times. By the very nature of the murder and the persons involved there existed a clear and demonstrable ability for that event to evolve into something far more serious in relation to the good order and maintenance of that community. The work done by the local police and the elders and leaders of one particular cultural community were able to stem what I regarded as the potential for violence within that community. So quickly the police and the elders of

that community, working together, were able to bring about a level of maintenance and good order. That did not see an escalation into violence beyond the regrettable death of one other young man.

There are a number of these examples occurring across the State. Are these a direct result of the issues that emerged from Macquarie Fields and Redfern? Possibly, so. But these are not new bodies of work. Various, the work commenced by my predecessor, John Avery, under the aegis of community-based policing over the past 20-plus years has seen enormous strides performed by the police in support of, and working with, their communities that has brought about a whole range of results.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: Do you think that the relationship between the police and the community is much better than it was in February this year?

Mr MORONEY: From my perspective, I believe so. That is not an observation that I make from an office 30 to 40 kilometres distant from this location. It is a command that I visit frequently. I like to get a feel for the business community and the general community from talking to young people, talking to the police and from talking to representatives of local government. Clearly, I believe there is a demonstrable range of steps forward that have been made since that period of time. That does not allow me any degree of complacency at all. We have to continue that body of work and we must not lessen that body of work—"we" being the plural of all agencies of government at Commonwealth, State and local levels. Unless we maintain that with the community and individuals within the community we risk the chance of regressing to those types of events.

The Hon. Dr ARTHUR CHESTERFIELD-EVANS: So we can confidently expect that people will tell us that the relationship with the police now is better than it was in February.

Mr MORONEY: I would imagine so. I would equally imagine that there are some people with whom we have been dealing probably since about 1788 who will not have a particular liking for the police and the work of the police. That is the very nature of those with whom we have to deal. But I would think the overwhelming majority of people in that community and in the nearby communities have a strong working relationship with the police.

The Hon. CHARLIE LYNN: Commissioner, I want to go right back to the essence of what this is about. I understand that it was the formation of Strike Force Delage. Can you tell me when the strike force was formed and why specifically it was formed? Was it formed particularly for aggravated break, enter and steal offences in the Macquarie Fields area or in the wider metropolitan area?

Mr MORONEY: I will defer to Mr Clifford, but I understand that the broad answer to your questions is yes. It had a wider geographical scope and it certainly was formed pre the events of February 2005 to look at a range of serious criminal offences committed by a number of persons, some of whom are now before the courts and some of whom are deceased.

CHAIR: The page that Arthur referred to earlier points out that it was formed on 15 January this year.

Mr MORONEY: It was formed under the command of Mr Clifford and Superintendent Sweeney. I will defer to them to expand on the answer.

CHAIR: We are coming back to parts of that in camera. Is that correct?

The Hon. CHARLIE LYNN: I think this stuff can be given in public. I think the issues in regard to intelligence gathering and the interpretation of that intelligence would be the stuff that we would do in camera.

Mr CLIFFORD: To answer the question generally, the answer is yes. Delage was formed to look at offences across the metropolitan area, not specifically in Macquarie Fields. However, persons of interest to that investigation mainly resided in the Macquarie Fields and neighbouring areas.

The Hon. CHARLIE LYNN: Was that an organised gang? Were they organised, as such, or was it just this bunch of blokes who picked houses and cars at random?

Mr CLIFFORD: With respect, I need to be careful as there are matters before the courts. Generally, Delage was formed to look at a group of persons of interest who we believe were acting in concert to commit offences.

The Hon. CHARLIE LYNN: So it was a co-ordinated, organised criminal activity.

Mr CLIFFORD: That would be a fair observation, yes.

The Hon. CHARLIE LYNN: There is reference to a report in regard to the assault and a subsequent police response that the report says has been excluded from this report and is the subject of an internal police investigation. Has that investigation been completed? It is at the top of page 8 under the heading "Matters expressly excluded from review".

Mr MORONEY: Mr Lynn, is that the matter involving Mr Greeks?

CHAIR: I believe it is. The names and so on have been deleted from this report but the Legislative Council resolution dealt with the second report that this Committee will see in due course. As Mr Lynn knows, we have not yet seen it.

Mr CLIFFORD: My understanding is that that matter was investigated by our Professional Standards Command. My latest advice is that they are awaiting ratification from the NSW Ombudsman's office in relation to that investigation.

The Hon. CHARLIE LYNN: Were there any other reports completed in regard to this incident—internal affairs reports or any other reports—or is this the only report?

Mr MORONEY: No, there were a number of internal investigations. I can indicate that there were eight complaints relating to the unauthorised and/or improper release of information—the matter to which you alluded a moment ago involving a complaint by Mr Greeks. That is more commonly referred to as a delay in responding to a 000 call for assistance. As Mr Clifford indicated, it is currently awaiting advice from the NSW Ombudsman. Those various reports are before the Professional Standards Command, which is independent of the region and independent of the local area command. The results of those investigations, as I have indicated, will go, when completed, to the Ombudsman and to the Police Integrity Commission.

The Hon. CHARLIE LYNN: In regard to the police present who were on the ground running the operation—Superintendent Sweeney and Superintendent Rolph—can you outline to the Committee your front-line operational experience?

Mr SWEENEY: I have been a police officer for 36 years. For 20 years I have been an investigator. I have been involved in the investigation of organised crime. I have also had a number of years as a senior investigator in the Motor Squad. I have had three years as an investigator at our Police Integrity Unit, Internal Police Security Unit, before returning back to general duties. I have had experience as a supervisor and duty officer at Liverpool and at Kogarah as a tactician. In 1997, when we formed the new local area commands, I was one of the first duty officers to be stationed at Bankstown. I was there for some 12 to 18 months in its formative stage and then I won an appointment as Local Area Commander at Oxley. Two days after I took up the appointment at Oxley I was involved in my first critical incident—a shooting. I then won a position to Rosehill. I was there for a short period of time and then took up command at Cabramatta at Direction. In 2001 I moved from Cabramatta to Harbourside, which is North Sydney Local Area Command. I was there for some four years and then won a position as Commander at Macquarie Fields.

During my time at the inner metropolitan region I was involved in a large number of civil disorders and operations. The last operation that I was in command of was the return to Sydney of the Olympians, when they had their parade down there. I have been involved in a number of operations—for example, Kirribilli House. There were quite a number of risk assessments at that time. I have also been involved in other matters in the metropolitan area.

The Hon. CHARLIE LYNN: In regard to your training preparedness for riot control or public order disturbance, what specific training have you had for that from a senior commander viewpoint?

Mr SWEENEY: Many years ago I did the senior emergency management course. I was to do the course in November when I was attached to the inner metropolitan region, which brought the inner metropolitan commanders up to scratch. But because I had won my appointment to Macquarie Fields it was delayed and did not come to pass to deal with the OSG training. Unfortunately, I have not done that training. Whilst I was at the inner metropolitan region we were fortunate that the structure there is such that they have something like 300 public order operations a year and the structure there is well in place with the response to civil disorder and problems there. But, unfortunately, I have not done the commanders course in civil disorder yet.

The Hon. CHARLIE LYNN: Thank you. Superintendent Rolph?

Mr ROLPH: I am into my twenty-fifth year with the police. During that time I have spent over half of my service at Campbelltown and Green Valley, performing general duties and, in the latter part, criminal investigation. I have also worked periodically at Macquarie Fields at a local level. I was seconded into the Aboriginal deaths in custody task force in the early 1990s. From there I moved into telephone interception. I became a staff officer to the Commander at Special Services Group for a short period of time. I was the Commander of the Police Air Wing and assumed the role of Commander of Operative Vikings in 2003. About a month ago I was moved to the Hawkesbury Local Area Command.

The Hon. CHARLIE LYNN: What is your senior officer training in regard to riot control or public disorder?

Mr ROLPH: I recently completed the Major Incident Response Team training. As I alluded to in an earlier answer, I have, since October last year, undertaken different aspects of the OSG training at different levels—the basic operators course, I have been to the riot training days down at Goulburn as part of the basic operators course, I have been to the gas training days and a number of training days at Dubbo and other areas.

The Hon. CHARLIE LYNN: But, as I said before, as of February 25 this year you were not qualified to command, if you like.

Mr ROLPH: It is a moot point. I probably did not have a formal qualification.

The Hon. CHARLIE LYNN: Turning to the report, when I read through it, rather than looking at what went wrong, I would ask: Is there anything that went right?

Mr ROLPH: In respect of what?

The Hon. CHARLIE LYNN: In regard to the strategic management and the actual command of the riot from the night of the 25th through to the 28th. My colleague Hon. Robyn Parker mentioned that the police were at the front line. They were not given water resupplies, they were dehydrated, they said they were wearing the wrong sort of vest—their bullet-proof vests were too heavy for them—and they were not fed. In fact, they were put out there and forgotten logistically. They had the wrong sort of equipment.

CHAIR: Are you getting to a question?

The Hon. CHARLIE LYNN: Yes, I am. My question is: What are your comments on the report, which I would like to go through a much more detail. But, over all, what is your assessment of the outcome of this report?

Mr ROLPH: Overall, from my perspective, the Vikings Street Crime Unit was tasked post-Redfern to provide a capability to respond to emerging incidents or local disorder. From my perspective, I think the Vikings unit performed very well. Our on-call arrangements were activated—in fact, I think it was the first occasion that we have had to use the on-call arrangements, and they

worked very well. We were supported by the region in the provision of equipment and additional officers. As I said earlier, I do not believe the officers were on the front line for extended periods of time. On the Saturday night I think the engagement took an hour and 25 minutes. To that point the officers were stood down at the command post, where they had an opportunity to refresh themselves, take on water and the like. In terms of equipment, I believe the officers had sufficient equipment available to them and it was allocated to them individually.

The Hon. CHARLIE LYNN: One of the first decisions was made by Superintendent Sweeney, who directed officers to wear reflective vests at night. That seems to have drawn a fair amount of criticism.

Mr SWEENEY: I am well aware of that. I have thought about this for lengthy periods. I have also watched other incidents in this State, other States and overseas. In major riots police are issued with reflective vests so the commanders can see where they are. The issue on that night was we had a big open area and I needed to be able to see where the officers were so that the supervisors and myself were in a position to know where the officers were that night. I think at that time it was an appropriate decision. I was standing there and I could see from where I was in the command post anybody to the bottom part where the car was around the tree or anybody to the top or behind. I knew exactly where the police were. The lighting in the area at the time was sufficient, and that was one of the reasons why I put it in place.

The reflective vests came out of a debrief on the Saturday morning. On the Saturday and the Sunday night reflective vests were not used because the officers were in their OSG gear. There was an issue raised at the debrief by one of the officers and it has been taken up by the association.

Mr CLIFFORD: The scene on the Friday night in which the police were operating was basically an accident scene and it is one of those decisions, I guess, where police are required to wear reflective vests at a traffic accident. We have come under scrutiny and criticism before where officers do not wear reflective vests, so whilst I was not there and made the decision, I can see that may well have been a criticism if they had not have been wearing their vests at an accident site.

The Hon. CHARLIE LYNN: The report says the pursuit ended at approximately 11.00 p.m. and resulted in a call out of the critical incident team which is responsible for the investigation of the accident. It then says that some delays occurred which meant the complete team was not on site until 1.42 a.m. which is a 2¾ hour response. Is that a normal response time for a critical incident investigation?

Mr SWEENEY: No, it is not. There were some issues in the delay of the investigation team. The crash investigators were there shortly after I arrived at about 12.30, and the protocol is that they cannot start their examination of the scene until the critical incident team is in attendance because that officer is the person who works for the Coroner, and he is the one who has to be present and see how it is all started when they start the forensic procedures. As you have seen, the critical incident team marks the road, takes photographs and the photogrammetry. The investigator has to inform the Coroner "Yes I was present at this scene and I saw X, Y and Z" going on from there.

As I indicated before in Tamworth I had one critical incident and also whilst I was at Harbourside there was a critical incident which involved an Aboriginal person. I am very conscious of them. They are a major concern for the organisation. I go back to the Gundy and Bondi shootings. Being an ex-detective, also having been involved in internal affairs, I am very conscious that when we are investigating matters in which police are involved if we are not open and transparent we will be subjected to a fair bit of criticism. On my assessment of this incident, and my personal assessment, it was a clean pursuit. There were factors that in my view were attempting to disrupt our crime scene, and I had no intention of letting that be destroyed.

CHAIR: We have a number of questions about some of the things that have come out of the report and recommendations. Will you take much longer?

The Hon. CHARLIE LYNN: I am up to page 26 out of 73 pages and I do have a lot of questions. If we cannot complete them today I want to put on notice I would like another session.

CHAIR: Next week we will be talking to local police, and also the police association. We have senior police today to talk more broadly about some of the recommendations that come out of the report and how they have been implemented. Some of your questions about these highly specific things can probably be taken up elsewhere or put on notice. We have five minutes before we go in camera and we have some important questions that we need to cover in the public session.

The Hon. CHARLIE LYNN: These questions are very important.

The Hon. IAN WEST: I want to ask questions 12 and 13.

CHAIR: We will ask some questions, and the Hon. Charlie Lynn may want to put his on notice.

The Hon. IAN WEST: What is the status of the major incident response team and the public order and riot squad? How does the public order and riot squad differ from other response groups, such as the Viking street crime unit?

Mr ROLPH: The public order and riot squad charter is somewhat different. The Viking street crime unit performed a dual role where we were not conducting high visibility or pro-active policing operations, and we go into the public order side of things. At this stage the percentage of workload of the Viking street crime unit is high visibility pro-active policing operations and then on the times when we have to go into the operations support group mode, we deal with call-out procedures and consultations with regional operations managers. The focus of the public order riot squad will be somewhat different. It will move towards emphasis on the operations support group [OSG] role.

Mr NOAKES: In relation to the public order and riot squad, we are currently in the process of establishing that squad, to commence operations in January. Mr Rolph has already indicated the significance difference between the charter of Viking street crime unit and the public order riot squad. The charter for the Viking street crime unit was predominantly pro-active high visibility policing with public order management as part of the charter. The predominate charter of the public order and riot squad will be public order policing.

The Hon. IAN WEST: Would you explain the role of the public order management committee?

Mr ROLPH: That is a strategic level committee which the detective commissioner chairs. I believe it is the one we are talking about. That role is to look at the bigger picture issues, like training, equipment, what is happening overseas, changes to equipment and changes to training. It also co-ordinates responses across the organisation.

Mr SCIPIONE: The major incident responses has been something that we have been looking at for sometime. More recently last year, whilst I was in the United States of America, we looked at the way a number of major police organisations actually run this type of operation. The experience internationally—not from the United States but particularly from the United Kingdom—is that you are much better placed if you bring in a commander to manage major incidents because the work that has been done by the incumbent local area commander that goes to the heart of those relations with the community is something that has to go on. Post the event, the relationship needs to exist and it needs to be a relationship that is mutually beneficial in that you will keep the channels of communication open.

The major incident response arrangements that we have put in place now in New South Wales go right to heart of what we would call a much better way to manage the commander control. We have recently put in place the new incident command control system [ICCS]. That breaks down the components of what we are doing in an environment such as Macquarie Fields, or in fact it is scaleable so it could be a major motor vehicle accident, into its bare bones. We have a logistics officer, a planning officer, an operations officer, an intelligence officer, who are co-ordinators, investigations and in a traffic event we have a traffic co-ordinator. We pull together the raw components.

We have somebody that is actually on the scene so we have an officer of, or above, the rank of superintendent but not the local area commander where the incident is occurring that brings a degree of independence. It does not damage the ongoing relations that the incumbents are enjoying with the community. They are trained specifically to manage in this environment and then we integrate all of the necessary resources that are required through those co-ordination efforts. We need more support from a planning perspective. If we need to start getting ready for a shift that is coming on in three hours, we ensure that we have the people identified and are notified that they are on time, that they are going to be staged. Likewise, it will look after things like food, water, facilities.

Those are the things that we now have in place. We have trialled this on two occasions. We did this within the State Emergency arrangements within New South Wales. We integrated the State Emergency Office with the Police Operations Centre during the past two counter-terrorism exercises, the national exercises in which we have been involved. We recently used the same plan during the Avian flu exercise last week. When you look at it we have integrated that model into our emergency response arrangements. I believe the commissioner is looking to take this forward nationally to his colleagues because it has certainly been an issue that has been wanting within all policing jurisdictions. I am led to believe as recently as today by Assistant Commissioner Hazzard that there is some general interest in this overseas because we have had the benefit of looking at what it is done in Europe, America, New Zealand and by some of other colleagues around the States. We believe we have taken the best and built it into a system that works locally and we are now rolling it out and applying it. It is a system that complements all that we are doing in this area.

The Hon. CHARLIE LYNN: I am surprised basic logistics, commander control, standing operating procedures were not in place in February for situations involving public disturbance?

Mr SCIPIONE: The work has been done on this. I was in America in September last year and spent a lot of time looking at this. Assistant Commissioner Hazzard since that time has been involved in putting together, first, the research, then the analysis, then the plan and then the implementation. That has only happened in recent months. It does take time to get this right because we want to make sure we get it right before we actually implement it. The commander control arrangements that were in place at the time—I think the regional commander could talk to you about those. But there was a perceived need that we had to get this right and we had to do more. That was my charter, that is what has happened, and we have rolled that out now.

More recently, we used it in two public order incidents where they amounted to nothing because we also brought some advanced strategies to the table with regards to better utilisation of our liaison officers in communities to, if you like, diffuse situations before they become problematic. The arrangements as they were in February 2005, no longer exist. I am now responsible for this area and I can assure you that on my watch these new arrangements are the ones that we will bring to any incident.

The Hon. CHARLIE LYNN: You spoke about exercises you conducted in relation to the Avian flu and counter-terrorism which I think are very good. Have you conducted any exercises in relation to public disorder and riot control?

Mr SCIPIONE: They are now in training. I think Mr Rolph could advise us. We have a number of commanders. I am told that there are more than 60 of our local area commanders, superintendents that would be responsible as part of this major incident response arrangement now trained so they have been through this ICCS process. We are due to have all of our local area commanders trained by the end of this year or early next year.

CHAIR: We will have to go in camera in order to finish on time.

The Hon. CHARLIE LYNN: I would like to complete this because it is part of commander control. I understand a major issue was communications, with the different channels and the inability to communicate with police on radio. How have you addressed that issue?

Mr SCIPIONE: I am glad you ask because we are now in the throws of converting all of our analogue systems into digital systems. We are rolling out across the whole metropolitan area from Wollongong to the Blue Mountains to Newcastle the digital radio network. And that has not only been

addressed to give us more security in terms of on-air communications so that we can protect our communications but it also picks up a lot of black-spots and it deals with a lot of deficiencies that may have been in existing networks. Our communications network was quite old. Given that there were some complications, based on the technology that we were using, there were not enough channels. With the new digital radio system we are doubling the number of channels that are available to us. So we will not have to be worrying about trying to switch channels when we have twice as many to go to.

The Hon. CHARLIE LYNN: Is that secure net?

Mr SCIPIONE: That is a secure net.

Mr CLIFFORD: I am mindful of the time, but could I refer to Mr Lynn's concerns about the debrief report before we go into camera?

CHAIR: Yes.

Mr CLIFFORD: I agree, Mr Lynn, if one were to read this document is a stand-alone document, yes, you might think that we did nothing right. It was all a comedy of errors. But, in my view, that is not the case. This document was compiled after a series of debriefs, and an opportunity for every police officer who was involved in this operation and, indeed, other officers who were not involved in the operation but, for example, worked at Macquarie Fields around the time of the civil disturbance. By the very nature of those debriefs and from my experience of the many, many debriefs that I have been involved in after police operations, they tend to be a very critical look at ourselves. They are not a series of, "Let's get together and pat each other on the back and look at what a good job we did." They are critical debriefs. The issues that have been identified here—for example, the issue of water—my recollection is that that concern was raised by one officer during one point in time in that operation, likewise, the issue of logistics.

The issuing of equipment and the location of equipment was at one point in time in the operation. That was identified and it was addressed. It was addressed by the commander after allocating a duty officer the role of logistics. What we have learned out of that is, as Deputy Commissioner Scipione called them, this ICCS concept, the model of command and control so that under this model when the police respond to an incident similar to the Macquarie Fields riots they will set up that command structure and an officer will be designated the logistics officer. Likewise, there will be a planning officer and likewise there will be an investigation officer. Thank you for your indulgence in making that point. I did not want you to think that nothing at all went right out there. What we dealt with out there was sporadic incidents of violence, and it was dealt with. As my colleagues mentioned before, we are talking about perhaps an hour and a half to quell the incident on the Saturday night. It was not a case that it was a riot that went on continually for four days and four nights. Thank you for that opportunity. I wanted to put that into a bit of context.

CHAIR: Before someone moves that we go into camera, Commissioner, could I clarify in relation to a question that we dealt with in part before, the status of any inquiries or investigations arising out of the disturbances? We know that the Professional Standards Command and the Ombudsman by dealing with the 000 call. You mentioned some complaints about release of information. Do they fall in the subject of one inquiry or numerous inquiries? Can you just clarify for us how many different inquiries are going on?

Mr MORONEY: There is one broad operation, known as operation Lawnside, which relates to an investigation by the Professional Standards Command dealing with issues of unauthorised improper release of information. The complaints are various. I think, without the benefit of the document here in front of me, the complaint in those matters comes from other police officers regarding the unauthorised release of that information. There is certain information in what we regard as its improper use in a number of forums within the community.

CHAIR: Those two would be it, although there are still some criminal charges and other things progressing through the courts?

Mr MORONEY: Separate issues under Lawnside. One issue in relation to the 000 call. The other matter relates to the pending coronial inquest on 16 January 2006 and other judicial proceedings

pending in other places, but the vast majority of those, 58 persons arrested as a result of Macquarie Fields incident, exclusive of the Task Force Delage, which, as Mr Lynn indicates, was the genesis of the events at Macquarie Fields. I understand that some 42 or 43 have been dealt with already by the courts. A number are still outstanding.

CHAIR: I have a note about two issues, an issue in relation to equipment and some issues in relation about the setting up of Task Force Delage?

Mr MORONEY: Yes, that is the original incident.

CHAIR: What predated that incident? Was there anything else but those two?

The Hon. CHARLIE LYNN: Yes, intelligence.

CHAIR: Intelligence probably is related to the second one.

The Hon. ROBYN PARKER: Can I ask a question that may not need to be in camera? Where will the full-time riot squad be located?

Mr MORONEY: They will be located at the rear of the riot police station premises, which not only geographically gives them access or egress to greater metropolitan areas from that position, but provides secure accommodation for vehicles and other equipment.

(Evidence continued in camera.)

REPORT OF PROCEEDINGS BEFORE

STANDING COMMITTEE ON SOCIAL ISSUES

Published by resolution of the Committee 5 December 2005

**INQUIRY INTO PUBLIC DISTURBANCES AT MACQUARIE
FIELDS**

At Sydney on Monday 5 December 2005

The Committee met in camera at 1.10 p.m.

PRESENT

The Hon. J. C. Burnswoods (Chair)

The Hon. Dr A. Chesterfield-Evans

The Hon. K. F. Griffin

The Hon. C. J. S. Lynn

The Hon. R. M. Parker

The Hon. I. W. West

(The Committee heard evidence in camera. The Committee resolved to publish the Police Commissioner's closing statement.)

Mr MORONEY: May I end where I began, and that is that we believe the whole range of social variables in that community, some of which are probably outside the purview of the terms of reference but I think are relevant to an appreciation and an understanding of that which confronts this particular community.

They include, in no particular order, issues of income, education, literacy skills, numeracy skills, which relate to feelings of self-worth and importance in the community, family stability, the issue of domestic violence and its relationship to alcohol and/or drug abuse, the use of both prescribed substances and illicit substances, the issue of child abuse and neglect within this community, community friction which exists because it is somewhat of a melting pot of cultures, and the issue of alcohol, which I have mentioned, within the particular community. Transportation is an issue and, equally as important, the issue of the growing influx of indigenous persons into this community makes for this great social variable that is Macquarie Fields.

That prompts me to say that whatever the solutions are that this Committee comes to in terms of better policing operations and practice, we will accept. We will accept them in the way in which they will be provided by this Committee, and we will move to enact those processes, procedures, changes to policy, whatever the case may be. But the solutions for a Macquarie Fields type community are not solely rested in more police and more police and more police. There are so many issues there. I agree, though, with the tenor of the questions is that the police certainly have a vital role to play in bringing about significant change. I would hope that next week, when you meet members of the community, there will be evidence of the role of the police, particularly in the post-disturbance environment, of much that has been put in place—not only in that post-riot environment but certainly some of the initiatives that have been put in place by Superintendent Sweeney well in advance of February 2005.

CHAIR: Thank you for giving us such helpful evidence and for staying much longer than we thought we would need you.

Mr MORONEY: On behalf of my colleagues I thank all the Committee members for their courtesy today.

(The witnesses withdrew)

(The Committee adjourned at 1.22 p.m.)