

# GENERAL PURPOSE STANDING COMMITTEE No. 1

Friday 19 October 2007

Examination of proposed expenditure for the portfolio areas

## THE LEGISLATURE

The Committee met at 1.30 p.m.

### MEMBERS

Reverend the Hon. F. J. Nile (Chair)

The Hon. Catherine Cusack  
The Hon. Greg Donnelly  
The Hon. Duncan Gay

The Hon. Kayee Griffin  
Dr John Kaye  
The Hon. Penny Sharpe

---

### PRESENT

**The Hon. Peter Primrose**, *President of the Legislative Council of New South Wales*

**Department of the Legislative Council**  
**Ms L. Lovelock**, *Clerk of the Parliaments*

**Parliament of New South Wales**  
**Mr G. McGill**, *Financial Controller*  
**Mr M. Andrews**, *Manager of Parliamentary Security*

---

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

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

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

**CHAIR:** I declare this hearing open to the public. I welcome the Hon. Peter Primrose, the President, and accompanying officials to this hearing. At this hearing the Committee will examine the proposed expenditure for the portfolio of the Legislature. Before we commence I will make some comments about procedural matters.

In accordance with the Legislative Council's guidelines for the broadcast of proceedings, only Committee members and witnesses may be filmed or recorded. People in the public gallery should not be the primary focus of any filming or photos. In reporting the proceedings of this Committee, you must take responsibility for what you publish or what interpretation you place on anything that is said before the Committee. The guidelines for the broadcast of proceedings are available on the table by the door. Any messages from attendees in the public gallery should be delivered through the chamber and support staff or the Committee clerks. Mr President, you and the officers accompanying you are reminded that you are free to pass notes and refer directly to your advisers while at the table. I remind all present to please turn off their mobile phones. Even if they are on silent mode, they still interfere with the Hansard recording system.

The Committee has resolved to request that answers to questions on notice be provided within 21 calendar days of the date on which they are sent to your office, Mr President. Do you anticipate that this will pose any difficulties?

**The PRESIDENT:** Not at all.

**CHAIR:** All witnesses from departments, statutory bodies or corporations will be sworn prior to giving evidence. Mr President, you do not need to be sworn, as you have already sworn an oath to your office as a member of Parliament. For all other witnesses, I ask that you each in turn state your full name, job title and agency and either swear an oath or take an affirmation.

**Ms L. Lovelock**, Clerk of the Parliaments, Department of the Legislative Council, and

**Mr G. McGill**, Financial Controller, Parliament of New South Wales, sworn and examined:

**CHAIR:** Ms Lovelock, welcome to your first estimates committee hearing. I declare the proposed expenditure for the portfolio of the Legislature open for examination. Mr President, do you wish to make a brief opening statement?

**The PRESIDENT:** No, thank you, Mr Chairman. I am happy to answer questions at this stage.

**The Hon. CATHERINE CUSACK:** Can you assist with the figures in the financial statements accompanying the annual report? The most up-to-date annual report available is the 2005-06 report. There appears to be a budgeted deficit of \$2.6 million, but the deficit was \$4.4 million. Is that correct?

**The PRESIDENT:** That was before my time as President, so I will defer.

**Ms LOVELOCK:** It was also before my time as Clerk. We do not have those figures with us at the moment and I do not have the answer in front of me. Can I take the question on notice?

**The Hon. CATHERINE CUSACK:** Yes. What are the figures for the 2006-07 financial year?

**Ms LOVELOCK:** We have those figures.

**The Hon. CATHERINE CUSACK:** What was the budgeted result and what was the result achieved?

**The PRESIDENT:** I am advised that the budgeted total expenses, excluding losses, were \$108.717 million and the revised figure was \$115.927 million. The budgeted cost of services was \$103.597 million and the revised result was \$110.501 million.

**The Hon. CATHERINE CUSACK:** What was the result?

**The Hon. DUNCAN GAY:** It would not be \$110 million.

**The PRESIDENT:** This is not a secret. We are happy to make the figures available.

**The Hon. CATHERINE CUSACK:** Did the Parliament operate on a surplus or a deficit last year?

**Mr MCGILL:** The Parliament operated on a deficit. However, we had supplementary funding approved during the year. There were a number of expenses related to the election—for example, separation from employment payments made to members' staff. The salary increases for members of Parliament proved to be greater than forecast in the budget that came out before the pay increases became public. Additional entitlements were also approved by the Parliamentary Remuneration Tribunal. Again, that determination came out after the budget allocation had been made. In respect of the joint services operations, a surplus was achieved. The over expenditure occurred in the two member programs.

**The Hon. CATHERINE CUSACK:** What was the over expenditure?

**Mr MCGILL:** I have some difficulties advising that figure because it relates to the whole organisation. I have been instructed by the Legislative Assembly not to comment on their finances; I can comment only on joint services and Legislative Council operations.

**The Hon. DUNCAN GAY:** Mr McGill, do your starting orders from the Legislative Assembly mean that you cannot talk about its finances?

**Mr McGill:** I cannot talk about finances or any other matters that the Committee may raise about the Legislative Assembly.

**The Hon. CATHERINE CUSACK:** Is that not what the estimates committees hearings are for?

**The PRESIDENT:** This is a longstanding issue; it goes back many years.

**CHAIR:** The policy that Mr McGill outlined has been implemented at estimates committee hearings at least as long as I have been here.

**The Hon. CATHERINE CUSACK:** So, can I clarify for my benefit? Does that mean I can only ask about half the accounts? Can you talk about these accounts I am looking at in the annual report?

**Mr McGill:** I can only talk about the Legislative Council and joint services.

**The Hon. CATHERINE CUSACK:** So you cannot tell me what the operating result was for Parliament in 2006-07, is that what you are saying, because you cannot dissect that figure?

**Mr McGill:** I can tell you the figures in total.

**The Hon. CATHERINE CUSACK:** Yes please. A total figure would be great. I have no figures at all at the moment.

**The PRESIDENT:** The Clerk wishes to make a comment.

**Ms LOVELOCK:** We have figures for the Legislative Council that we have prepared. I have sent someone to get them and I am prepared to give them to you so that you will have our operating figures for the year. The problem for Mr McGill is that he does the accounts across the Parliament. It is a longstanding arrangement and one that we uphold in relation to the Legislative Assembly that we do not answer questions in relation to the operations of the Legislative Assembly or its members. That is where Mr McGill has difficulty. When he is dealing with an across the Parliament budget he has to then break it down to exclude a certain part of the operations. I have just sent someone to get the figures so I will be able to provide them to you in the next few minutes.

**The Hon. CATHERINE CUSACK:** But I am able to obtain the total figures?

**Mr McGill:** Yes, that is correct. The Parliament's financial statement, which hopefully the Auditor-General will issue an opinion on some time today—I do not have that at the moment but on the basis of what we have submitted to him and what we understand his staff recommends he signs—the total net cost of services for the Parliament for the year ending June 2007 was \$110,755,000, and the government contributions, including the supplementation, were \$111,642,000.

**The Hon. CATHERINE CUSACK:** So there was a surplus for the year?

**Mr McGill:** That is correct, taking into account the supplementations granted.

**The Hon. CATHERINE CUSACK:** What was the supplementation?

**Mr McGill:** There were a number of items for which supplementation was approved. I do not have a breakdown of those individually with me, but I am happy to take that on notice.

**The Hon. CATHERINE CUSACK:** Can you tell me what the total supplementation was?

**Mr McGill:** No, I am sorry, I do not have that either.

**CHAIR:** You will take that on notice?

**Mr McGill:** Yes.

**The Hon. TREVOR KHAN:** I direct my questions to the Clerk. In respect of certain matters I take it you have only been the Clerk for a relatively short time, is that the case?

**Ms LOVELOCK:** Yes, I started acting as Clerk at the end of January.

**The Hon. TREVOR KHAN:** However, you have been in and about in various official capacities in this Parliament for some time, is that right?

**Ms LOVELOCK:** I have been Deputy Clerk since 1990, and I commenced service with the Parliament in 1987.

**The Hon. TREVOR KHAN:** In performing your duties as Deputy Clerk, do I take it that for a period of time you were in a sense the Acting Clerk prior to being appointed as the Clerk?

**Ms LOVELOCK:** I have had several periods as Acting Clerk. I was first sworn in as Acting Clerk in 1991 in the absence of the then Clerk. I was sworn in again as Acting Clerk in January this year and also sworn in as Clerk as of July this year.

**The Hon. TREVOR KHAN:** Let us just pick a date at random. If we take the period from, say, 1 January 2005, what were you doing during 2005 as your duties?

**Ms LOVELOCK:** I was performing the duties of the Deputy Clerk. A broad range of duties is involved in that. If I can simply say that primarily my role was to assist the Clerk in providing expert advice on practice and procedure in relation to the function of the House and the House's committees. I also performed the role as a manager within Parliament, involved in a number of areas and dealing with matters to do with joint services as well as the running of the Legislative Council. The way the former Clerk and I tended to divide up the organisation was I dealt with the day-to-day administration of the Legislative Council while he would deal with joint services matters and matters that affect the two Houses, the Legislative Assembly and the Legislative Council.

**The Hon. TREVOR KHAN:** I take it when the final handover came about you were given a comprehensive briefing on all matters relevant to your duties and responsibilities?

**Ms LOVELOCK:** I do not know whether it was necessary to be given a comprehensive briefing, given the length of time that I served as Deputy Clerk and the number of times I acted as Clerk. I was fairly well aware of the sorts of duties that I would be taking on. In addition, the position itself is one of ongoing change and adaptation, depending on the issues.

**The Hon. TREVOR KHAN:** I was not intending to be offensive in any way. A number of people are sitting behind you. Are you able to identify who they are?

**Ms LOVELOCK:** Yes, I know who they all are.

**The Hon. TREVOR KHAN:** I am sure you do, but can you identify them for me?

**Ms LOVELOCK:** Yes, certainly. I asked all the joint service managers whether they would be willing to come to this hearing. Several of them are sitting behind me and some are sitting in the public gallery. I asked, in particular, Morgan Andrews, Security Manager. Ali Shariat, Manager, Information and Technology Services, is next to him. David Blunt, my deputy, is sitting beside him. Again, starting on the far side is Rob Stefanic, Clerk Assistant, Corporate Support. Beside him is Ian Pringle, Executive Officer to the President. Lisa Carr is head of Food and Beverage Services. Next to her is Julie Langsworth, Director, Corporate Support. Beside her is Rob Nielsen, Acting Building Manager, and on the end is Judith Somogyi, head of Hansard. They are here to supply any additional detail, if that is necessary, across the joint services that I might not be able to provide.

**The Hon. TREVOR KHAN:** If you are unable to answer a question I might ask of you and it is within the knowledge or experience of the people behind you, I take it that they are capable of providing you with assistance in that regard?

**Ms LOVELOCK:** Yes, I believe so.

**The Hon. TREVOR KHAN:** Let us move on to the question of employees and how you deal with employees of the Parliament. Do I take it that there is some form of manual that sets out how employees of the Parliament are to be dealt with in regard to their pay, their conditions and their employment rights and duties?

**Ms LOVELOCK:** A range of policies is available on the intranet. We also have a fairly detailed induction program for new staff when they commence work with us. They are provided with a number of policies at that time and with information to assist them.

**The Hon. TREVOR KHAN:** Is that document also in a hard copy form?

**Ms LOVELOCK:** Yes, I believe so. We have had them in the past. Generally, these days we are trying to reduce the amount of paper that we both use and store.

**The Hon. TREVOR KHAN:** We all know that we will never succeed.

**Ms LOVELOCK:** I know, but we do tend to say to people that it is available on the intranet. I do not believe the Legislative Council has any staff members who do not have access to the intranet, but we would supply them with hard copy if they wished.

**The Hon. TREVOR KHAN:** I take it that if, for instance, a person were employed to work for a member of Parliament, he or she would be employed by the Parliament?

**Ms LOVELOCK:** A person who works for a member, or a person who works for one of the departments?

**The Hon. TREVOR KHAN:** No, a person who works for a member.

**Ms LOVELOCK:** That is a rather interesting situation. We are not employed under the Public Sector Management Act. We have no legislation under which we are employed so we are employed by the Governor. The right to employ has been delegated to the Presiding Officers, but it is not an authority that can be delegated further than that. That is why members of staff are all employed by the President and are administered through the corporate support section.

**The Hon. TREVOR KHAN:** I take it that the Presiding Officer of that Chamber appoints somebody who is employed for the purpose of working for a member of the upper House?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** To your knowledge does the same procedure apply in the lower House except, obviously, it is not the President?

**Ms LOVELOCK:** Yes. I do not think I am speaking out of turn to say that we follow the same policies across the two Houses. However, I am not answering in relation to their financial situation.

**The Hon. TREVOR KHAN:** Sure. But your understanding of the matter is that the policies and procedures relating to staff and the like that apply in the Legislative Council are the same policies that apply to staff in the Legislative Assembly. Is that right?

**Ms LOVELOCK:** I am unable to say. I would really prefer not to answer that. We work closely with the human resources departments of both Houses to ensure that we follow the principles across the public sector.

**The Hon. TREVOR KHAN:** To your knowledge they are the same, are they not?

**Ms LOVELOCK:** I could not answer that.

**The Hon. TREVOR KHAN:** Let us deal with a particular area. Let us talk about the disciplining of staff. To your knowledge, if a member makes a complaint with regard to the performance of a staff member, is that complaint made in writing or is it received orally?

**Ms LOVELOCK:** It is received in both manners. Often it would depend on the nature of the complaint and the stage at which the problem had risen. On occasions I receive confidential visits from members to talk about staffing issues relating to the performance of a worker, or they might express concern about what might be happening within their office. A whole range of things can happen.

**The Hon. TREVOR KHAN:** Of course. I do not want to cut you off, but let us suppose that we are dealing with an allegation that a person is doing the wrong thing and the member wants that person out of his or her office.

**Ms LOVELOCK:** Right.

**The Hon. TREVOR KHAN:** So we can take it as a serious complaint. If you received such an allegation orally, it being of such importance, would the first thing you did be to write it down?

**Ms LOVELOCK:** Definitely.

**The Hon. TREVOR KHAN:** If the complaint were serious and justified it being written down, I take it that you would not take action without referring it to the President. Would that be right?

**Ms LOVELOCK:** I am not sure whether I understand where you are going with this. There is a series—

**The Hon. TREVOR KHAN:** We will work that out later.

**Ms LOVELOCK:** There is a series of guidelines that relate to how we would deal with those matters. It would depend on the nature of the complaint. The fact that a member comes to me and says that he or she is having difficulty with a member of staff does not immediately start some sort of disciplinary process. In the first instance I would advise members about the manual that they can use to deal with their own staff—a manual that we provide to all members—and ask them what steps they had taken to deal with the issue. So there is a process that we would follow to ascertain the nature of the complaint and what had been dealt with at that stage. In the first instance I would not be advising the President unless the complaint were of such a serious nature that I felt it was something that needed to be brought to the President's attention. But if the issue concerned a matter within the office about which a member might be very concerned, I would first have had it investigated by my officers. I would look at the industrial relations and human resources aspects of it before I would escalate it to the President.

**The Hon. TREVOR KHAN:** Let us deal with the circumstances we have, that is, a complaint of the following nature, "I want that person out of my office"—a serious complaint and one that I think you have already agreed you would certainly be taking a written note about. I take it that that is one of the things you would do next, apart from counselling the member and saying, "We are taking a fairly serious step", is that right?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** Next, either you or someone else would be delegated the task of speaking to the employee. Would that be right?

**Ms LOVELOCK:** Yes, I believe so.

**The Hon. TREVOR KHAN:** So, in a sense, it would not be appropriate for you to cut the string on the Damoclean sword without giving the employee an opportunity to answer the allegation that had been made?



**Ms LOVELOCK:** Of course.

**The Hon. TREVOR KHAN:** In fact, you would have taken from the member who was making the complaint a sufficiently detailed note to know the precise nature of the allegation that had been made. Would that be right?

**Ms LOVELOCK:** Yes, of course.

**The Hon. TREVOR KHAN:** It only makes sense, does it not, that that is what you would do?

**Ms LOVELOCK:** I would have thought so.

**The Hon. TREVOR KHAN:** It makes sense because you would recognise from the outset the industrial relations implications of what you were doing?

**Ms LOVELOCK:** Yes.

**Dr JOHN KAYE:** Mr President, what checks are made of the bona fides of lobbyists when they apply for lobbyist status in Parliament?

**The PRESIDENT:** I am advised that there are no checks made of the bona fides, as such, of lobbyists. Lobbyists, as you know, are nominated by three members. We do not go to the point of checking out any aspects of those people.

**Dr JOHN KAYE:** So you accept the statement under the signatures of the three members as to the lobbyists' bona fides?

**The PRESIDENT:** Yes, if we have no other reason to be concerned.

**Dr JOHN KAYE:** Are there any security checks done on lobbyists?

**Ms LOVELOCK:** We do not perform a security check at this stage. However, that policy is under review and should be determined fairly shortly. We are looking into having security checks done in relation to lobbyists who apply to come into Parliament, but that has not, at this stage, been implemented.

**Dr JOHN KAYE:** Am I correct in saying that a lobbyist has more or less the same access to Parliament that a member of Parliament has, that is, that they can pass through security without being scanned; that they can wander the corridors of Parliament and knock on doors, is that correct?

**The PRESIDENT:** I am advised that lobbyists are administered by Parliamentary Security Services. Lobbyists' passes only provide access to restricted areas of the building and one copy of any bill or legislation that is requested. There is no special access to Ministers or public officers provided to lobbyists. Nor are there any special privileges. We are currently reviewing the lobbyist policy to consider if there are any changes necessary.

**Dr JOHN KAYE:** Can you describe the restricted areas that they have access to that ordinary members of the public do not have access to?

**The PRESIDENT:** I will ask the Clerk to talk about the definition in the parliamentary precincts of a restricted area.

**Ms LOVELOCK:** They are given a general access photographic security pass, which allows them unescorted access to Parliament House, to the library, the cafeteria, the staff dining room and bar from 8.00 a.m. to 6.00 p.m. on non-sitting days and until the rising of both Houses on sitting days. The pass cannot be used to access the car park, the gymnasium or the dining rooms other than the staff bar and dining room. Lobbyists at all times have to abide by any directions that the Presiding Officers or their representatives give them.

They are not admitted to areas that are restricted to members except by prior appointment. If they wish to enter a Minister's area or a member's area, they must make a prior appointment to do so. They are not entitled to enter members' offices without an appointment, but they do have access to the lifts that go to the floors to gain access to the general access areas.

**Dr JOHN KAYE:** So they have access to the lobbies and corridors?

**The PRESIDENT:** The lobbyist can enter the lobby.

**Dr JOHN KAYE:** I take you to the particular cases of David Walter Stewart and Warwick John, who are accredited lobbyists in Parliament. One was accredited on 7 March 2007 and the other on 17 January 2007. They are accredited to an organisation called the Christian Lobby Group. Can you tell us what you know about the Christian Lobby Group?

**The PRESIDENT:** No, I cannot.

**Dr JOHN KAYE:** Is that because you do not know, no checks are made or it would be inappropriate to do so?

**The PRESIDENT:** No, I refer to my previous answer. We do not make security checks on individuals or organisations.

**Dr JOHN KAYE:** So the responsibility for the bona fides of an organisation called the Christian Lobby Group resides entirely with the members of Parliament who nominated it?

**The PRESIDENT:** Yes.

**Dr JOHN KAYE:** I am correct in saying, I think, that the identity of members of Parliament who nominate such people is not public knowledge.

**The PRESIDENT:** Can I just say that in the same way that you or I or any other member can nominate an individual to come to our offices, we take that member's bona fides that that person is allowed to come into the member's office in the same way we have three people indicating that accredited representatives of their organisation are people who would be appropriate to be able to come into the lobby of our organisation here. But it is the case, as I said, that we do not have the resources and do not indeed feel it necessary at this stage—although we are reviewing the matter—to provide any additional security services or checks.

**Dr JOHN KAYE:** My point is that although in this case we know because it has been revealed in public, in the case of most lobbyists we do not know who the three nominating members are. All we know is the name, the address and the organisation. In the case of the Christian Lobby Group, there is nothing on the Google website and no public information available yet that they are accredited by the Parliament. By not naming the members of Parliament who are nominating those people, is it not open for members of the public to conclude from the Parliament's website that these individuals have some kind of accreditation from the Parliament, hence some kind of credibility?

**The Hon. DUNCAN GAY:** The same as those from the Nature Conservation Council.

**Dr JOHN KAYE:** Indeed. I agree.

**The PRESIDENT:** I believe that relying on Google for that degree of information would be a particularly suspect way of checking the security credentials or probity of anyone. However, the point I think we are getting to is whether or not the names of members of Parliament who nominate should be made public. The first point I make is: I cannot see how that would increase the veracity. If an individual organisation had the names of three members of Parliament next to it, I do not see how someone who simply looked at the Parliament's website would be able to assess whether or not that organisation had more or less veracity other than the fact they already know that three members of Parliament nominated them.

Again, this is part of our review. My view—and this is part of a general statement—is that information in the Parliament should be made public. I believe very strongly that there is an onus on us as an organisation to make things available unless there is a reason for not doing so. If this is to stay confidential, then the onus is on us, as part of our review—and certainly this is what I will be looking for, and I presume the Speaker would be as well because it would be a joint decision. If this is to be maintained and to continue to be confidential, the onus is on us to have good reasons for that. I would like to indicate that very clearly publicly. I know the Clerk wants to elaborate.

**Ms LOVELOCK:** I shall give some of the rationale behind why the policy, until now, has meant that lobbyists' sponsors have been kept private. It takes three members to sponsor a lobbyist in the Parliament, but as part of the democratic process of members sponsoring various interest groups to give them access, I do not believe members should necessarily then be politically linked with those groups in a public way. We felt that if we insisted on saying which members supported which particular lobby groups, it would look as though those particular members were endorsing the views of those lobby groups whereas they may be endorsing their democratic right to come in here and lobby members of Parliament. It is similar to petitions. Many members would give petitions in Parliament when they may not agree with the views of the petitioners. It is simply as part of their representation of citizens, they believe they should give those petitions if they receive them.

Another was for security reasons—and this is why we are reviewing it—but we thought we might make members politically vulnerable to attacks from other political spheres when in actual fact all they are really doing is supporting the democratic process of lobbyists coming into the Parliament in order to put their case on particular issues. It did not mean that the member had to be politically linked to the cause of those lobbyists.

**Dr JOHN KAYE:** I take your point, but let me ask you this: In the case of an organisation like the Christian Lobby Group where there is no way that any member of the public can ascertain who they are, what their beliefs are, what they are lobbying for or what particular set of values they represent—

**The Hon. DUNCAN GAY:** Christian values.

**Dr JOHN KAYE:** That it is not clear. I have had some inside information on this.

**CHAIR:** Your time has expired so please do not elaborate on this.

**Dr JOHN KAYE:** I will not elaborate but I understand that I have another 10 minutes so I will elaborate then. Is it not true that the Parliament is giving people in this organisation, about which the public can have no knowledge, better access to the Parliament and therefore, without knowing who nominated them, there is no trail and there is no place where the public can go to find out who these people are?

**The PRESIDENT:** We are reviewing this matter because I have taken on board the concerns expressed previously. So we are having a look at it again. The policy is publicly available on the web site. In addition to what I have already said, three honourable members have nominated these people. To the best of their belief it is a valid exercise equally to allow a member to have someone come into their office, which a lobbyist pass does not allow. That member also needs to have indicated that they believe that someone waiting downstairs is a valid, legitimate person to come into the restricted aspect of the Parliament. For those reasons we are applying the same degree of care, the same degree of security to that individual group a member invites to their office. In this case there are three members of Parliament who indicate in writing by signing the form that they are sponsoring this organisation to come in. That is the way it has been so far. But I confirm again that we are looking at this matter carefully. There will be a review and if the policy is changed, that will be made public.

**The Hon. TREVOR KHAN:** And I will give you Warwick Johnson's family tree later. You will find the wife there.

**Ms LOVELOCK:** Could I just assure the member also that we do keep records. So, if there was a situation where there was some specific problem that needed to be investigated in relation to lobbyists, we do have records that we can go to and provide them to any investigating agency. I am

not sure that knowing who sponsored these people in the Parliament is actually going to provide the public with some idea of what the particular lobbyists represent.

**Dr JOHN KAYE:** In this case it would have, but I take your point.

**CHAIR:** As you are aware, there was a plan for security improvements in Parliament House and there are some budget restrictions. Without giving any details of the actual security, could you give a broad picture of the timetable for improved security?

**The PRESIDENT:** Various things are happening already within our existing budget to improve security within this organisation. As you know, like all other critical agencies, we were asked to do a security review. ASIO did that review and we made numerous recommendations on the basis of ASIO's recommendations, seeking funding. We are continuing to make those representations for funding, which will be part of our next year's budget bid. As part of that stage process, we already have received approval for \$756,000 to construct a separate gatehouse at the Macquarie Street entrance for security screening. That was part of our initial proposal because on advice we believed that it was important when you screen people coming into this place that you need to screen them outside the building. That advice has been accepted and there is \$756,000 approved to allow us to begin that process.

**CHAIR:** As you are aware, there have been ongoing expressions of concern about room service in the Parliament. I note on page 1.9 of the Budget Papers in the catering area there is a reduction proposed in the new budget from 26 to 20. How are those cuts being made and what effect will that have on the ability of the catering department to service the Parliament?

**The PRESIDENT:** Treasury originally informed Parliament in writing that there be a phased reduction of our catering subsidy of \$1.4 million over three years with an initial reduction of \$800,000 for 2006-07. That was indicated in the Premier's media release on 23 February 2006. During 2006-07 the Food and Beverage Service has undergone considerable improvement in order to reduce costs as a result of Treasury advice that no funding would be provided and it was expected that the Food and Beverage Service would operate on a cost-neutral basis. Further improvements in achieving a cost-neutral result is protected for the current year following a 60 per cent reduction achieved in 2006-07, resulting in a net cost of services of \$651,000 compared to \$1.6 million or \$2 million in 2005-06.

I am happy to give you a range of issues because it is a very complex matter, but the bottom line is that we have no subsidy. We have been able to achieve, I think, a good level of service with the fact that we have not got that subsidy and we have more items planned that I hope will enable us to increase that level of service. As to the issue about whether we are going to be able to return room service, if room service ever does return it is not going to be in the form that members remember. Former members would recall quite an extensive room service being available. I am afraid that has gone the way of the horse and buggy: It is not going to happen. But it is still an issue that is under review. If we can provide some form of limited room service to members within our budget constraints, we are going to be able to do that. If you wish, at some point I can run through a number of other initiatives that Food and Beverage Service plan to introduce over the next year or so, but in relation to room service particularly, it is not going to come back in the form that honourable members recall.

**CHAIR:** As happens with hotels and all other buildings, room service is hard to get and if you do get it, there is a room-service charge. Would it be possible to consider that the members should pay a reasonable fee that would then reimburse the budget expenses?

**The PRESIDENT:** That is one of the options that is currently being reviewed. There would have to be other restrictions as well. Please take this by way of general comment rather than defining any sort of policy direction, but what would happen under the old proposal was that some individuals would do things like have room service come up for a cup of coffee and then present them with a \$50 note. The person providing the room service then would have to return downstairs to obtain change, then come back up and provide that change. It was a service that in this age we cannot provide. So, taking your point, which is one of those aspects, the pay-for-service idea, there would also have to be other restrictions on any room service in relation, for instance, to the value of the order. You cannot realistically expect room service to be provided for a cup of coffee or a can of Coke. But that matter is

under review at the moment. Our aim is to provide the best possible service for members and I would like to think that is what we are actually doing, but within the budgetary restrictions we have at the moment.

**CHAIR:** As you are aware, Mr President, it does cause some tension when a member has important visitors and he or she cannot provide morning tea. It may be possible to have a ratio of charges, with the charge going on the member's account so there would be no cash involved. I appreciate that it is inefficient for room service staff to be involved with cash.

**Ms LOVELOCK:** Another really expensive aspect of the room service was that it was not being utilised for a lot of the time. We would have staff sitting around with nothing to do. Or, if they were then being utilised on something else, we would have to call them away from that because we were told, "Now we have suddenly got a rush." One of our real issues was that it was difficult to generate any sort of profit from the room service because of the intensive resourcing of staff, as well as the situation the President has outlined, that is, staff having to get change or run around with a cup of coffee.

We are looking at having some way of being able to pre-book a morning tea. If you know you have a group coming in, you can advise us of the numbers, and then we can organise staff to do that during the day—rather than have a team of people sitting there waiting for a phone call that says, "Please bring me up something now."

**CHAIR:** A memorandum has been sent to members and staff of the Parliament concerning a proposal by the President and the Speaker for the appointment of a new executive manager. I am not sure whether you have details of that position available, regarding what the salary might be and what the duties would be. I note that the memorandum says that this should not concern members as it would be offset through savings. Where would the savings come from for what, I would think, would be a fairly high salary? I imagine a manager would also require support staff for secretarial duties. In other words, it would not be just one appointment.

**The PRESIDENT:** I will allow the Clerk to speak more generally. What is being considered is the model that is followed in the Western Australian Parliament, the Commonwealth Parliament, and the Victorian Parliament. That model enables the two departments we have at the moment, the Department of the Legislative Assembly and the Department of the Legislative Council, to effectively continue as they are, but instead of the Clerks having to be responsible for all the general administration of the joint services we would have an individual responsible as the executive manager of those joint services. That officer would still report back, jointly, to the two Presiding Officers.

We are adamant that the model must be cost neutral and reduce administrative red tape. For example, I note that in New South Wales there are 10 operational sections, each with a manager, for 200 staff. By comparison, the Commonwealth Parliament has three sections, with eight branches and eight managers, for 750 staff. We are still awaiting the advice from the two Clerks in relation to a final report on the development of a description that is available as to how this position would operate in detail. We are doing that in-house, and at that point we will be looking to advertise the position.

**Ms LOVELOCK:** The idea would be that the joint services manager would provide a single point at the top of the joint services, and that would then be able to provide advice to each of the Presiding Officers—rather than the current situation, where the joint services managers report to both Clerks, who then have to get together and agree on a matter before it goes to the Presiding Officers.

We are currently in the process of developing a position description. One of the things we are particularly concerned about, though, is to ensure that the model we come up with—in a relatively small Parliament, unlike, say, the Commonwealth—is not a model in which the tail wags the dog. We need to ensure that the model is focused very much on the fact that the support services of the Parliament are here to support the two Houses and the members of those two Houses. We want to ensure that we come up with a working plan that will allow for the focus of the joint services manager to be not just the efficiency and effectiveness of running the joint services but that they recognise they are serving two Houses that have peculiar needs that must be addressed. That is where we are currently in developing a plan.

**The Hon. DUNCAN GAY:** My question is addressed to the President and Mr McGill, following on from the Chair's question. My back-of-the-envelope calculations indicate that you would have a new head of department costing somewhere between \$250,000 and \$400,000, including on-costs. I note that the Clerk shakes her head. I would imagine you are looking at a salary package of at least \$150,000 to \$200,000 for a person of this calibre, plus the cost of support staff, which makes my figures not too far out of left field. You then still have the same management group in place, with the Clerks, Deputy Clerks, et cetera. You have the Financial Controller answerable to this new head of joint services, yet members' services remaining with the Department of the Legislative Council and the Department of the Legislative Assembly, which is where the most paperwork, accounting and costing comes from. To my mind, we will have spent between \$250,000 and \$400,000 but we will not be addressing any savings or flow on at all. I look at it with the head of an old accountant and farmer and see a flawed plan.

**The PRESIDENT:** I am sorry, the Hon. Duncan Gay, are you asking a question? You gave us an analysis. All I can tell you is that we have set the policy for this position, and that is that it will be cost neutral. The appointed person will be charged with having to meet that policy.

**The Hon. CATHERINE CUSACK:** Are you able to tell the Committee how many hours the Legislative Assembly and the Legislative Council sat in the 2006-07 financial year?

**The PRESIDENT:** We cannot speak about the Legislative Assembly, but I will seek some advice.

**The Hon. CATHERINE CUSACK:** It is probably available.

**The PRESIDENT:** I am happy if you wish to look it up, but we cannot tell you.

**Ms LOVELOCK:** I am sorry, I did not bring the figures with me. I will take the question on notice and provide the figures to you. We certainly have them. If you like, I can get them for you during the course of the hearing.

**The Hon. CATHERINE CUSACK:** What was the cost of security upgrades in the Parliament last year?

**The PRESIDENT:** There were no capital upgrades. The upgrades were in terms of the organisation itself.

**The Hon. CATHERINE CUSACK:** Was the upgrading of the doors done in the last financial year?

**The PRESIDENT:** That was paid for in the previous financial year.

**The Hon. CATHERINE CUSACK:** I thought it was done in the 2006-07 year. I can assure you, repairers were working on the doors in December last year.

**Ms LOVELOCK:** The security doors were done through a Recurrent Expenditure for Public Buildings program, so that was public buildings expenditure. They were not done out of our budget. It cost about \$90,000, I believe.

**The Hon. CATHERINE CUSACK:** That was funded separately?

**Ms LOVELOCK:** The Department of Commerce paid for it.

**The Hon. CATHERINE CUSACK:** Why is the new facility, which cost \$90,000, not being utilised?

**Ms LOVELOCK:** We were hoping to have that started by the time the Parliament resumed, but at this stage we are still in negotiations with the union and security staff about the operation of the doors. We also wish to make sure that we do not make life too hard for members in starting them. We wish to start them in a period which is not a sitting period so that members get used to carrying their

passes and do not find themselves being locked out. Everyone gets a pass. They are the two issues that we have been dealing with. I had anticipated that those doors would have been operating by the time the Houses started sitting, but, unfortunately, the negotiations with the union at this stage mean that we have not yet reached agreement with the officers.

**The Hon. CATHERINE CUSACK:** That has been going on for nearly a year now, has it not, that negotiation?

**Ms LOVELOCK:** Yes.

**The Hon. CATHERINE CUSACK:** I do not understand what the dispute is about. Can you enlighten us as to what the dispute is?

**Ms LOVELOCK:** There was a dispute over payment and what the security officers believe to be duties additional to those they are currently undertaking. They argue that it is a significant increase in the type of work that they have to undertake. Therefore they will not have the doors operating until we negotiate with them in relation to their salaries.

**The Hon. CATHERINE CUSACK:** And they see these additional duties as arising from having security doors installed. Is that the case?

**Ms LOVELOCK:** There are a number of issues.

**The PRESIDENT:** Can I add that we are not being reticent. There is not only one issue: there is a rolling string of which the doors are a focus. There is a rolling series of issues. We believe that we have resolved one matter, and then we get spiralled into another matter, which is why I am just being a bit reluctant to address in detail one issue because it may lead to more complications.

**The Hon. CATHERINE CUSACK:** Do you mean that new doors could open?

**The PRESIDENT:** A new door could open—

**Ms LOVELOCK:** Or shut!

**The PRESIDENT:** —and one could shut in your face. I simply point out that in terms of the technology that is available, we were hoping when we commenced this—and as the Clerk indicates, we had believed that it would commence many months ago—that we would open during the non-sitting period so that members could become used to it, and it would not be such a critical issue as it may be when there are a lot of members here. If we get the bugs out of the thing, the members would get used to it. That is certainly what we plan to do—not operate them during a sitting period, initially. Clearly they will operate all the time, but we will not commence their operating during a sitting period. We want members and staff to get used to them, and it would be an opportunity to get the bugs out, obviously.

**The Hon. CATHERINE CUSACK:** Will there be training?

**The PRESIDENT:** We are happy to provide training for members and staff as to how to get in and out of the doors.

**Ms LOVELOCK:** Can I add that I have just been given a revised figure in relation to the cost of it all. It is actually \$110,000, not \$90,000 as I indicated earlier. In relation to the union, the Public Service Association has agreed with us that the operation of the doors is not subject to work bans. At one stage they had been rolled into some of the difficulties in relation to the work bans, but at this stage we are still awaiting a response from the union in terms of operating those doors.

**CHAIR:** But the doors are operated by the members, not by the security staff.

**Ms LOVELOCK:** It is whether we switch them on. If the security guards are not willing to work with us, it may lead to an industrial dispute, which would leave us with a whole lot of issues.

**The PRESIDENT:** The dilemma lies in the operation. If someone forgets their pass, or if someone comes and presses the button, they need to be identified on the camera. That is one issue about the role of security staff. It is a matter that we are working through. As I said, I am confident that we will be able to resolve it. I stress that the doors were part of the security recommendations made by the former President and Speaker to improve security of the building. That is why they arose.

**The Hon. CATHERINE CUSACK:** On a staffing issue, and just going back to my colleague's questions earlier, when a person separates from employment, is it a requirement that the Presiding Officer sign off on the separation, given that they are an employee of the President or the Speaker?

**Ms LOVELOCK:** No, but if you are referring to somebody simply putting in their resignation—

**The Hon. CATHERINE CUSACK:** Someone being terminated.

**Ms LOVELOCK:** Someone being terminated would have to go through the Presiding Officer.

**The Hon. CATHERINE CUSACK:** It would have to be done by the Presiding Officer?

**Ms LOVELOCK:** Yes.

**CHAIR:** You are talking about members' staff?

**Ms LOVELOCK:** Correct, definitely.

**The Hon. CATHERINE CUSACK:** Do you have any guidelines on at what point you need to talk to Presiding Officers about staffing issues, or is it more informal than that?

**Ms LOVELOCK:** I do not think we have anything hard and fast in relation to that. There are no guidelines stating "at this point", and that is because the nature of each of the disputes has varied significantly. It would be very hard to draw up a guideline that says, "This is the point at which you must advise the Presiding Officer." Often it is a political call. I do not think I am speaking out of turn to say that I am very conscious of the fact that all members of Parliament belong to different political parties. I guess a lot of judgement comes into at which point I would be advising a Presiding Officer of a dispute in an office.

**The Hon. CATHERINE CUSACK:** Because you are acting on their behalf, are you not, in these matters?

**Ms LOVELOCK:** I find that my role is actually to act on behalf of both parties to make sure that the members are protected in relation to their role as members of Parliament. Staff have an incredible capacity to damage a member of Parliament politically, which perhaps is not the same for other employers, so I am very conscious of that when dealing with issues of members and their staff.

On the other hand, I believe that workers have the right to be looked after by the workplace and by their employer. My role also is to ensure that the employee is not in any way being mistreated, victimised or treated unfairly or inappropriately. That is why it is very difficult to say what would be a guideline. It would depend very much on the nature of the complaint, what the member has done to deal with it, what the staff member is doing—there would be a whole range of things that I would take into account before I would escalate it to the Presiding Officer.

**The Hon. TREVOR KHAN:** Can we return to the answer that you just gave and deal with the circumstance in which an employee, a staff member, lodges a claim for sick leave on the basis of stress. Is there a form that is completed to take leave in those circumstances?

**Ms LOVELOCK:** We have had members of the staff go off on stress leave. I think stress leave falls within workers compensation.



**The Hon. TREVOR KHAN:** It does, and I was coming to that next.

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** We will assume that it is a sick leave exercise first—stress at home, for instance.

**Ms LOVELOCK:** We believe they go on sick leave: sometimes we are not even told that they have gone off in the first instance. But if it is brought to our attention that they are on that leave, we would actively pursue them to see whether they are going to put in a claim for workers compensation in relation to their leave. I have had members of staff say, no, they just wish to have a few days out. It can be a fairly difficult circumstance, working for Parliament. Members of Parliament are not always the easiest people to work for. I can say that, speaking from personal experience.

On the other hand, we work very long hours and members of Parliament work under very difficult conditions, often with very few staff and resources. If we approach from the perspective that the stress can sometimes simply be the long hours that we have been sitting, the number of bills that have been coming through, a particularly difficult committee inquiry or something that is going on in the member's life, it does not always have to be that the stress leave is related to a bad relationship with the member concerned.

**The Hon. TREVOR KHAN:** You are obviously a very empathic person. If you become aware that somebody is off work because of stress, I take it you will, as part of your occupational health and safety duties apart from anything else, seek to determine if there is anything that you can do to help that employee. Would that be right?

**Ms LOVELOCK:** Yes, and I have done so. We also have an employee assistance program here. We advise people to go and see a counsellor privately in relation to those matters. There have been a number of instances with staff, both of members and of the Parliament, when we have used that, and even for some of our managers.

**The Hon. TREVOR KHAN:** Sure. I do not want to cut you off, but we will just move on. If, as it is described, a stress leave claim is put in, and it is in the nature of workers compensation, that requires, does it not, the filling in of a worker's compensation form?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** That is a form that has to be filled in by the employee and signed by the employee.

**Ms LOVELOCK:** I would have to say that I am not 100 per cent sure.

**The Hon. TREVOR KHAN:** Trust me. That is the case.

**Ms LOVELOCK:** The details of those issues are handled by my human resources section, which deals with them.

**The Hon. TREVOR KHAN:** Is this one human resources section that deals with the whole Parliament?

**Ms LOVELOCK:** No.

**The Hon. TREVOR KHAN:** Or is it just the Legislative Council?

**Ms LOVELOCK:** No. I can answer in relation to the Legislative Council only because that is all I have.

**The Hon. TREVOR KHAN:** I am only asking about the structure. It is a separate human resources section?

**Ms LOVELOCK:** It is a separate human resources section. We have our own for the Legislative Council.

**The Hon. TREVOR KHAN:** If that workers compensation claim format makes allegations, for instance, that the person that they were working for was an unpleasant sod, those matters would come to your attention through the process of filling in the workers conversation form?

**Ms LOVELOCK:** We get reports on workers compensation at management level but I must say when they are given in, they are not given in by the names of who has done what and where. We look at it more from the perspective of our insurance risk of occupational health and safety. If there is a particular issue within my department that my managers feel needs to be brought to my attention, they would escalate it and I would then know about it through that process. But I may not know in the first instance that there is an issue.

**The Hon. TREVOR KHAN:** It might take days or weeks perhaps to be brought to your attention?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** That may be the initiating factor, would that be right?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** If such a report were to come. If it seems pretty plain that this person has been driven out of their employment because of the absolutely unreasonable nature of the employer, you would agree with me that not only is there a workers compensation implication but there is an occupational health and safety implication there? Bullying in the work place is something to be concerned about, is it not?

**Ms LOVELOCK:** Bullying certainly is, if that is what it amounts to. Because somebody has gone off on stress leave and put in a workers compensation claim, I cannot automatically assume it is the member who is at fault.

**The Hon. TREVOR KHAN:** But it would be a matter you would investigate?

**Ms LOVELOCK:** It would be something I would certainly look into within the department, yes.

**The Hon. TREVOR KHAN:** That is because of your obligations under the occupational health and safety legislation, amongst other things?

**Ms LOVELOCK:** Amongst other things, yes.

**The Hon. TREVOR KHAN:** Let me go to another area. If the member was to come to you and say—along the lines of what we talked about before—"I cannot work with that person anymore. Look, that person is not coming into my office again." Is that a matter you would write down?

**Ms LOVELOCK:** I am not sure what you mean by "write down"? If it had reached that point, there would be records kept. I would have one of my human resources managers conduct an interview with both the member and the staffer. We have had situations where that has arisen and we have actually brought in arbiters to sit down between the two people to try to negotiate the issue.

**The Hon. TREVOR KHAN:** That is a matter that has reached a point of considerable seriousness, would you not agree?

**Ms LOVELOCK:** Sometimes it does not come to our attention until it has reached that point because it is ongoing.

**The Hon. TREVOR KHAN:** We are talking about that point having been reached. That is a point of extreme seriousness, is it not?

**Ms LOVELOCK:** I am not sure—I think it is serious even at lower levels. I am not quite sure what you mean by extreme seriousness.

**The Hon. TREVOR KHAN:** It would be sufficiently serious if you have a member who is saying, "I am not having that person in the building anymore." That is the point at which I would suggest you would be taking it to the President and saying there is a real problem here.

**Ms LOVELOCK:** I would certainly be advising the President if there was a situation where a member was saying they would not have their staffer work in the office. I mean that is a fairly serious event.

**The Hon. TREVOR KHAN:** If what the member also said is, "Look, I want all security privileges withdrawn. That person is not to be able to enter my office. I want locks changed." That also would be a matter that you would, I suggest, bring to the attention of the President, would you not?

**Ms LOVELOCK:** Yes, I believe I would.

**The Hon. TREVOR KHAN:** Actually, having got to that point, and assuming that the President says to you, "Well he is an unreasonable sod"—we will assume it is a he—"but he is not going to have the employee back in his office. We cannot do much about it at this stage", what do you do then to achieve a changing of the locks on the office?

**Ms LOVELOCK:** I would not be changing the locks at that point. I would be taking steps to try to remove some of the heat from the situation, to counsel both parties to try to find out what is going on. I would not be immediately changing the locks because sometimes circumstances change—and I have had personal experience of members who have been very angry about something and then have changed their mind a few days later when they have realised that they were tired, stressed and overreacted and they have stepped back a little bit.

**The Hon. TREVOR KHAN:** All right, well this one has not—let us assume that. So we have an absolute breakdown. In fact, the member is making serious allegations against the employee along the lines that they are doing the wrong thing; they are accessing sensitive information inappropriately?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** So we are at the point of no return.

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** Again there is an allegation of accessing inappropriate information. That would be a matter you would investigate, I suppose?

**Ms LOVELOCK:** Yes, definitely.

**The Hon. TREVOR KHAN:** You would take a note of what the nature of the inappropriate information is, from the member?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** Because it is very serious?

**Ms LOVELOCK:** Yes.

**The Hon. TREVOR KHAN:** It is an absolute fundamental breach of the contract of employment as far as the employee is concerned, is that right?

**Ms LOVELOCK:** We keep file notes on these things, yes.

**The Hon. TREVOR KHAN:** Again that would lead to a notification to the President that again something very serious is going on?

**Ms LOVELOCK:** Yes, I would notify the President in that instance.

**The Hon. TREVOR KHAN:** That would only make sense, I suppose, to be doing it at that stage, is that right?

**Ms LOVELOCK:** I believe it is part of my job to keep the President informed of serious issues within the building.

**Dr JOHN KAYE:** Can I start through you, Mr Chair, by passing on my congratulations on the announcement to make Parliament a breast-feeding friendly workplace. That is an excellent step forward and one that I hope all other workplaces emulate. My question is how will this work in the absence of child-care arrangements? Would it not be difficult for a breast-feeding mother to bring her baby into work in order to breast-feed? What is it proposed that the breast-feeding mother would do with the baby for the three hours or so between feeds in the absence of child-care?

**The PRESIDENT:** We actually have an agency sponsorship agreement with a child-care centre. I am happy to provide details.

**Dr JOHN KAYE:** Yes, please.

**The PRESIDENT:** In November 2006 the New South Wales Parliament entered into an agency sponsorship agreement with Nanbaree Child Centre, the centre is located at Level 1, 28 Margaret Street, Sydney. Since becoming a sponsor agency a number of members of Parliament staff have accessed the centre. As of 16 October 2007 three staff members and one member of Parliament are accessing the Nanbaree child care facility. There are a number of conditions for agencies entering into a sponsorship arrangement, including the payment of an annual fee of \$3,000. The benefits for staff accessing Nanbaree include priority placement for children of sponsor agency staff. In addition, staff using the centre will receive a \$10 per day subsidy for any day on which they have a child enrolled at the centre and the Parliament meets the cost of the subsidy. Access to the centre will be available to any staff member whose principal place of work is Parliament House. Members of Parliament will have priority access to the centre, however, Parliament will not pay the \$10 subsidy and the member will incur the full fee.

**CHAIR:** Mr President, I noticed in the budget papers on page 1-3, purchases of property, plant and equipment, there is an increase. I was wondering what the factors were that caused that increase?

**The PRESIDENT:** Mr Chair, it is to do with the Parliament's energy and water savings. I have spoken to the Financial Controller and I suggest he might be able to provide you with more details.

**CHAIR:** Thank you.

**The PRESIDENT:** The Financial Controller can make the actual specific funding details available but it has to do with our energy and water savings. Basically what is proposed, Mr Chair, is that over the next two years New South Wales Parliament House will become a showcase under the \$3.5 million reduction program. This project will save 17,000 kilolitres of potable water per annum, 2,320 megawatt hours of electricity and 2,500 tonnes of greenhouse gas emissions each year. That is the equivalent of taking 555 cars off the road. I can provide if you wish the details of what that involves in terms of those initiatives. But, in answer to your specific question, the amounts you mentioned are in relation to the Energy and Water Reduction Program.

**CHAIR:** Will the water reduction program involve recycling water?

**The PRESIDENT:** It involves the new installation of a pump station in the basement of Parliament House and a 60-kilolitre water storage tank on the roof, which will collect water from fire

system testing, air-conditioning condensation and stormwater. This will be used in cooling towers, toilets and gardens. An historic disused rail tunnel under Macquarie Street is to be used as an alternative source of water for this project. It is estimated that at present the tunnel holds five megalitres of water through natural seepage. In relation to our solar system, the project consists of a 20-kilowatt solar system installation that will generate enough energy to power the lighting in both the Legislative Assembly and the Legislative Council Chambers. This includes replacing the existing high energy consuming incandescent and fluorescent lamps with long life energy-efficient compact tri-phosphor fluorescent lamps throughout Parliament House.

**CHAIR:** So the additional water you will access will be used not for consumption by members but in this industrial area.

**The PRESIDENT:** That is correct. It will be used for those very specific activities.

**Ms LOVELOCK:** We are also replacing the chillers, which contain CFCs, with modern ones. That will allow us to do other things. For example, at the moment we basically have to keep the system running at full bore because we supply energy to both the State Library and the hospital. The new equipment will allow us to run it according to demand, which means that we will be much more efficient in the production of energy.

**The PRESIDENT:** It is worth noting as an aside that we purchase 6 per cent of our energy here from green power in accordance with government contracts. When I became President I was quite surprised by another figure. When people think about services, power and activities here they think initially about the members and then staff. It is worth remembering that we get 200,000 visitors through this place every year. That includes about 30,000 school students. So we are talking about a building with facilities that are very well used. Despite that we are still able to achieve savings through initiatives such as this.

**CHAIR:** My next question is about school visits. You said that a large number of people visit Parliament House. Has there been any tension about whether the toilet and washroom facilities are adequate? There is really only one public toilet. Has it proved adequate, especially if there are large numbers of children?

**The PRESIDENT:** Of all the complaints I have heard that has not been one of them. Perhaps the Clerk has further information.

**Ms LOVELOCK:** I am unaware of any complaint. I could take the question on notice to ensure that it is not being dealt with at a lower level. I have not received any complaints but it just may be that the children do not complain.

**The Hon. CATHERINE CUSACK:** Have disabled people complained?

**Ms LOVELOCK:** We have had issues about access to the building for disabled people. That is one of the difficulties we face. I think we may be the only historic building that is still being used as a functioning workplace as opposed to a museum or some type of headquarters. I think it is unfortunate that our disabled access involves people being taken through a side ramp. We do not have a way of bringing disabled people through the front doors. That is an issue. But it costs too much money to install the kind of lift that is needed to do that. However, we spent quite a lot of money putting in the disabled access ramp beside the President's Corridor, which I think has made a significant difference to the way we treat people entering our Chamber. They no longer have to be taken through back corridors to be wheeled into the Chamber. They now have open access.

As to the building itself and my office, for example, we have employed a number of disabled people over the years, and my office is not very friendly for people who have mobility issues because you have to go down a series of steps to get into it. We can bring something and put it there to allow people to wheel down if necessary. But, again, that is not really acceptable. It is not first rate.

**CHAIR:** I think we are all pleased that there are so many school visits to Parliament House. Do you have any idea how many school visits there are in 12 months? Is the number increasing or is the figure stationary?

**The PRESIDENT:** I notice that a number of members are reaching for their reports. On average, there are about four school visits a day. I do not know whether their number is increasing. My reason is that, like you, I am not only interested in school students but it was also an issue that we took account of in relation to security. Without going into any detail, it is an area that we are very aware of. We are making all attempts we can to make sure that every person—be they member, staff or visitor—receives the level of security that we want them to receive.

**The Hon. CATHERINE CUSACK:** It looks like there were more primary school visits and fewer high school visits.

**CHAIR:** As you know, Mr President, in the lobby area on the Legislative Assembly side there is a television screen that shows the public what is happening in the Legislative Assembly. There seems to be a disproportionate focus on the Legislative Assembly. I know we have a budget problem. Is there any consideration of trying to ensure equal coverage of both Houses—in other words, installing a television screen showing what is happening in the Legislative Council?

**The PRESIDENT:** For the many citizens of the world who wish to view our activities the Internet is now available. I presume that people in many far-flung parts of the world watch the debates and deliberations in the Legislative Council. I have received no request from any honourable member to put up a screen for schoolchildren showing the various activities and debates. But if an honourable member were to make that request, I would make sure that it was evaluated properly by the officers. We would seek the views of all honourable members.

**CHAIR:** It may be possible to have a large portable television set that people could watch.

**The PRESIDENT:** I am very happy to make sure that is investigated. But I will be seeking the views of all honourable members about whether they think that is appropriate. Then we would consider it. The Clerk wishes to add something.

**Ms LOVELOCK:** The television screens were purchased with savings that the Legislative Assembly made a few years ago and at that time we did not have savings to make a similar purchase. But one of the significant differences between the two Houses is to do with access to the public galleries. We very rarely have a problem. If people wish to watch our members in action there is usually access to the public galleries. We have quite a lot of public seating. It is a matter of balancing the cost of putting in a system like that just outside a Chamber which people are quite welcome to step into to sit down and watch the proceedings in person if they wish.

**The PRESIDENT:** In terms of access, there is a range of issues. I do not want to take up the Committee's time but, for instance, one of the issues we are looking at is hearing loops around the building and within the Chamber. One of the concerns, for example, is the use of electronic devices in the Chamber. This matter was raised yesterday in the Legislative Assembly, as honourable members will be aware. Many of our members are increasingly bringing in electronic devices. I am advised by people I have spoken to that that has an adverse effect on the hearing loop in the Chamber. It is a technological issue that we have not faced before, but we are trying to look at ways, be it by technology or some other means. I do not wish to stop members bringing material into the Chamber by any means, but I also want to ensure that people with a hearing disability will be able to hear the various debates that are available. They are the issues we are handling on a day-to-day basis.

**CHAIR:** We will move to the Opposition for questions.

**The Hon. GREG DONNELLY:** Point of order: Mr Chair, I want to raise this issue with you before we proceed any further. I refer to the budget estimates handbook, page 22, paragraph 4.10. I have listened patiently and carefully to two sessions of questioning by the Hon. Trevor Khan of the Clerk of Parliaments. I want to make a couple of comments. The member is putting to the Clerk of the Parliaments a number of hypothetical positions. Clearly, from my observation, he wants to go down a particular line to an outcome.

**The Hon. TREVOR KHAN:** Do I?

**The Hon. GREG DONNELLY:** I think that is where it is all going. He has the advantage of being the only person in the room who knows where he wants to go, and we are all watching him. He has put forward a series of hypothetical questions and then, on a number of instances, has asked the Clerk of the Parliaments to express an opinion about a hypothetical situation. In terms of inviting the Clerk to express an opinion about a hypothetical situation, which I believe is problematic on both counts, there is also the situation that a comment or opinion on a hypothetical situation could lead to potential adverse reflection on a particular situation. Paragraph 4.10 on page 22 of the budget estimates handbook deals with "adverse reflection" and "asking for an opinion" and the third dot point deals with the "disclosure of information required that could be prejudicial to the privileges or the rights of other persons". We do not know the "other persons" because we are dealing with hypotheticals.

It is for a range of reasons that I have difficulty with the member continuing on this line of questioning. We are dealing with a departmental officer. The handbook explicitly states, "the question asks for an opinion from an officer of a department". I could be wrong and stand to be corrected, but the Clerk of the Parliaments is a departmental officer. I have concerns about a range of issues with regard to the line of questioning by the Hon. Trevor Khan of the Clerk of the Parliaments. I ask for a ruling on this point of order before the Hon. Trevor Khan proceed any further with the same form of questioning he undertook in the first two sessions.

**The Hon. TREVOR KHAN:** To the point of order: Mr Chair, I would like to address the point of order to allow you to make a balanced assessment. Let me first say that I find it remarkable that a Labor member of this Committee would not be interested in the practices and procedures of the Parliament with respect to the treatment of the employees of this Parliament. It is entirely appropriate that we know that our employees, the people who spend so much time and put in so much effort on behalf of the people of New South Wales, are treated fairly and reasonably and that procedures are in place to ensure that occurs. I also make the point that at other budget estimates hearings there has been tolerable wide-ranging examination. In my submission, the treatment of employees clearly falls within the purview and control of the Clerk and the President, and questions on that issue are entirely relevant. If the Labor member wants to shut it down, in my submission that speaks volumes as to the concerns the Australian Labor Party may have about certain matters.

**CHAIR:** It is in order to ask questions that relate to the guidelines and procedures. However, I share some of the concerns raised by the Hon. Greg Donnelly because the Hon. Trevor Khan has painted a scenario and given a number of descriptions, even though they are hypothetical. If the Hon. Trevor Khan were to suddenly put a name as the basis for his questions without saying anything further, all the material up to now would describe that situation. That is breaking with the procedures of the budget estimates committees when dealing with matters.

**The Hon. TREVOR KHAN:** Mr Chair, you can be assured that I had no intention at any stage of naming a name.

**CHAIR:** Does that satisfy the Hon. Greg Donnelly?

**The Hon. GREG DONNELLY:** No. I have a fundamental difficulty with the line of questioning essentially being hypothetical and, building on top of that, then asking the Clerk to express an opinion on a hypothetical situation. I believe that is outside the purview of the standard range of questions that are typically put forward to witnesses at budget estimates hearings.

**CHAIR:** The Hon. Trevor Khan may not want to continue on that line of questioning.

**The Hon. TREVOR KHAN:** It can be fairly said that there are some further questions I wish to ask.

**CHAIR:** If the questions could relate specifically to the guidelines, the Clerk can then quote the relevant guideline rather than give her opinion. If she cannot give an opinion, then she should not reply at all. For example, the question may be: What do the guidelines say about a member who is sick?

**The Hon. TREVOR KHAN:** Again, I do not formally dissent, but it is my submission that the practices and procedures of the Clerk are clearly governed not only by guidelines but also by legislation and what one would expect to be a fair response in light of the complex web of guidelines. It is not possible for anyone to say that I would do X simply because of a guideline. That seeks to take human beings away from their experiences of life, the decent principles they have built up over time and their moral background, and say that they will simply work on the basis of a volume. That is asking this person to make an unrealistic assessment of what she would do in a particular circumstance.

**CHAIR:** If the Clerk is not happy with the line of questioning, she could take the question on notice or reply that she cannot answer the question.

**Ms LOVELOCK:** If I could add for the edification of the Committee, I was asked about changing locks and so on. We have not had any instances where locks have been changed to keep staff out of a member's office when their working relationship has broken down. In resolving any of these issues, we do rely on the advice of a mediator. For example, when a mediator has identified to us that it is in the interests of both parties that they separate, basically it is the staffer who would leave. We have done things like assisted them in finding other employment or we have moved them to another part of the building to do different work. That has also happened within our joint services where there has been a breakdown between staff. If that helps you, we do follow proper guidelines.

**The Hon. TREVOR KHAN:** Mr Chair, is the interchange with the Hon. Greg Donnelly coming out of our time?

**CHAIR:** In the House a point of order would generally take up the member's time.

**The Hon. CATHERINE CUSACK:** With respect, a member would say something before a point of order was taken. We had not said a word.

**CHAIR:** It was based on the previous questions.

**The Hon. DUNCAN GAY:** Perhaps the clock could be restarted as we are about to start. That would be only fair.

**CHAIR:** I will do that.

**Ms LOVELOCK:** Can I possibly give you a couple of answers that you have asked for? We have got the figures: 30,000 school students visited during the reporting period; 500 school visits, which I can point out included the school of my deputy's son, and there are other school student based activities that are run through our education section within this place. So that answers your question about the number of school children.

With regards to the sittings of the House, I can tell you that the House sat on 40 occasions during the reporting period, averaging 8.6 hours per sitting, and on three occasions the House sat beyond midnight. I do have some graphs I can give you in relation to that if you are interested.

**The Hon. CATHERINE CUSACK:** Is that 8.6 by 40?

**Ms LOVELOCK:** Yes.

**CHAIR:** Can those graphs be tabled?

**Ms LOVELOCK:** Yes, this is from our annual report.

**Documents tabled.**

**The Hon. CATHERINE CUSACK:** Do you have the Legislative Assembly figures?

**Ms LOVELOCK:** No.



**The Hon. TREVOR KHAN:** Could Mr Morgan Andrews be sworn in? I have a couple of questions for him.

**CHAIR:** In regard to what area?

**The Hon. TREVOR KHAN:** Security.

**CHAIR:** You can ask the President and the President can then ask the representative. That is the normal procedure. What would you prefer, Mr President?

**The PRESIDENT:** It is the decision of the Committee, but maybe if I deal with broad policy matters and seek advice if the honourable member asks me a question and I cannot answer it—but I am very happy obviously for Mr Andrews to be sworn in.

**MORGAN MICHAEL ANDREWS,** Manager of Parliamentary Security, New South Wales Parliament, sworn and examined:

**The Hon. TREVOR KHAN:** Do you receive directly from members of Parliament requests for the changing of locks to their offices?

**Mr ANDREWS:** On some occasions.

**The Hon. TREVOR KHAN:** If you receive such a request on the basis that there has been a security breach, do you make a note of such advice?

**Mr ANDREWS:** Any security breach would need to be reported in the security incidents system.

**The Hon. TREVOR KHAN:** I am sorry to demonstrate yet again my absolute ignorance, but what is that system?

**The PRESIDENT:** Without wishing to interfere, Chair, I would seek your guidance: Can I stress again the fact that we have had no such request, as I understand it, in terms of the Legislative Council. We cannot answer in relation to matters involving the Legislative Assembly. If there are hypothetical questions that the Hon. Trevor Khan wishes to ask, then that is obviously a matter for you, but in relation to specific matters involving the Legislative Assembly, that is not appropriate.

**CHAIR:** Is that clear? There have been no incidents in the Council.

**The Hon. TREVOR KHAN:** I am alive to that.

**CHAIR:** If you direct your question to the President, the President can decide whether he wishes to answer.

**The Hon. TREVOR KHAN:** If there is a complaint by a member of a security breach, I understand that that has to be logged into the security incidents system or some such similar thing. I wonder if you are able to assist in telling us what that system is?

**The PRESIDENT:** Thank you for your question; I will take it on notice.

**The Hon. TREVOR KHAN:** There is somebody at the table who is able to assist with regard to providing that information.

**The PRESIDENT:** Yes, but given that you are talking about a hypothetical matter, I wish to ensure that you receive a full and comprehensive response, so therefore I will take it on notice.

**The Hon. TREVOR KHAN:** Chair, I would ask that I be entitled to ask Mr Andrews the same question. It is plain that he is the officer with an understanding of this matter. In my submission

it is appropriate when the person is so closely at hand that the question be asked and an answer be given.

**The PRESIDENT:** I am responsible for dealing with policy matters in relation to the Legislative Council. As the Hon. Trevor Khan has already indicated and conceded, this is a hypothetical matter and, accordingly, I wish to ensure that he receives a full and comprehensive response as a policy matter and therefore I will take the matter on notice.

**The Hon. DUNCAN GAY:** Further to that, it is my understanding that members are able to ask questions of whoever is here representing the various areas. I am unaware of anywhere in the guidelines that prohibits us from putting a specific question to a specific person. Mr Andrews is the head of security for the joint Houses.

**The Hon. TREVOR KHAN:** Could I add that this is not a matter that goes to policy; this is a matter that goes to practice and procedure, quite different from policy.

**CHAIR:** The President has stated that he will take the question on notice, so that deals with the question that you asked. That is the answer that he has given.

**The Hon. TREVOR KHAN:** I formally dissent from that ruling.

**The Hon. PENNY SHARPE:** You are not actually able to dissent.

**The Hon. DUNCAN GAY:** I formally dissent.

**CHAIR:** I ask that the room be cleared so that the Committee can meet without members of the public being present.

*[Short adjournment]*

**CHAIR:** We will resume the questions. Just to make it quite clear: All questions should relate to the operation of the Legislative Council or Joint Services; they cannot directly or indirectly be related to the Legislative Assembly. In regard to the dissent matter—it was withdrawn.

**The Hon. CATHERINE CUSACK:** What was the cost of the ASIO review of security at Parliament?

**The PRESIDENT:** I am advised approximately \$45,000.

**The Hon. CATHERINE CUSACK:** What is the value of the security upgrades that have been applied for with Treasury?

**The PRESIDENT:** The you-beaut one is about \$16 million; the absolute priority ones that we are looking for is about \$4 million.

**The Hon. CATHERINE CUSACK:** Is that in accordance with the ASIO recommendation?

**The PRESIDENT:** Yes.

**The Hon. CATHERINE CUSACK:** Are those upgrades recommended as essential?

**The PRESIDENT:** We assigned certain priorities to them. So, yes.

**The Hon. CATHERINE CUSACK:** In the recent round of restructure how many staff took redundancy?

**The PRESIDENT:** I will ask the Clerk to give you the figures.

**Ms LOVELOCK:** Within the Department of the Legislative Council there were four voluntary redundancy packages offered and four were paid for. This is part of the restructure that went

on. In Building Services there were nine voluntary redundancy packages and eight were accepted. Food and Beverage were offered 15, and 15 were accepted. The Library had three voluntary redundancy packages and two were accepted. I am sorry, I have misled you a little: they were paid rather than accepted. At the moment it has been accepted but not yet paid.

**The Hon. CATHERINE CUSACK:** What is the total figure you have there for voluntary redundancy?

**Ms LOVELOCK:** The total number of voluntary redundancy packages that were paid within 2006-07 is 29, excluding the Legislative Assembly.

**The Hon. CATHERINE CUSACK:** There were more in the Legislative Assembly but we do not know how many there were?

**Ms LOVELOCK:** Yes.

**The Hon. CATHERINE CUSACK:** What was the cost of the 29 redundancies? What was the total value?

**Ms LOVELOCK:** The total cost of the voluntary redundancy packages offered in 2006-07, according to the figures I have here, was \$1,114,943.47.

**The Hon. CATHERINE CUSACK:** And that was for 29 redundancies?

**Ms LOVELOCK:** Yes. That does not include the Library. Do you want the figures broken down by the departments?

**The Hon. CATHERINE CUSACK:** Yes.

**Ms LOVELOCK:** For Food and Beverage I have got \$1.118 million; for the Legislative Council \$321,000; for the library \$113,000; for Building Services \$264,000; and for Legislative Council members' staff an additional \$64,000.

**The Hon. CATHERINE CUSACK:** And the Legislative Assembly is in addition to that?

**Ms LOVELOCK:** Yes. That was what was paid out in 2006-07. It gets a little bit complicated because sometimes people were on staff and did not get paid out because they opted to stay on the member's staff. For example, they stayed on for three months and then took a voluntary redundancy at the end of that period, which, with the various features of the package, meant that they might not have been paid out until the 2007-08 financial year.

**The Hon. CATHERINE CUSACK:** How were the redundancies funded?

**Ms LOVELOCK:** Redundancies were paid for by Treasury. We were supplemented for them. We have not yet been supplemented for this year but at the end of last year we got supplementation and I believe we have been given an indication we will be supplemented again.

**The Hon. CATHERINE CUSACK:** Can I just ask some questions about the dining room facilities? How many booked functions were held at Parliament House during the year, and were they loss-making ventures or did they make a profit during the financial year?

**Ms LOVELOCK:** Can I take that on notice? I can give you the actual figures.

**The Hon. CATHERINE CUSACK:** Is it possible to find out how many of them were actually held by government departments?

**The PRESIDENT:** Federal and State are you after?

**The Hon. CATHERINE CUSACK:** Yes, that is fine. When a government department makes a booking for a function at Parliament House does it need to make that booking through a member?

**Ms LOVELOCK:** They are all sponsored by a member.

**The Hon. CATHERINE CUSACK:** So they are all free of charge.

**Ms LOVELOCK:** Free of charge?

**The Hon. CATHERINE CUSACK:** Yes, the use of the venue?

**Ms LOVELOCK:** No, there are costs associated with any function. It depends on when it is. We have standard pricing now for holding functions. If it is after hours, if the building is open—

**The Hon. CATHERINE CUSACK:** I understand for the catering, but if the Jubilee Room were to be booked, say, during a sitting, that would be free and then you would charge them for the catering, is that correct?

**Ms LOVELOCK:** We charge for the use of the Jubilee Room regardless.

**The Hon. CATHERINE CUSACK:** What are the charges?

**The PRESIDENT:** We are very happy to provide them now or, if you wish, we can take it on notice and provide all the details.

**Ms LOVELOCK:** We have a schedule of rates now for the booking of rooms and what it costs.

**The Hon. CATHERINE CUSACK:** So, we are not a free venue for government conferences?

**Ms LOVELOCK:** No. We cannot afford to be.

**The Hon. CATHERINE CUSACK:** If you could get me some figures for the financial year?

**Ms LOVELOCK:** I will take that on notice and I will definitely get you those figures.

**The Hon. CATHERINE CUSACK:** Is it possible to get details of members' salaries and allowance entitlements and additional staff entitlements?

**Ms LOVELOCK:** They are all available in the parliamentary remuneration—

**The Hon. CATHERINE CUSACK:** I understand that it is not available in an accessible form in terms of listing members, their salary entitlements, their allowances and their staff entitlements.

**Ms LOVELOCK:** What each office holder gets?

**The Hon. CATHERINE CUSACK:** Correct, by member.

**The PRESIDENT:** I am happy to table this document, which details the parliamentary salaries and allowances as from 1 July 2007 for the Legislative Council, private members, all the various Ministers of the Crown and all the various office holders.

**The Hon. CATHERINE CUSACK:** I understand that, and they are the provisions. What I am asking is for something that ascribes it to each member.

**The PRESIDENT:** There is a President, a Deputy Leader of the Government, a Chair of Committees, a Leader of the Opposition.

**Ms LOVELOCK:** You can identify each member from that.

**The Hon. CATHERINE CUSACK:** The chairs of different committees are not identified in that list.

**The PRESIDENT:** Chairperson, Standing Committee on Social Issues; Chairperson, Standing Committee on State Development; Chairperson. It is a public document so I am happy to table it.

**The Hon. CATHERINE CUSACK:** Have the provisions been determined yet for the position of Assistant Deputy-President?

**The PRESIDENT:** I have not been made aware of anything. I am not aware of anything.

**The Hon. CATHERINE CUSACK:** Is there any additional remuneration associated with that position? It was certainly anticipated by the Minister in debate that there would be.

**The PRESIDENT:** I have read the second reading debate. That is a matter for Executive Government, not for us, and it is subject to notice in the *Government Gazette*.

**Ms LOVELOCK:** To date there has been no regulation. We are unable to give any members additional salaries for offices they hold. That is a matter for the Parliamentary Remuneration Tribunal to determine that it exists and then it is up to the Government to put in a regulation to give that effect.

**CHAIR:** We have heard that there has been discussion between the President and the Speaker about family friendly hours. Can you give us an update on what progress is being made? Do you anticipate what they may be? How will they be implemented? What effect would they have on the running of the Legislative Council and on staff of the Legislative Council?

**The PRESIDENT:** What we can do is table the proposal that I have put up in relation to the Legislative Council. The process of this is that for quite a long period members in both Houses have been discussing the issue of family friendly hours. We are not the only Parliament. This issue would enable us, we believe, to have significant savings in relation to the operation of our budget, plus meet the requests of a number of members. We put up a proposal in relation to the Legislative Council. The decision on this, however, is a matter for Executive Government. Then presumably Executive Government would propose that to the House and the House would make its own decision.

The Clerks and I have put up this suggestion as to how we believe it could work. But as to what happens from now on will be a decision and a matter for debate by Executive Government and then the House. I stress, however, that realistically in terms of cost savings, it is a matter that needs to be coordinated between both Houses. As to where it goes from here, that is a matter for Executive Government. I understand from the media that the Premier has indicated that he is looking at establishing a joint committee to consider this and report back. I have not seen terms of reference for that committee. However, that would enable all members in both Houses to have some input. It would require some coordination. It would enable the matter to be properly reviewed in a very public way. Then Executive Government and, indeed, all members can make their own decision on the matter.

**CHAIR:** Do you envisage the committee being made up entirely of members of Parliament or could it comprise some members and some members of the community?

**The PRESIDENT:** That will be a decision for both the Houses. I know what I have seen in the media. My understanding is that it will be an all-party representation as a joint committee. I understand from the media that it would be chaired jointly by me and the Speaker. Not having discussed or seen the terms of reference, I imagine we will be seeking comments from members and staff and anyone else in relation to the matter. That is literally where we are up to at the moment. I have not even seen the proposed terms of reference for the committee.

**CHAIR:** In the document you have tabled the main changes would be that Parliament would start at 10 o'clock and finish at 6.30 p.m.; the House would sit on Friday for half a day; and private members would have only two hours on Thursday, rather than from 11.00 a.m. to 5.00 p.m., as is the current practice.

**The PRESIDENT:** The current arrangement is that Government business has 10 hours; under our family friendly proposal we are talking about 10.5 hours. Private members would still have 3.5 hours. Questions would still be three hours. The adjournment debate, which is currently 1.5 hours, would go to two hours because we would have an extra adjournment debate on Friday. As you can see, the Friday sitting would involve committee reports and budget debate after formalities. There would be a range of possibilities, as there are already in the Legislative Assembly, for dealing with issues such as divisions and other matters. The House is its own master in relation to what happens on Friday. Since this was floated I have received only positive comments from people, but there is provision for it to go ahead. As I stressed, it is a matter for Executive Government and then ultimately the Houses. The Executive Government must make the proposition and the Premier has indicated by way of media release that that would be initiated, if at all, through a joint all-party committee which would take submissions and look at this matter in more detail.

**CHAIR:** I see, I missed it. You are adding private members' business on Wednesday as well. Has this document been distributed? You said you have had some comment. Has this document been distributed to members?

**The PRESIDENT:** The suggestion was aired in the media, and since then obviously it has been one of the conversation pieces in this place. Accordingly, as I said, I have received informal comments about the proposal. Knowing that there will be an inquiry, I have not sought any sort of formal solutions. But I stress that that is the process. It will be a decision for Executive Government to initiate. The Premier has indicated that that will only be after the joint committee has deliberated.

**CHAIR:** Apparently it would not take effect until next year.

**The PRESIDENT:** That would be a matter for both Houses. It would work in both Houses.

**Ms LOVELOCK:** As many of you will recall, we had a trial of different sitting patterns, where we have private members' business on Wednesday and Thursday mornings. One difficulty that arose during the trial was that we did not have a finishing time. So because we did not have a set finishing time, we ended up starting earlier and then finishing late anyway. It would mean a fundamental change to the way the House operates because up until now we have never had a set time for finishing. If we are to have family friendly hours, that does not mean that when more members decided to speak in a debate we would end up sitting later and later. We would need to have official cut-off times for when the House finished.

**CHAIR:** Obviously that would still be in the hands of the House; the House could vote to continue.

**Ms LOVELOCK:** Yes, it definitely could.

**The Hon. CATHERINE CUSACK:** As a country member with a young family, I do not find estimates hearings on Friday nights of sitting weeks very family friendly. The format of the schedule means that I will not be at home for two weeks. Will that matter be considered by the committee that is being established? This is the second year in a row that estimates committee hearings have continued until the middle of Friday and Monday nights. That is a very family unfriendly practice for those of us who do not get home to see our families.

**The PRESIDENT:** That is clearly not a question that I can answer. I am required to attend only one estimates committee hearing and I do not set the time even for that. That is for the Government and the Whips to negotiate; I cannot make that decision.

**The Hon. CATHERINE CUSACK:** I have not seen this proposal but I would like it on the record that I understand that some members like to get home at 5.00 p.m. However, members who do

not go home have another perspective. When they come to Sydney they wish complete as much work as possible.

**The PRESIDENT:** That is why I hope those positions will come out. I stress that this is an option and all members' views should be fully considered. I did not make an opening statement, but I would like to make a concluding statement.

**CHAIR:** Yes.

**The PRESIDENT:** I acknowledge the excellent working relationship that exists between both Houses. As a former member of the Legislative Assembly, I knew the now Clerk of the Legislative Assembly and always admired his professionalism. That is why I am confident that he is giving the Speaker the same high-quality advice that I am receiving as President from our Clerk, Ms Lynn Lovelock. I rely absolutely on the advice and judgment of the Clerk of the Parliaments and hold her in the highest regard.

I also acknowledge that until he became Speaker I do not recall having had a detailed conversation with Mr Torbay. However, I am happy to put on the public record my admiration and respect for how he has approached the position of Speaker. We regularly meet to discuss the diverse issues facing the administration of the Parliament and I appreciate his advice and the close working relationship that we have developed.

**Ms LOVELOCK:** I have a couple of corrections to make; I have been misleading the Committee. I refer to the booking of conference rooms. Charges are imposed only for after-hours bookings. Charges are levied on a cost-recovery basis to meet the cost of after-hours lighting, heating and air-conditioning, security services, the attendance of an operator of any specialised equipment, such as the projector in the theatrette, extraordinary cleaning of the facility and repairs to fixtures and fittings arising out of damage caused by attendees. Therefore, if you hold a function in, for example, the Jubilee Room on a sitting night while the building is open, there will be no additional fee.

In October 2006 a request was sent to Security Services from a member's staffer for the locks to be changed after a staff member had left and that staffer's key could not be found. I believe there were some issues about whether that staffer might access material in the office. That was the only request made. We have never had a request in relation to a member excluding a staffer from an office and changing a lock. One staffer said that a lock should be changed because of a possible security breach by a former staffer.

**CHAIR:** All the locks were changed at one point.

**The PRESIDENT:** Yes.

**CHAIR:** That concludes the hearing. We thank the President, the Clerk, Mr McGill and all other members of staff for their attendance and for the job they do every day. Thank you very much.

**(The witnesses withdrew)**

**(The Committee adjourned at 3.35 p.m.)**