General Purpose Standing Committee No. 4

Budget Estimates 2013 - 2014

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Chair: Hon. Sarah Mitchell, MLC.

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How to contact the Committee

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Terms of reference

- 1. That upon tabling, the Budget Estimates and related papers for the financial year 2013-2014 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report.
- 2. That the initial hearings be scheduled as follows:

Day One:	Monday 12 August 2013	
GPSC 5	Local Government, The North Coast	9.00 am – 12.00 pm
GPSC 2	Citizenship and Communities, Aboriginal Affairs	9.00 am - 10.30 am
GPSC 5	Fair Trading	12.15 pm – 1.15 pm
GPSC 2	Mental Health, Healthy Lifestyles, Western NSW	10.45 am – 12.00 pm
GPSC 2	Sport and Recreation	12.15 pm - 1.00 pm
GPSC 2	Family and Community Services, Women	2.00 pm - 5.00 pm
GPSC 5	Primary Industries, Small Business	2.00 pm - 5.00 pm
Day Two	: Tuesday 13 August 2013	
GPSC 3	Tourism, Major Events, Hospitality and Racing, The Arts	9.00 am – 1.00 pm
GPSC 3	Roads and Ports	2.00 pm - 6.00 pm
Day Three: Wednesday 14 August 2013		
GPSC 4 GPSC 4	Attorney General, Justice Police and Emergency Services, The Hunter	9.00 am – 1.00 pm 2.00 pm – 6.00 pm

Day Four: Thursday 15 August 2013

GPSC 1	Treasury, Industrial Relations	9.00 am - 1.00 pm
GPSC 2	Education	9.00 am – 1.00 pm
GPSC 1	Finance and Services, The Illawarra	2.00 pm - 6.00 pm

Day Five: Friday 16 August 2013

GPSC 5	Resources and Energy, Special Minister of State, The	9.00 am – 1.00 pm
	Central Coast	
GPSC 1	Premier, Western Sydney	9.00 am - 1.00 pm
GPSC 1	Planning and Infrastructure	2.00 pm - 4.15 pm
GPSC 5	The Environment, Heritage	2.00 pm - 6.00 pm

Day Six: Monday 19 August 2013

GPSC 3	Trade and Investment, Regional Infrastructure and	9.00 am – 12.00 pm
	Services	
GPSC 3	The Legislature	12.15 pm – 1.00 pm
GPSC 3	Transport	2.00 pm - 6.00 pm

Day Seven: Friday 23 August 2013

GPSC 2 Ageing, Disability Services 9.00 am - 11.00 amGPSC 2 Health, Medical Research 2.00 pm - 6.00 pm

- 3. That an initial round of supplementary hearings be scheduled during the week of 8 11 October 2013.
- 4. That each scheduled day for the initial round of hearings will begin at 9.00 am and conclude by 6.00 pm.
- 5. The committees must hear evidence in public.
- 6. The committees may ask for explanations from Ministers in the House, or officers of departments, statutory bodies or corporations, relating to the items of proposed expenditure.
- 7. There is no provision under this resolution for a Minister to make an opening statement before the committee commences questions.
- 8. A daily Hansard record is to be published as soon as practicable after each day's proceedings.
- 9. The committees are to present a final report to the House by the last sitting day of the first sitting week in February 2014.
- 10. Members may lodge questions on notice with the Clerk to the committee during a Budget Estimates hearing and up to two days following.
- 11. All answers to questions taken on notice during the hearing, and questions on notice lodged up to two days following the hearing, must be provided within 21 days, or as otherwise determined by the committee.

These terms of reference were referred to the Committee by the House on 14 November 2012, see *LC Minutes* (14/11/12) p 1368, Item 16; amended by *LC Minutes* (21/05/2013), 1712-1714, Item 19.

Committee membership

General Purpose Standing Committee No. 4

The Hon Sarah Mitchell MLC	The Nationals	Chair
The Hon Robert Borsak MLC	The Shooters and Fishers Party	Deputy Chair
The Hon Trevor Khan MLC	The Nationals	
The Hon Charlie Lynn MLC	Liberal Party	
The Hon Adam Searle MLC	Australian Labor Party	
Mr David Shoebridge MLC	The Greens	
The Hon Lynda Voltz MLC	Australian Labor Party	

Non-substantive members who attended the hearings

The Hon Amanda Fazio MLC	Australian Labor Party
Dr John Kaye MLC	The Greens
The Hon Natasha Maclaren-Jones MLC	Liberal Party
The Hon Shaoquett Moselmane MLC	Australian Labor Party
The Hon Peter Primrose MLC	Australian Labor Party
The Hon Penny Sharpe MLC	Australian Labor Party
The Hon Steve Whan MLC	Australian Labor Party

Table of contents

	Chair's foreword	viii
Chapter 1	Introduction	1
	Referral of the 2013-2014 Budget Estimates	1
	Hearings	1
	Transcripts	1
	Questions on notice	1
Chapter 2	Issues raised during hearings	3
	Attorney General, Justice	3
	Police and Emergency Services, The Hunter	3
Appendix 1	Witnesses at hearings	5
Appendix 2	Minutes	6

Chair's foreword

I am pleased to present this report on the Inquiry into Budget Estimates 2013-2014. This annual Inquiry into the Budget Estimates ensures parliamentary oversight of the Budget, and provides an important mechanism for the accountability of the executive government to the Council.

The Inquiry consisted of two hearings, receiving five hours and thirty minutes of evidence, to examine the portfolio areas of Attorney General, Justice, Police and Emergency Services, and The Hunter.

On behalf of the Committee, I would like to thank the ministers and their officers who assisted the Committee during this important Inquiry. I am grateful to my fellow Committee members and the Secretariat staff for their contributions to the Inquiry process. I would also like to extend my thanks to the Hon Robert Borsak MLC, who performed the role of Acting Chair for the duration of the hearings.

Hon Sarah Mitchell MLC

Yazal Mitchell

Chair

Chapter 1 Introduction

Referral of the 2013-2014 Budget Estimates

- On 14 November 2012, the Legislative Council resolved to hold the initial hearings of the General Purpose Standing Committees inquiry into the Budget Estimates on 'Monday 12, Friday 16, Monday 19, Friday 23 August, and during the sittings of the Legislative Assembly on Tuesday 13, Wednesday 14 and Thursday 15 August 2013'.
- On 21 May 2013, the Legislative Council further resolved that 'the Budget Estimates and related papers for the financial year 2013-2014 presenting the amounts to be appropriated from the Consolidated Fund be referred to the General Purpose Standing Committees for inquiry and report'. The resolution requires each committee to examine the Budget Estimates for the relevant portfolios and report to the House by the last sitting day of the first sitting week in February 2014.

Hearings

- 1.3 The Committee held two public hearings as follows:
 - Wednesday 14 August 2013 Attorney General, Justice
 - Wednesday 14 August 2013 Police and Emergency Services, The Hunter.
- 1.4 A brief summary of the key issues raised during the hearings is contained in Chapter 2.

Transcripts

1.5 Transcripts of the hearings are available on the Committee's web page at: www.parliament.nsw.gov.au/gpsc4.

Questions on notice

1.6 Questions taken on notice, and the answers to these questions, are also available on the Committee's web page.

¹ LC Minutes (14/11/12) Item 16, p 1368.

² LC Minutes (21/05/2013) Item 19, pp 1712-1714.

Chapter 2 Issues raised during hearings

This Chapter provides a brief summary by portfolio of the key issues raised during the hearings.

Attorney General, Justice

- A hearing examining the portfolios of Attorney General and Justice was held on Wednesday 14 August 2013. The following issues were raised during the Committee's examination of the Attorney General portfolio:
 - Number of positions in Magistrates, District and Supreme Courts
 - Closure of local courts
 - Use of courts in Parramatta
 - Sydney Drug Court
 - Resourcing and redundancies in Industrial Relations Court
 - Victims Support Scheme
 - Legal Aid decision to not fund historic sexual abuse claims that arise out of the Royal Commission
 - Legal Aid decision to cease funding of cases where incarceration is not considered likely
 - Penalties for child sexual offences.
- 2.2 The following issues were raised during the Committee's examination of the Justice portfolio:
 - Community Corrections Officers
 - Downsizing of Grafton Correctional Centre
 - Aboriginal employment within Juvenile Justice
 - Spike in prison population
 - Closure of Broken Hill Juvenile Justice Centre
 - Aboriginal and Torres Strait Islanders in detention
 - Community Offender Support programs
 - Escapes from Corrective Services custody.

Police and Emergency Services, The Hunter

- A hearing examining the portfolios of Police and Emergency Services, and The Hunter was held on Wednesday 14 August 2013. The following issues were raised during the Committee's examination of the Police portfolio:
 - Child Abuse Squad

- Outlaw Motorcycle Gang legislation
- Calyx investigation
- Police officer death and disability scheme
- Police Transport Command
- Police use of Tasers.
- 2.4 The following issues were raised during the Committee's examination of the Emergency Services portfolio:
 - Reallocation of operational resources in Fire and Rescue NSW
 - Fire stations staffing levels
 - Holmsville Fire Station
 - Commissioner, Fire and Rescue NSW and FBEU working relationship.
- **2.5** The following issues were raised during the Committee's examination of The Hunter portfolio:
 - Newcastle Art Gallery
 - John Hunter eye clinic
 - Hunter region air quality
 - Wallsend
 - Investment of proceeds of lease of Port of Newcastle
 - Gas supply certainty
 - Redevelopment of City of Newcastle.

Appendix 1 Witnesses at hearings

Attorney General, Justice - Wednesday 14 August 2013

Name	Position and Organisation
The Hon. Greg Smith MP	Attorney General, Minister for Justice
Mr Brendan Thomas	Acting Director General, Department of Attorney
	General and Justice
Mr Bill Grant	Chief Executive Officer, Legal Aid NSW
Mr Peter Severin	Commissioner, NSW Corrective Services
Ms Valda Rusis	Chief Executive, NSW Juvenile Justice

Police and Emergency Services, The Hunter - Wednesday 14 August 2013

- · · · · · · · · · · · · · · · · · · ·	, 6
Name	Position and Organisation
The Hon. Michael Gallacher MLC	Minister for Police and Emergency Services, Minister for
	The Hunter
Mr Andrew Scipione	Commissioner, NSW Police Force
Mr Nick Kaldas	Deputy Commissioner, Field Operations, NSW Police
	Force
Ms Catherine Burn	Deputy Commissioner, Specialist Operations, NSW
	Police Force
Mr David Hudson	Deputy Commissioner, Corporate Services, NSW Police
	Force
Mr Peter Hastings	Commissioner, NSW Crime Commission
Mr Greg Mullins	Commissioner, Fire and Rescue NSW
Mr Rob Rogers	A/Commissioner, NSW Rural Fire Service
Mr Murray Kear	Commissioner, NSW State Emergency Service
Ms Vicki D'Adam	A/Chief Executive Officer, Ministry for Police and
	Emergency Services
Superintendent Brett McFadden	Holroyd Local Area Command, NSW Police Force
Mr Bill Tatnell	Department of Premier and Cabinet

Appendix 2 Minutes

Minutes No. 19

Wednesday 19 June 2013 General Purpose Standing Committee No. 4 Members' Lounge, Parliament House, 9:45am

1. Members present

Mrs Mitchell, Chair

Mr Khan

Mr Lynn

Mr Searle

Ms Voltz

2. Apologies

Mr Borsak

Mr Shoebridge

3. Previous minutes

Resolved, on the motion of Mr Searle: That draft Minutes No.18 be confirmed.

4. ***

5. Inquiry into Budget Estimates 2013/14

5.1 Allocation of question time

Resolved, on the motion of Ms Voltz: That for the initial round of hearings into the Budget Estimates 2013-2014, the sequence of questions to be asked alternate between Opposition, Cross Bench and Government members, in that order, with 20 minutes allocated to each.

5.2 Publication of answers to questions on notice

Resolved, on the motion of Mr Lynn: That the Committee authorise the publication of answers to questions on notice, after these answers have been circulated to committee members.

5.3 Order of examination of portfolios

Resolved, on the motion of Mr Searle: That on Wednesday 14 August 2013, the Attorney General portfolio be examined from 9:00am until 11:00am and the Justice portfolio be examined from 11:15am until 1:00pm.

Resolved, on the motion of Ms Voltz: That on Wednesday 14 August 2013, the Police portfolio be examined from 2:00pm until 3:45pm, Emergency Services portfolio 4:00pm until 5:00pm and The Hunter portfolio be examined from 5:00pm until 6:00pm.

5.4 Witness requests

Members were asked to provide any witness requests to the Secretariat by 5:00pm, Friday 12 July 2013.

5.5 Absence of the Chair during Budget Estimates hearings

The Chair advised that she will be away during the Budget Estimates hearings and that the Deputy Chair will chair the meetings in her absence.

6. Interim social media guidelines – from the Chairs' Committee

Resolved, on the motion of Mr Khan: That the Committee adopt the interim guidelines on the use of social media and electronic devices during committee proceedings.

7. Adjournment

The Committee adjourned at 9:58am until 8:50am, Wednesday 14 August 2013, Macquarie Room (Attorney General, Justice).

Stewart Smith

Clerk to the Committee

Minutes No. 20

Wednesday 14 August 2013 General Purpose Standing Committee No. 4 Macquarie Room, Parliament House, Sydney, at 8.50 am

1. Members present

Mr Borsak, Acting Chair Mr Khan, Acting Deputy Chair Mr Lynn

Mrs Maclaren-Jones (Mitchell)

Mr Moselmane (Voltz)

Mr Searle

Mr Shoebridge (from 8.55am)

2. Apologies

Mrs Mitchell

Ms Voltz

3. Substitutions

The Chair advised that the following members would be substituting for the hearing:

- Mrs Maclaren-Jones for Mrs Mitchell (for the duration of the Budget Estimates 2013-2014 inquiry)
- Mr Moselmane for Ms Voltz.

4. Participating members

The Chair advised that Ms Fazio would be attending the Justice hearing as a participating member.

5. Election of Deputy Chair

The Acting Chair called for nominations for the position of Acting Deputy Chair.

Mr Lynn moved: That Mr Khan be elected Acting Deputy Chair of the Committee for the Budget Estimates 2013-2014 inquiry.

There being no further nominations, the Chair declared Mr Khan elected Deputy Chair of the Committee for the Budget Estimates 2013-2014 inquiry.

6. Draft minutes

Resolved, on the motion of Mr Khan: That draft Minutes No. 19 be confirmed.

7. Correspondence

The Committee noted the following items of correspondence:

Received

- 22 July 2013 Email from Ms Agnes Kang, Minister Smith's office to Budget Estimates Secretariat advising of witnesses to accompany the Minister on 14 August 2013.
- 30 July 2013 Email from Mr Edward Clapin, Minister Smith's office to Budget Estimates Secretariat providing an updated list of witnesses to accompany the Minister on 14 August 2013.
- 2 August 2013 Letter from Brad Scuttella, Chief of Staff, Minister Gallacher's Office, advising that requested witness, Mr Peter Singleton from NSW Crime Commission will not be in attendance.

Sent

- 1 July 2013 Email from Committee Director to Minister Gallacher informing the Ministry of the time allocation for portfolios and witness requests.
- 1 July 2013 Email from Committee Director to Minister Smith informing the Ministry of the time allocation for portfolios and witness requests.
- 17 July 2013 Email from Committee Director to Minister Gallacher requesting witnesses to accompany Minister on 14 August 2013.
- 17 July 2013 Email from Committee Director to Minister Smith requesting witnesses to accompany Minister on 14 August 2013.

8. Inquiry into Budget Estimates 2013-2014

8.1 Webcasting of proceedings

Resolved, on the motion of Mrs Maclaren-Jones: That the Committee authorises the webcast of all the Committee's 2013-2014 Budget Estimates hearings via the Parliament's website.

8.2 Allocation of questions

Resolved, on the motion of Mrs Maclaren-Jones: That with no Government questions asked on Wednesday 14 August 2013 the:

- Attorney General portfolio will be examined from 9.00am until 10.20am.
- Justice portfolio will be examined from 10.35am until 11.40am.

8.3 Public hearing

Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting and webcasting of proceedings and other matters. The Chair reminded Attorney General Smith that he did not need to be sworn, as he had sworn an oath to his office as a member of Parliament.

The following witnesses were sworn:

- Mr Bill Grant, Chief Executive Officer, Legal Aid NSW
- Mr Brendan Thomas, Acting Director General, Department of Attorney General and Justice.

The Chair declared the proposed expenditure for Attorney General open for examination.

The Minister and the departmental witnesses were examined by the Committee.

Mr Bill Grant, Chief Executive Officer, Legal Aid NSW, withdrew.

The following officials from departments, statutory bodies or corporations were sworn:

- Mr Peter Severin, Commissioner, NSW Corrective Services
- Ms Valda Rusis, Chief Executive, NSW Juvenile Justice.

The Chair declared the proposed expenditure for Justice open for examination.

The Minister and the departmental witnesses were examined by the Committee.

The Minister and departmental witnesses withdrew.

The public hearing concluded at 11.41am.

The public and media withdrew.

8.4 Supplementary hearings

Resolved, on the motion of Mr Khan: That the Committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolios of Attorney General, Justice on a date to be determined following receipt of answers to questions on notice.

9. Adjournment

The Committee adjourned at 11.41am, until 1.50pm, Wednesday 14 August 2013, Macquarie Room (*Police and Emergency Services, The Hunter*).

Teresa McMichael

Clerk to the Committee

Minutes No. 21

Wednesday 14 August 2013 General Purpose Standing Committee No. 4 Macquarie Room, Parliament House, Sydney, at 1.50 pm

1. Members present

Mr Borsak, Chair

Mr Khan

Mr Lynn

Mr Shoebridge

Mrs Maclaren-Jones (Mitchell)

Mr Primrose (Voltz)

Mr Whan (Searle)

Ms Sharpe (participating)

Dr Kaye (Shoebridge – The Hunter)

2. Substitutions

The Chair advised that the following members would be substituting for the hearing:

- Mrs Maclaren-Jones for Mrs Mitchell
- Dr Kaye for Mr Shoebridge (The Hunter)
- Mr Primrose for Ms Voltz
- Mr Whan for Mr Searle.

3. Participating members

The Chair advised that Ms Sharpe would be attending the hearing as a participating member.

4. Correspondence

The Committee noted the following items of correspondence:

Received

 2 August 2013 - Email from Ms Suzanne Fosbery, Minister Gallacher's office advising of the Minister's request for no government questioning during the Police, Emergency Services, The Hunter hearings

5. Inquiry into Budget Estimates 2013-2014 - Order for examination of portfolios

Resolved on the motion of Mr Khan: That no Government questions be asked during the hearing, and that the:

- Police portfolio be examined from 2.00pm until 3.10pm
- Emergency Services portfolio be examined from 3.10 pm until 3.50 pm
- The Hunter portfolio be examined from 4.05 pm until 4.45 pm.

6. Public hearing: Budget Estimates 2013-2014 – Police and Emergency Services, The Hunter Witnesses, the public and media were admitted.

The Chair made an opening statement regarding the broadcasting and webcasting of proceedings and other matters. The Chair made a further statement regarding his intention to rule out of order any questions relating to Operation Emblems. The Chair reminded Minister Gallacher that he did not need to be sworn, as he had sworn an oath to his office as a member of Parliament.

The following witnesses were sworn:

- Mr Andrew Scipione, Commissioner, NSW Police Force
- Mr Nick Kaldas, Deputy Commissioner, Field Operations, NSW Police Force
- Ms Catherine Burn, Deputy Commissioner, Specialist Operations, NSW Police Force
- Mr David Hudson, Deputy Commissioner, Corporate Services, NSW Police Force
- Mr Peter Hastings, Commissioner, NSW Crime Commission
- Ms Vicki D'Adam, Acting Chief Executive Officer, Ministry for Police and Emergency Services
- Superintendent Brett McFadden, Holroyd Local Area Command, NSW Police Force.

The Chair declared the proposed expenditure for the portfolios of Police and Emergency Services, The Hunter open for examination.

The Minister and the departmental witnesses were examined by the Committee.

Superintendent McFadden withdrew.

The departmental witnesses, with the exception of Ms D'Adam withdrew.

The following witnesses were sworn:

- Mr Greg Mullins, Commissioner, Fire and Rescue NSW
- Mr Rob Rogers, Acting Commissioner, NSW Rural Fire Services
- Mr Murray Kear, Commissioner, NSW State Emergency Service.

The Minister and the departmental witnesses were examined by the Committee.

The departmental witnesses withdrew.

The following witness was sworn:

• Mr Bill Tatnell, Department of Premier and Cabinet.

The Minister and the departmental witness were examined by the Committee.

The Minister and the departmental witnesses withdrew.

The public hearing concluded at 4.50 pm.

The public and media withdrew.

7. Supplementary hearings

Resolved, on the motion of Mr Whan: That the Committee hold a further meeting to deliberate on whether to hold supplementary hearings for the portfolios of Police and Emergency Services, and The Hunter on a date to be determined following receipt of answers to questions on notice.

8. Adjournment

The Committee adjourned at 4:55 pm sine die.

John Young

Clerk to the Committee

Minutes No. 22

Wednesday 11 September 2013 General Purpose Standing Committee No. 4 Members' Lounge, Parliament House, Sydney, at 10.45 am

1. Members present

Mr Borsak, Acting Chair Mr Lynn Mrs Maclaren-Jones Mr Moselmane Mr Shoebridge Ms Voltz

2. Substitutions

The Chair advised that the following members would be substituting for the hearing:

- Mrs Maclaren-Jones for Mrs Mitchell
- Mr Moselmane for Mr Searle

3. Previous minutes

Resolved on the motion of Mrs Maclaren-Jones: That draft Minutes No. 20 and 21 be confirmed.

4. Correspondence

The Committee noted the following items of correspondence:

Received

- 3 September 2013 Letter from Ms Catherine Burn, Deputy Commissioner requesting transcript correction of Minister Gallacher's hearing
- 9 September 2013 Email from Attorney General Smith's office to Budget Estimates Secretariat providing answers to supplementary questions and questions taken on notice during the hearing

- 9 September 2013 Email from Minister Gallacher's office to Budget Estimates Secretariat providing answers to supplementary questions and questions taken on notice during the hearing
- 9 September 2013 Letter from Attorney General Smith to Acting Committee Chair providing additional information.

Resolved on the motion of Mr David Shoebridge: That the correspondence from Ms Catherine Burn requesting transcript corrections and the correspondence from Attorney General Smith providing additional information be published.

5. Inquiry into Budget Estimates 2013-2014

5.1 Supplementary hearings

Resolved on the motion of Mr Lynn: That the Committee hold no further hearings to consider matters relating to the portfolios of:

- Attorney General, Justice
- Police and Emergency Services, The Hunter

6. Adjournment

Sine die.

Stewart Smith

Clerk to the Committee

Draft Minutes No. 23

Thursday 17 October 2013 General Purpose Standing Committee No. 4 Members' Lounge, Parliament House, Sydney, at 9.15 am

1. Members present

Mrs Mitchell, *Chair*Mr Borsak, *Deputy Chair*Mr Searle
Mr Shoebridge

2. Apologies

Mr Lynn Ms Voltz

3. Previous minutes

Resolved on the motion of Mr Searle: That Draft Minutes No. 22 be confirmed.

4. Inquiry into Budget Estimates 2013-2014: Chair's draft report

Resolved on the motion of Mr Shoebridge: That the draft report be the report of the Committee and that the Committee present the report to the House.

Resolved on the motion of Mr Shoebridge: That the transcripts of evidence, tabled documents, answers to questions on notice, minutes of proceedings and correspondence relating to the Inquiry be tabled in the House with the report.

Resolved on the motion of Mr Shoebridge: That upon tabling, all transcripts of evidence, tabled documents, answers to questions on notice, minutes of proceedings and correspondence relating to the

Inquiry not already made public, be made public by the Committee, except for those documents kept confidential by resolution of the Committee.

5. Next meeting

Sine die.

Maree Leat

Clerk to the Committee